AGENDA BOARD OF SELECTMEN MONDAY, DECEMBER 20, 2021 WAQUOIT MEETING ROOM MASHPEE TOWN HALL 16 GREAT NECK ROAD NORTH MASHPEE, MA 02649

Broadcast Live on Local Cable Channel 18

Streamed Live on the Town of Mashpee Website: https://www.mashpeema.gov/channel-18

6:30 p.m. - Convene Meeting in Open Session

PLEDGE OF ALLEGIANCE MOMENT OF SILENCE

MINUTES

Discussion and Approval of the Following:
 Monday, November 1, 2021 Executive Session; Monday, November 15, 2021 Executive Session;
 Monday, December 6, 2021 Regular and Executive Sessions

APPOINTMENTS & HEARINGS

- Public Comment
- 6:35 pm Public Hearing (Continued from December 6, 2021 for Retail Package Stores and Farmer Series Distillery Pouring Permit only): 2022 Annual Alcoholic Beverage and Entertainment License Renewals
- Discussion and Approval of Appointment of Shellfish Constable, Deputy Shellfish Constables, Assistant Harbormasters; Approval of Notice of Appointments to Division of Marine Fisheries and Division of Law Enforcement as per MGL Chapter 130 Section 98
- Discussion and Approval of the Following Resignations:
 - Affordable Housing Committee, Tribal Representative, Term Expires June 30, 2022: Marie A. Stone
 - Affordable Housing Committee, Member At-Large, Term Expires June 30, 2022: Melinda Baker
 - Mashpee Inclusion and Diversity Committee, Member At-Large, Term Expires June 30, 2023: Susan Wilson
 - Election Warden: Gillian Dorman
 - Board of Registrars, Member-at-Large, Term Expires June 30, 2023: Margaret Bent
 - Human Services Committee, Member-at-Large, Term Expires June 30, 2022: Frank Fantasia
- Discussion and Approval of the Following Appointments:
 - Affordable Housing Committee, Member At-Large, Term Expires June 30, 2022: Michael R. Richardson

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADDITIONAL TOPICS

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

LIAISON REPORTS

TOWN MANAGER UPDATES

EXECUTIVE SESSION

ADJOURNMENT

MASHPEE TOWN CLERK

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6:30 p.m. - Convene Meeting in Open Session

PLEDGE OF ALLEGIANCE MOMENT OF SILENCE

MINUTES

Discussion and Approval of the Following:

Monday, November 8, 2021 Regular Session; Monday, November 15, 2021 Regular Session;

Monday, November 29, 2021 Regular Session

APPOINTMENTS & HEARINGS

- Public Comment
- 6:35 pm Public Hearing: 2022 Annual Alcoholic Beverage and Entertainment License Renewals
- 6:40 pm Public Hearing: Great Neck Road North and Route 130 Intersection Proposed Roundabout
- Discussion and Approval of the Extension of Annual Contracts for Trash/Recycling Services and Rental of Portable Toilets: Department of Public Works Director Catherine Laurent
- Discussion, Approval and Execution of Order of Taking and Order of Betterment for the Following:
 Chestnut Street, Cedar Street, Devon Street, Ash Street, Hawthorne Street, Gina's Way
- Discussion and Approval of Memorandum of Agreement with the Mashpee Wampanoag Tribe's Department of Natural Resources and the Southeast New England Program (SNEP)
- Discussion and Certification of Hiring Process for Public Safety Dispatcher: Delaney Haisell
- Discussion and Response Relative to Selectman Gottlieb's 39 Questions for MA Army National Guard and Joint Base Cape Cod
- Discussion and Possible Action to Support the Cape Cod Municipal Police Academy

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADDITIONAL TOPICS

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

LIAISON REPORTS

TOWN MANAGER UPDATES

EXECUTIVE SESSION

 Discussion of Strategy Relative to Negotiations with Non-Union Personnel (Police Chief Scott Carline) (GL c 30A, §21 (a) (2)).

RECONVENE OPEN SESSION

Discussion, Approval and Ratification of Personal Service Contract for Police Chief Scott Carline

ADJOURNMENT

Present: Selectman Carol A. Sherman, Selectman David W. Weeden, Selectman Andrew R. Gottlieb,

Selectman John J. Cotton, Selectman Thomas F. O'Hara

Town Manager Rodney C. Collins

Assistant Town Manager Wayne E. Taylor

Meeting Called to Order by Chairman Sherman at 6:30 p.m.

Mashpee Town Hall, Waquoit Meeting Room

MINUTES

Monday, November 8, 2021 Regular Session; Monday, November 15, 2021 Regular Session; Monday, November 29, 2021 Regular Session:

Motion made by Selectman Gottlieb to approve the Regular Session minutes of Monday, November 8, 2021, Monday, November 15, 2021 and Monday, November 29, 2021 as presented. Motion seconded by Selectman Cotton.

VOTE: Unanimous, 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

APPOINTMENTS & HEARINGS

Public Comment:

Brian Weeden, Mashpee Tribal Council Chairman bestowed a formal invitation to the Select Board to hold a long overdue joint meeting at a time to be coordinated between the two entities. Matters of discussion would include but not be limited to addressing concerns regarding wastewater, the respect of aboriginal peoples rights and discussions associated to cemeteries.

Public Hearing: 2022 Annual Alcoholic Beverage and Entertainment License Renewals:

The Select Board acting as the Local Licensing Authority for the Town of Mashpee opened the Public Hearing on the 2022 Annual Alcoholic Beverages and Entertainment License renewals in the Town of Mashpee. The Hearing notice was read aloud into the record in adherence to posting requirements.

The Building Commissioner has verified the licensed establishments have assed building/fire inspection with the exception of Tana and Friend, LLC d/b/a Bangkok Thai Cuisine which is scheduled to be conducted before the end of December.

