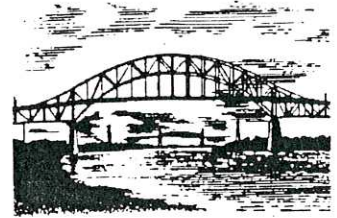




Terri A. Guarino
Health Agent

TOWN OF BOURNE BOARD OF HEALTH

24 Perry Avenue
Buzzards Bay, MA 02532
www.townofbourne.com/health
Phone (508) 759-0600 ext. 1513
Fax (508) 759-0679



MINUTES October 25, 2017

Members in attendance: Kathleen Peterson, Chairperson; Galon Barlow Jr.; Don Uitti; and Kelly Mastria

Support Staff in attendance: Terri Guarino, Health Agent, and Meghan McLean, Secretary

MEETING WAS CALLED TO ORDER AT 7:04 pm

Ms. Peterson asked if there were any audience members filming this meeting. No one was recording the meeting at this time.

1. Pocasset Mobile Home Park-- Review conditional manufactured housing community license for the Pocasset Mobile Home Park pursuant to MGL c. 140, §§32A-32S, which is due to expire on November 1, 2017. Discussion and possible vote in regard to order dated October 17, 2017 and any/all compliance issues with applicable rules and regulations. Ms. Peterson stated that Atty. Krauss, whom represents the Austin family, contacted the Health Office this week. She explained that Mr. Phil Austin is present for the meeting, but Atty. Krauss asked for the meeting to be continued due to his absence. She stated that unfortunately, the outcome would not be different by continuing the meeting. The application was never submitted to the Health Office for the transfer of license and she feels it is important to have the meeting tonight due to the Receiver's license coming to an end November 1st. Since no application or transfer for a Mobile Home Park license has been submitted, the Board has no choice but to revoke the license as of November 1st. She explained that the Board looks forward to working with the Austin family or whomever may be taking over for Atty. Sabatt, and asked for any discussion from the audience. Mr. Austin stated that he and Atty. Krauss had a meeting in Boston with the Atty. General's office today. He explained that the court decided not to terminate the receivership, which means the park and the trust are essentially still in Atty. Sabatt's hands. The group will return to court on November 17, 2017 but he is unsure of when Atty. Sabatt's receivership will end. Ms. Peterson stated that Mr. Austin does have the right to representation which Atty. Krauss explained in his letter to her today, so she will not ask him any questions. Mr. Austin stated that in the last year, he has tried to work with every agency in Bourne to try and get this project underway. He explained that he called and spoke to Ms. Guarino a year ago and tried to set a meeting to discuss the future of the park. The first contact he has received from the Health Department since then was a mailed letter he received last week. Once the Receivership was over, he said that he wanted to have all plans and everything necessary ready to go and hit the ground running. Mr. Austin felt that he and his efforts have been suppressed by the Town. He stated that he has worked with Town Planner, who told him to