All licensed establishments have passed health inspections. There are no violations reported from the Chief of Police and the Treasurer/Tax Collector's Office has confirmed that all licensed establishments are current with their property taxes. Workers' compensation insurance and proof of liquor liability insurance has also been verified.

Public Hearing: 2022 Annual Alcoholic Beverage and Entertainment License Renewals: (continued)

Discussion followed with regards to inspection mandates as required by restaurant license holders. It was agreed that Package Store license holders would be subject to the inspections required of restaurants. The matter of safety as it pertains to window signage hindering visibility on doors and windows was also discussed and considered for review.

Acting on the recommendation of the Select Board, Town Manager Rodney C. Collins indicated he would request that general inspections be completed on all licensed Package Stores by applicable regulatory boards. In addition to the procurement of window signage inspections to ensure safety and compliance mandates.

Package Store - All Alcohol and Package Store Wine & Malt:

Being no comment, the Select Board motioned as follows;

Motion made by Selectman Gottlieb to extend the Public Hearing on the 2022 Annual Alcoholic Beverage and Entertainment License Renewals; Package Store All Alcohol and Package Store Wine & Malt only to Monday, December 20, 2021 at 6:40 p.m.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes Opposed, none

Selectman Cotton, yes

Selectman O'Hara, yes

The Select Board continued their review of the 2022 License Renewals as follows; There are no changes to the Entertainment License Renewals for 2022.

Public Hearing: 2022 Annual Alcoholic Beverage and Entertainment License Renewals: (continued)

Restaurant – All Alcohol:

It was disclosed the children of Select Board member John J. Cotton work at Siena, and there is no perceived conflict of interest. It was also disclosed Select Board member Thomas F. O'Hara is currently conducting work on the Estia establishment and would abstain from voting on this license renewal.

Being no comment, the Select Board motioned as follows;

Motion made by Selectman Gottlieb to approve the following Restaurant 2022 Annual Alcoholic Beverage and Entertainment License Renewals with no changes; Restaurant - All Alcohol Licenses;

Asia

Bleu

Bobby Byrne's

Café Trevi

Cape Cod Coffee

Magni, Inc.

*Estia

Finally Dino's

The Lanes

99 Restaurant

Quashnet Valley Country Club Wicked

Siena

Soprano's

Motion seconded by Selectman Weeden.

<u>VOTE</u>: Unanimous. 5-0. VOTE: Unanimous. 4-0-1.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

(*abstention on Estia only)

Restaurant – Wine & Malt:

Being no comment, the Select Board motioned as follows;

Motion made by Selectman Gottlieb to approve the following 2022 Annual Alcoholic Beverage and Entertainment License Renewals with no changes; Restaurant – Wine & Malt Licenses;

Bankok Thai Cuisine - Contingent upon Building/Fire Inspection approval, Zoe's

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes Selectman Cotton, yes Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman O'Hara, yes

Opposed, none

Public Hearing: 2022 Annual Alcoholic Beverage and Entertainment License Renewals: (continued)

Commercial Club - All Alcohol:

Being no comment, the Select Board motioned as follows;

Motion made by Selectman Gottlieb to approve the following 2022 Annual Alcoholic Beverage and Entertainment License Renewals with no changes; Restaurant – Commercial Club – All Alcohol Licenses;

New Seabury Country Club

Willowbend Country Club

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

Farmers Brewery Pouring - Malt Only:

Being no comment, the Select Board motioned as follows;

Motion made by Selectman Gottlieb to approve the following 2022 Annual Alcoholic Beverage and Entertainment License Renewals with no changes; Farmers Brewery Pouring - Malt Only Licenses;

Naukabout Beer Company

Cape & Islands Distillers

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

Motion made by Selectman Gottlieb to close the Public Hearing with the exception of the Package Store – All Alcohol and Package Store Wine & Malt continued to December 20, 2021. Motion seconded by Selectman O'Hara.

<u>VOTE</u>: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

APPOINTMENTS & HEARINGS

Public Hearing: Great Neck Road North and Route 130 Intersection Proposed Roundabout:

The Select Board opened the Public Hearing to discuss the potential replacement of the traffic signal at the intersection of Great Neck Road North and Route 130 (Main Street) with a roundabout. In accordance with posting procedures, the Public Hearing notice was read aloud into the record.

A roundabout at the intersection is being considered because of the more frequent queues for westbound traffic on Route 130 and northbound traffic on Great Neck Road North, particularly for the morning and afternoon commutes. Preliminary analysis of the roundabout versus the traffic signal shows an improvement in the level of service for vehicles travelling through the intersection with better traffic movement and shorter delays.

Catherine Laurent, Director of Public Works was in attendance with Santec project engineer Jill McLaughlin to review existing site conditions and the proposed roundabout design having a single roundabout with a bypass lane.

Concerns were addressed by the Select Board in October of 2020 regarding traffic and safety issues at the intersection. After addressing this matter with the Cape Cod Commission, it was deemed plausible to move forward with a conceptual design plan.

Ms. McLaughlin presented schematics of the roundabout which improves safety over a traditional signalized intersection. Roundabouts reduce the severity of accidents with up to 90% reduction in fatality, 76% in injury crashes, 10% reduction in cyclist accidents and 30-40% in pedestrian accidents.

As drivers approach a roundabout, vehicle speeds are reduced, and there is more time for navigation. The design includes an added truck apron for larger and emergency vehicles. Three crosswalks are provided for better access to the business establishments situated in this area.

Driveway modifications are proposed at the Dunkin Donuts and Mashpee Country Store site locations for safety. A shared driveway is proposed to allow for easier truck access, and parking. This initiative does not affect Route 130 and should provide better customer access and safety and eliminate the need for trucks to back into the existing driveway areas. A retaining wall is planned to be constructed at the Dunkin Donuts facility at the sloped area for safety.

Correspondence was received from John Fulone dated December 6, 2021 in support of the consideration for a roundabout at the Route 130/Great Neck Road North intersection. Communication was also received from John Miller dated December 6, 2021 in support to the proposed project. Additional comment was received from Peter Readel dated December 5, 2021 stating there is no positive benefit to the project proposal.

APPOINTMENTS & HEARINGS

Public Hearing: Great Neck Road North and Route 130 Intersection Proposed Roundabout: (continued)

The Select Board offered comment on the proposed roundabout design stating the projected formulas on the queues should be coordinated with the Cape Cod Commission's growth rate as year-round residency has increased.

There was concern with respect to the abutters maintaining customer access and regular deliveries. There are also several homes located in the subject area. It was disclosed the project would not impact the area homes. Accommodating the abutters and users of the roadway during construction is a concern.

The realignment of the shared driveway between the two businesses would improve site distance. The use of Town-owned property would create a common parking area. Future discussions would be held regarding the maintenance of the common area between the Town and the (3) property owners as the area is Town-owned, but not designed as a public way.

It was recommended the curbs be less rigid with softer angles to avoid driving over a sharp curb.

Discussion followed regarding pedestrian safety. State law requires vehicles to yield to pedestrians. The three crosswalks will be marked accordingly within the green safety lined areas.

The Select Board opened the Public Hearing to obtain comment.

Tom Fudala, the former Town Planner indicated he is completely in favor of the roundabout concept having recently returned from Scotland where 90% of the intersections are roundabouts. The Town of Barnstable currently has three roundabouts, and the Town of Sandwich has one.

Mr. Fudala stated there is no need for a bypass lane from Great Neck Road North to Main Street. The roundabout concept should work without it, and create less of a merger problem with more areas for pedestrians to cross. The proposed roundabout bypass lane also utilizes a portion of the Town Hall egress driveway. The property adjacent to the Town Hall is open space land purchased with Land Bank funds. Use of the property may violate the open space requirements.

Mr. Fudala also added that traffic lights use energy and cost several thousand dollars per year to operate. There is no energy use in a roundabout. Traffic lights also create additional traffic. It also is more efficient to use a roundabout to reduce the accident rate.

Lynne Barbee, Surf Drive recommended that lighting to added to the project in the crosswalk areas to alert vehicles when pedestrians are crossing.

Mary Waygan, Ashumet Road spoke in support of the project and suggested the Town invest in pedestrian walkways. Ms. Waygan was also supportive of the recommendation to remove the axillary lane to slow traffic. Assuming new drainage would be introduced, Ms. Wagan recommended the Town prioritize water quality, and create stormwater control measures to remove nitrogen, with possible vegetative swales.

APPOINTMENTS & HEARINGS

Public Hearing: Great Neck Road North and Route 130 Intersection Proposed Roundabout: (continued)

It was noted the project in the absence of summer and winter work would most likely take two seasons. The Select Board recognized the adjacent properties and prioritized providing uninterrupted access the facilities and homes during construction. It was agreed the work at this area would begin first. This would allow the businesses to remain open during construction supporting the maintenance of their customer base adding signage for accessibility.

Brian Weeden commented on the history of the Town of Mashpee recognizing the work as proposed lies within the Historical District. Historic figures in the Town of Mashpee including Jan Hendricks and Frank Hicks resided in this area. The open space area adjacent to the Mashpee Town Hall is also archeologically sensitive. It was recommended the Historic District Commission review the project before it advances forward.

Mr. Weeden also indicated the Mashpee Wampanoag Tribe and the Town of Mashpee should be working sovereign to sovereign since the entities have shared the same community for the past 400 years.

There was a question regarding this project as it relates to plans to improve the Mashpee Rotary as improvements tend to allow more people to intersect. This may create further traffic problems. In considering the two intersections Mary Waygan recommended the Town announce the changes as soon as possible and continue to do so to alert traffic and tractor trailers that traverse on Great Neck Road South to Route 130.

With regards to the archeologically sensitive property Tom Fudala states if the Town eliminates the bypass/speedway, there would be no encroachment on the open space property.

It was disclosed that additional public hearings would be held to further review this matter.

Motion made by Selectman Gottlieb to close the Public Hearing.

Motion seconded by Selectman Cotton.

<u>VOTE</u>: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

Motion made by Selectman Gottlieb to request the DPW and Town Manager's Office to modify the design of the proposed roundabout taking into consideration the comments received. Motion seconded by Selectman O'Hara.

<u>VOTE</u>: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

APPOINTMENTS & HEARINGS

<u>Discussion and Approval of the Extension of Annual Contracts for Trash/Recycling Services and Rental of Portable Toilets: Department of Public Works Director Catherine Laurent:</u>

Catherine Laurent, Director of Public Works was in attendance to recommend the Board approve bids for the extension of Annual Contracts for Trash/Recycling Services to Cavossa Disposal and Rental of Portable Toilets to Pina Sajje Sanitation. This is the second year of a two-year bid proposed for CY2022.

Motion made by Selectman Gottlieb to approve the Annual Contracts for Trash/Recycling Services to Cavossa Disposal and the Rental of Portable Toilets to Pina Sajje Sanitation as presented. Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, ves

Selectman O'Hara, ves

Opposed, none

<u>Discussion</u>, <u>Approval and Execution of Order of Taking and Order of Betterment for the Following:</u> <u>Chestnut Street</u>, <u>Cedar Street</u>, <u>Devon Street</u>, <u>Ash Street</u>, <u>Hawthorne Street</u>, <u>Gina's Way:</u>

The Select Board reviewed the Order of Taking and Order of Betterment Assessment approved by a vote of Town Meeting held on October 18, 2021 for Chestnut Street, Cedar Street, Devon Street, Ashe Street, Hawthorne Street and Gina's Way.

The total cost of construction is \$311,010. The estimated betterment cost to be borne to (15) property owners is \$20,734.

Motion made by Selectman Gottlieb to approve and execute the Order of Taking and Order of Betterment Assessment for Chestnut Street, Cedar Street, Devon Street, Ash Street, Hawthorne Street and Gina's Way as presented.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, ves

Selectman O'Hara, yes

Opposed, none

APPOINTMENTS & HEARINGS

<u>Discussion and Approval of Memorandum of Agreement with the Mashpee Wampanoag Tribe's Department of Natural Resources and the Southeast New England Program (SNEP):</u>

Ashley Fisher, Director of Natural Resources was in attendance with Jason Steiding, the Mashpee Wampanoag Tribe's Department of Natural Resources Assistant Director to request the Town of Mashpee Natural Resources Department to enter into a Memorandum of Agreement with the Southeast New England Program (SNEP).

The SNEP Network is comprised of over 15 different partner organizations offering technical and financial services to communities in support of leadership and peer-to-peer learning. The goal of the SNEP Network is to bring a broader understanding of the impacts of stormwater facing the community, and to overcome implementation barriers through capacity building and innovative financing systems

The Tribe has received a Technical Assistance Award through SNEP to evaluate and implement measures to address nutrient pollution in Santuit Pond and assist in the management of water quality issues related to stormwater in the vicinity of Santuit Pond on a watershed scale.

The Town of Mashpee is listed as a co-applicant and partner. It is anticipated the Town of Mashpee DNR would work closely with the Tribes Natural Resources Department, the SNEP Network team, MVP consultants and the DPW to reduce external sources of phosphorus in Santuit Pond through stormwater and yard use practices prior to the implementation of Phase II of the Clean Water Management Plan.

Town Manager Rodney C. Collins indicated Town Counsel has reviewed the Memorandum of Agreement to form recommending the Town Manager sign the document on behalf of the Town of Mashpee.

The New England Environmental Finance Center is funded by a cooperative agreement with the U.S. Environmental Protection Agency.

DNR Director Ashley Fisher indicated the scope is similar to the MVP program. There was no objection to the recommendation of the DNR Director for the Town of Mashpee and Mashpee Wampanoag Tribe's Department of Natural Resources to work in conjunction with both grants for the benefit of the Mashpee community.

Motion made by Selectman Gottlieb to authorize the Town Manager to execute the Memorandum of Agreement between the New England Environmental Finance Cember, University of Southern Maine, the Mashpee Wampanoag Tribe and the Town of Mashpee authorizing the Town Manager as the signatory on behalf of the Town of Mashpee.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0. Roll Call Vote:

Selectman Sherman, yes Selectman Cotton, yes

Selectman Weeden, yes Selectman O'Hara, yes Selectman Gottlieb, yes Opposed, none

APPOINTMENTS & HEARINGS

Discussion and Certification of Hiring Process for Public Safety Dispatcher: Delaney Haisell:

Correspondence was received from Police Captain Thomas A. Rose dated December 1, 2021 regarding the hiring process for the position of Public Safety Dispatcher. Town Manager Rodney C. Collins affirmed that all policies and procedures associated to the Hiring Process has been adhered to.

Motion made by Selectman Gottlieb to certify the Hiring Process for Public Safety Dispatcher Delaney Haisell as recommended.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

<u>Discussion and Response Relative to Selectman Gottlieb's 39 Questions for MA Army National Guard and Joint Base Cape Cod:</u>

Late filed communication was received on this date from Joint Base Cape Cod. However, there was no formal response to the outstanding List of 39 Questions presented last August. JBCC is expected to make a presentation on the proposed Machine Gun Range on December 20, 2021. It was recommended the JBCC publicly address the pending questions at this meeting.

Discussion and Possible Action to Support the Cape Cod Municipal Police Academy:

A brief discussion followed with respect to the Cape Cod Municipal Police Academy. It was noted this matter is being discussed on the county level, and there is sentiment this type of organization is needed to be offered on the Cape. Currently recruits are being sent to Springfield for training. This is not cost productive. It is hopeful the training academy would be formed in a professional manner with state funding to support this much-needed program.

Motion made by Selectman Gottlieb to support endeavors to site a Municipal Police Academy on Cape Cod with a properly funded budget.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

LIAISON REPORTS

<u>Wastewater:</u> The Sewer Commission has been working diligently on this topic. A joint regulatory meeting is scheduled next week to further review this concern.

<u>Special Events:</u> The distribution of Thanksgiving dinners was well received. The Chamber of Commerce is planning on delivering Christmas dinners to those who are ill or home alone. Additional information can be found by calling the Mashpee Chamber of Commerce.

The Annual Holiday Parade is scheduled to be held in Mashpee Commons on Saturday, December 11, 2021 beginning at 5:30 p.m.

TOWN MANAGER UPDATES

COVID: (7) new positive cases have been reported.

FY23 Budget: The FY2023 Departmental Budget is compiled and ready for dissemination.

FY22 Tax Rate: The FY2022 tax rate of \$8.03 has been certified by the Department of Revenue.

<u>Comcast:</u> The Select Board received an invitation to attend the opening of a new Xfinity store in Hyannis on Wednesday, December 8, 2021.

<u>Cape & Islands Outreach Center:</u> The Select Board was invited to attend the opening of the new Cape & Islands Outreach Center in Mashpee.

<u>Communication from Attorney General</u>: Correspondence was received from the Office of the Attorney General dated November 19, 2021 relative to an Open Meeting Law Complaint which was declined for review.

EXECUTIVE SESSION

<u>Discussion of Strategy Relative to Negotiations with Non-Union Personnel (Police Chief Scott Carline) (GL c 30A, §21 (a) (2)):</u>

Motion made by Selectman Gottlieb to move that the Board go into Executive Session at 7:49 p.m. pursuant to G.L. c. 30A, §21 (a)(2 to: discuss strategy with respect to the negotiation of Personal Service Contract for Police Chief Scott Carline.

The Select Board will reconvene in Open Session.

Select Board Chair Carol A. Sherman declared that an open meeting on these issues may have a detrimental effect on the negotiating position of the Town.

Motion seconded by Selectman O'Hara.

<u>VOTE</u>: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes Selectman Cotton, yes

Selectman Weeden, yes Selectman O'Hara, yes Selectman Gottlieb, yes

Opposed, none

RECONVENE OPEN SESSION - 7:52 p.m.

Discussion, Approval and Ratification of Personal Service Contract for Police Chief Scott Carline:

Motion made by Selectman Gottlieb to ratify and authorize the Town Manager to execute the Personal Service Contract for Police Chief Scott Carline as presented.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

ADJOURNMENT

Motion made by Selectman Gottlieb to adjourn at 7:53 p.m.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes

Selectman Weeden, yes

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Opposed, none

Respectfully submitted,

Kathleen M. Soares Secretary to the Select Board

Enclosures:

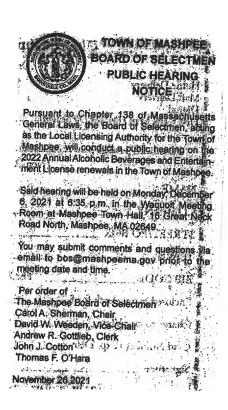
Communication re: Proposed Roundabout (3)
Communication re: Open Meeting Law Complaint

TOWN OF MASHPEE BOARD OF SELECTMEN PUBLIC HEARING NOTICE

Pursuant to Chapter 138 of Massachusetts General Laws, the Board of Selectmen, acting as the Local Licensing Authority for the Town of Mashpee, will a public hearing on the 2022 Annual Alcoholic Beverage License renewals in the Town of Mashpee.

Said hearing will be held on Monday, December 6, 2021 at 6:35 p.m. in the Waquoit Meeting Room at Mashpee Town Hall, 16 Great Neck Road North, Mashpee, MA 02649.

You may submit comments and questions via email to bos@mashpeema.gov prior to the meeting date and time.



Per order of
The Mashpee Board of Selectmen

Carol A. Sherman, *Chair*David W. Weeden, *Vice-Chair*Andrew R. Gottlieb, *Clerk*John J. Cotton
Thomas F. O'Hara

TOWN OF THE TOWN O

Town of Mashpee

Office of Selectmen

16 Great Neck Road North Mashpee, Massachusetts 02649 Telephone - (508) 539-1401 bos@mashpeema.gov

MEMORANDUM

Date:

December 14, 2021

To:

Rodney C. Collins, Town Manager and

Honorable Members of the Board of Selectmen

From:

Stephanie A. Coleman, Administrative Secretary

Re:

Public Hearing Annual Alcoholic Beverages and Entertainment License Renewals for 2022

(Continued from December 6, 2021 for Retail Package Stores and Farmer Series Distillery

Pouring Permit only)

Description

Discussion and approval of the Annual Alcoholic Beverages and Entertainment License Renewals for Retail Package Stores and one Farmer Series Distillery Pouring Permit for the year 2022.

Background.

Pursuant to Chapter 138 of Massachusetts General Laws, the Board of Selectmen, acting as the Local Licensing Authority for the Town of Mashpee, will conduct a public hearing on the 2022 Annual Alcoholic Beverages and Entertainment License renewals for the Town of Mashpee.

The Treasurer/Collector's Office has confirmed that all licensed establishments are current on their property taxes. All license holders have filed complete renewal applications and submitted proof of liquor liability insurance as required.

Package Store - All Alcohol

Andy's Market
The Barn
Best Buy Beverages, Inc.
Liberty Liquors
South Cape Wine & Spirits

Package Store - Wine & Malt

Commons Convenience Mashpee Mart Mashpee Mini Mart Rory's

Farmers Series Pouring - Distillery

Cape & Islands Distillers

Recommendation

The Board of Selectman approve the license renewal applications for Retail Package Stores and the Farmers Series Pouring Permit with the contingency that all of the establishments pass Building/Fire inspections.



RECEIVED

NOV 22 2021

2022

Retail License Renewal

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cense Number: 00021-PK-0670

Municipality: MASHPEE

License Name:

Andys Market Inc

License Class: Annual

DBA:

License Type: Package Store

Premise Address:

425 Nathan Ellis Highway Mashpee, MA

License Category: All Alcoholic Beverages

Manager:

Bryan W Anderson

I hereby certify and swear under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
- 2. The renewed license is of the same class, type, category as listed above;
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
- 4. The premises are now open for business (if not, explain below).

Date

PRESIDE ~ T

Title

W ANDERSON

Printed Name

Please complete and return this form to the Local Licensing Authority.

THE COMMONWEALTH OF MASSACHUSETTS ALCOHOLIC BEVERAGES CONTROL COMMISSION

95 Fourth Street, Suite 3 Chelsea, MA 02150-2358

RECEIVED

Retail License Renewal

NOV 4 2021

Time: 11:18 pm

	Renewal For (Year)	2022	
License Number	00024-PK-0670	Municipality	MASHPEE
License Name	Paradigm Inc	License Class	Annual
DBA	The Barn	License Type	Off-Premises: Package Store
Premises Address	22 A Falmouth Road, Mashpee MA 02649	License Category	All Alcohol
Manager Name	Mohammed Shafique		
The reneThe licen	horized to sign this renewal pursuant to wed license is of the same class, type and see has complied with all laws of the Co nises are now open for business (if not, e	d category as liste mmonwealth rela	d above:
4. The pren	nises are now open for business (if not, e	explain below).	
Signature of Au	thorized Party	D	10 - 8 - 21 late
MOHA MM	<i></i>		
party p Email Address	ell@yahoo.com		
	Please complete and return this form	to the Local Licensing	g Authority.
Additional Informat	ion / Corrections		

hange Premises Address to 22 A Falmouth Road Mashpee MA 02649



RECEIVED

NOV 23 2021

2022 **Retail License Renewal**

License	Number:
TYCCHISC	I TUILLUCI.

00042-PK-0670

Municipality: MASHPEE

License Name:

Shreeji Krupa LLC

License Class: Annual

DBA:

Best Buy Beverage

License Type: Package Store

Premise Address:

16 Echo Road Mashpee, MA 02649

License Category: All Alcoholic Beverages

Manager:

Chetna H Patel

I hereby certify and swear under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
- 2. The renewed license is of the same class, type, category as listed above;
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
- 4. The premises are now open for business (if not, explain below).

M ANA WER + ONER

Please complete and return this form to the Local Licensing Authority.



OCT 25 2021 PM12:15

2022 Retail License Renewal

Retail License	Renewal
00023-PK-0670	Municipality: MASHPEE
Denrich Enterprises Inc	License Class: Annual
Liberty Liquors At North Market Street	License Type: Package Store
4 North Market Street Mashpee, MA 02649	License Category: All Alcoholic Beverages
Dena M Rymsha	
enuthorized to sign this renewal pursuant to M.G.L. enewed license is of the same class, type, categoricensee has complied with all laws of the Common remises are now open for business (if not, explain Signature Printed Name return this form to the Local Licensing Authority. ion:	ry as listed above; nwealth relating to taxes; and n below). lofted Date Title
	Denrich Enterprises Inc Liberty Liquors At North Market Street 4 North Market Street Mashpee, MA 02649 Dena M Rymsha and swear under penalties of perjury that: Buthorized to sign this renewal pursuant to M.G.I enewed license is of the same class, type, categories has complied with all laws of the Common remises are now open for business (if not, explain Signature Rymsha Printed Name return this form to the Local Licensing Authority.



OCT 19 2021 PM3:04

2022 Retail License Renewal

_	_						
T	in	an	99	N_{I_2}	1122	her	

00020-PK-0670

Municipality: MASHPEE

License Name:

Bacchus Enterprises Inc

License Class: Annual

DBA:

South Cape Wine And Spirits

License Type: Package Store

Premise Address:

19 Commercial Street Mashpee, MA 02649

License Category: All Alcoholic Beverages

Manager:

Barbara Rymsha

I hereby certify and swear under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
- 2. The renewed license is of the same class, type, category as listed above;
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and

4. The premises are now open for business (if not, explain below).

Signature

Printed Name

Date

 $\mathcal{L}\mathcal{L}$

Please complete and return this form to the Local Licensing Authority.



RECEIVED

2022 Retail License Renewal

License Number: 00071-PK-0670

Municipality: MASHPEE

License Name:

Commons Convenience Inc

License Class: Annual

DBA:

License Type: Package Store

Premise Address:

414 Nathan Ellis Highway Mashpee, MA

License Category: Wines and Malt

02649 Manager:

Ghulam Rasool

I hereby certify and swear under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
- 2. The renewed license is of the same class, type, category as listed above;
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and

4. The premises are now open for business (if not, explain below).

Signature

Please complete and return this form to the Local Licensing Authority.



RECEIVED

NOV 1 0 2021

2022

Retail License Renewal

License Number: 89373-PK-0670

Municipality: MASHPEE

License Name:

ASZS Group, Inc.

License Class: Annual

DBA:

Mashpee Mart

License Type: Package Store

Premise Address:

44 Falmouth Road Mashpee, MA 02649

License Category: Wines and Malt

Manager:

Zohaib Shahid

I hereby certify and swear under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
- 2. The renewed license is of the same class, type, category as listed above;
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and

4. The premises are pow open for business (if not, explain below).

11-09-2021
Date
President
Title

Please complete and return this form to the Local Licensing Authority.



RECEIVED

2022

Retail License Renewal

	NOV	4	2021
By: F	90		
	0:30		

License Number: 88862-PK-0670

Municipality: MASHPEE

License Name:

Shree Kamakya Devi, Inc.

License Class: Annual

DBA:

Mashpee Mini Mart

License Type: Package Store

Premise Address:

401 Nathan Ellis Highway Mashpee, MA

License Category: Wines and Malt

02649

Manager:

Subodh Basnet

I hereby certify and swear under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
- 2. The renewed license is of the same class, type, category as listed above;
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
- 4. The premises are now open for business (if not, explain below).

PRESIDENT

Please complete and return this form to the Local Licensing Authority.



RECEIVED

NOV 24 2021

2022

Retail License Renewal

-		~ -	•	
	icense	Nn	mh	er.

00085-PK-0670

Municipality: MASHPEE

License Name:

Darby's Natural Markets LLC

License Class: Annual

DBA:

Rory'S

License Type: Package Store

Premise Address:

32 Market Street Mashpee, MA 02649

License Category: Wines and Malt

Manager:

Rory Eames

I hereby certify and swear under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
- 2. The renewed license is of the same class, type, category as listed above;
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
- 4. The premises are mow open for business (if not, explain below).

Signature

ease complete and return this form to the Local Licensing Authority.



RECEIVED

NOV 23 2021

By: A

2022 Retail License Renewal

06203-DP-0670

Municipality: MASHPEE

License Name:

CAPE & ISLANDS DISTILLERS LLC

License Class: Annual

DBA:

License Type: Farmer Distillery Pouring Permit

Premise Address:

10A Evergreen Circle Mashpee, MA 02649

License Category: Distilled Spirits Only

Manager:

Jonathan Fryer

I hereby certify and swear under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
- 2. The renewed license is of the same class, type, category as listed above;
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and

4. The premises are now open for business (if not, explain below).

Signature

THAN FRYER

Printed Name

11/22/21

Date

MANAGER

Title

Please complete and return this form to the Local Licensing Authority.

Rodney C. Collins Town Manager 508-539-1401 rccollins@mashpeema.gov



Office of the Town Manager Mashpee Town Hall 16 Great Neck Road North Mashpee, MA 02649

MEMORANDUM

To:

Honorable Select Board

From:

Town Manager Rodney C. Collins

Reference:

Shellfish Appointments

Date:

December 16, 2021



As you know, the Town Manager is responsible for appointments of department heads and other town officers or employees subject to Section 4-2 (b) of the Town Charter. Department heads must be confirmed by the Select Board. Department heads and other employees are subject to the certification process that all town policies and procedures have been followed.

Shellfish enforcement authority derives from Massachusetts General Law Chapter 130, Section 98. It specifically requires the affirmation of the Select Board. This has been referenced in the past at Board meetings. There are also specific durations (3 years) for the granting of this authority by the Select Board. This is simply a housekeeping issue for the purpose of maintaining a record of authority in shellfish management with the Commonwealth under Marine Fisheries and Agriculture and Conservation.

Therefore, I specifically request that the Select Board affirm the following appointments:

- 1. Donovan McElligatt as Shellfish Constable for a term of 3 years.
- 2. Ashley Fisher as Deputy Shellfish Constable for a term of 3 years.
- 3. Christopher Avis as Deputy Shellfish Constable for a term of 3 years.
- 4. Sidney Crook as Deputy Shellfish Constable for a term of 3 years.

All of the above listed people serve the Town in their official capacity under the Department of Natural Resources and are in good standing.

SEAL LOWN ON THE STATE OF THE S

Town of Mashpee

Office of Selectmen

16 Great Neck Road North Mashpee, Massachusetts 02649 Telephone - (508) 539-1401 bos@mashpeema.gov

MEMORANDUM

Date: December 14, 2021

To: Rodney C. Collins, Town Manager and

Honorable Members of the Board of Selectmen

From: Stephanie A. Coleman, Administrative Secretary

Resignations from the Affordable Housing Committee, Mashpee Inclusion and Diversity

Committee, Election Warden, Board of Registrars and Human Services Committee

Appointment to the Affordable Housing Committee

Description

Re:

- 1. Discussion and acceptance of the resignations from the following:
 - Affordable Housing Committee, Tribal Representative, Term Expires Jun 30, 2022: Marie A. Stone
 - Affordable Housing Committee, Member At-Large, Term Expires June 30, 2022: Melinda Baker
 - Mashpee Inclusion and Diversity Committee, Member At-Large, Term Expires June 30, 2023:
 Susan Wilson
 - Election Warden: Gillian Dorman
 - Board of Registrars, Member At-Large, Term Expires June 30, 2023: Margaret Bent
 - Human Services Committee, Member At-Large, Term Expires June 30, 2022: Frank Fantasia

Attached you will find the letters of resignation from the committee members.

- 2. Discussion and approval of the appointment of the following:
 - Affordable Housing Committee, Member At-Large, Term Expires June 30, 2022:
 Michael R. Richardson

Attached is Mr. Richardson's letter of interest to join the committee.

AFFORDABLE HOUSING COMMITTEE

Town of Mashpee Mashpee Town Hall, 16 Great Neck Road North Mashpee, Massachusetts 02649

September 11, 2020

John Cotton, Chair Board of Selectmen Town of Mashpee 16 Great Neck Road North Mashpee, MA 02649

Subject:

Committee Vacancy

Affordable Housing Committee

Dear Selectmen Cotton:

This letter is to inform you of a vacancy on the Affordable Housing Committee. The vacancy is the result of the resignation of Marie Stone who is the Tribal representative on the Committee.

My understanding from conversations I have had with the Town Manager's office is that this position should be filled with another Tribal member under arrangements that exist between the Town of Mashpee and the Wampanoag Tribal Council. In view of this, and with all due deference to the prerogatives of the Board of Selectmen in this situation, I would like express my concern that the process for identifying a Tribal member who can fill this Committee vacancy be facilitated, as much as possible, and in collaboration with the Chairman of the Tribal Council, as you find appropriate to understandings between the Town and the Tribe.

I would just like to add that the presence of a Tribal member on our Committee has been advantageous to the deliberations of the Committee, and urge that the Board of Selectmen identify a candidate for appointment as soon as possible. As a matter of good policy, any efforts to increase the affordable housing supply by either governing jurisdiction is helpful in meeting the joint needs of our residents for affordable housing, because the housing problem is regional in character and the demand for affordable housing felt by both jurisdictions is largely overlapping.

I therefore request that you contact the Chairman of the Wampanoag Tribe, in a manner appropriate to past understandings and agreements, in an effort to facilitate identifying a Tribal member to fill the vacancy on this Committee.

Thank you for your consideration of this request.

Allan Isbitz, Chairperson Affordable Housing Committee



otice of a Meeting of the Affordable Housing Committee on January 21, 2020

ekon Uppeshau <:
: Allan Isbitz -

Thu, Jan 16, 2020 at 5:12 F

Dear Allen,

It is with regret that I inform you I must step off of the Affordable Housing Committee. Back in June 2019, I took a job with the tribe as the New Human Resources Director, and am not able to keep my commitment with the Affordable housing and another committee.

I have been searching for someone for the tribe who may be interested in participating, and a few people are interested. In the even someone is serious, I will pass the name along to you. Also we can continue to solicit a tribal citizen, and let you know when we have someone.

I want to thank all of you for your patience and understanding. I have learned a lot and would love to continue, however I am not superwoman. I wish there were more hours in a day, and more days in a week.

Have a Happy, great and prosperous New Year.

Respectfully, Marie A. Stone [Quoted text hidden]

Melinda Baker

Mashpee MA 02649

November 30, 2021

Allan Isbitz Chairman Affordable Housing Committee

Dear Allan,

It is with regret that I am writing to inform you of my need to resign my position on the Affordable Housing Committee. My last meeting will be December 7, 2021.

Our family is moving out of the country in January and I will no longer be able to serve in this role.

It has been a pleasure being a part of the Affordable Housing Committee. I am so proud of all we have accomplished, and I have no doubt the committee will continue to make impactful progress in the future.

Warmest regards,

Melinda Baker

Sue Wilson

Mashpee, MA 02649

December 2, 2021

Rodney C. Collins, Town Manager TOWN OF MASHPEE 16 Great Neck Rd. N Mashpee, MA 02649

Re: Resignation from MIDC

Dear Mr. Collins:

As requested by Marie Stevenson, enclosed please find my letter of resignation from the Mashpee Inclusion and Diversity Committee (MIDC). Please give this to the Select Board for its records.

Thank you.

Sincerely,

Susan Wilson

DEC 6 2021 PM4:53

Sue Wilson

Mashpee, MA 02649

December 2, 2021

To: Carol A. Sherman, Chair David W. Weeden, Vice-Chair Andrew Gottlieb, Clerk John Cotton, Member Thomas F. O'Hara, Member

Re: Resignation from MIDC

Dear Mashpee Select Board:

It has been a privilege to serve on the Mashpee Inclusion and Diversity Committee (MIDC) under the leadership of Marie Stevenson. Due to my upcoming retirement and plan to make St. Petersburg, Florida my primary residence, I hereby resign from my position as a member of the MIDC.

Thank you for allowing me to service on this very important town committee.

Sincerely,

Susan Wilson

cc. Marie Stevenson

DEC 6 2021 PM4:53

Deborah Dami, MMC, CMMC Town Clerk 508-539-1418 ddami@mashpeema.gov



Office of the Town Clerk Mashpee Town Hall 16 Great Neck Road North Mashpee, MA 02649

To: Board of Selectmen

From: Deborah F. Dar

Town Clerk

Date: December 13, 2021

Re: Letter of Resignation

I am in receipt of a letter of resignation from Ms. Margaret Bent who served as a member of the Mashpee Board of Registrars since November 5, 2021. Ms. Bent represented the Democrats of Mashpee and will be deeply missed. Also, due to professional obligations, Ms. Gillian Dorman, who has served as a Warden for the Town of Mashpee since November 5, 2018 is unable to continue to serve at this time.

Please accept Ms. Bent's and Ms. Dorman's resignation with deep regret.

Enc.

:dd

November 30,2021 Margaret A Bent

MASHPEE TOWN CLERK DEC 7 2021

RECEIVED	BY:	
1156-11-		

Mashpee, Ma 02649

Dear Ms. Darois 61

I am writing in response to your recent query regarding my service as Member Board of Registrar for the Town of Mashpee. Please be advised I wish to resign my position. My current health condition limits my mobility and this would reduce my ability to serve.

I have been pleased to serve as a registrar and thank you for that opportunity.

Thank you

Margaret Q. Bent

Margaret A Bent

Frank D. Fantasia

Mashpee, Ma 02649 December 8, 2021

Mashpee Select Board Mashpee Town Hall Mashpee, Ma 02649

Dear Select Board Members:

It is with regret that I tender my resignation from the Human Services Committee board of directors, effective immediately.

I am grateful for having had the opportunity to serve on the board of this fine organization for the past several years, and I offer my best wishes for its continued success.

Sincerely,

Frank D. Fantasia



Mashpee Affordable Housing Committee Mashpee Town Hall 16 Great Neck Road North, Mashpee, MA 02649

December 16, 2021

Ms. Carol Sherman, Chairperson Mashpee Board of Selectmen 16 Great Neck Road North Mashpee, MA 02649

Re:

Recommendation To Fill Vacancy Affordable Housing Committee

Dear Selectmen Sherman,

Mike Richardson has expressed to me his interest in filling a vacancy on the Affordable Housing Committee and serving as one of its members. Mr. Richardson has had a long interest in this committee and its concern to advise the Board of Selectmen and serve as an advocate for more diverse and more affordable housing in the Town of Mashpee. I believe this interest, and his experience serving in various capacities in Town government, will be an asset to us on the committee. I therefore am pleased to recommend him to serve as a member.

Thank you for your consideration of this Affordable Housing Committee matter.

Respectfully,

Allan B. Isbitz, Chairpecson

Allem B. Ashi

Mashpee Affordable Housing Committee

Affordable Housing Committee

Mike Richardson <

Mon 12/13/2021 4:14 PM

To: Terrie Cook <tmcook@mashpeema.gov>

WARNING! EXTERNAL EMAIL: This message originated outside the Town of Mashpee mail system. and could be harmful . PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

Terrie, I have had conversations with Allen Isbitz and would like to participate as a member of the Affordable Housing Committee moving forward. I have had interest in this area for some time, have been involved with the committee in the past both as a Selectman and independently, and presently participate as a member of the Affordable Housing Trust.

Given that the Board of Selectman have no disagreement I would appreciate your bringing this to their attention for action.

Thanks Mike Richardson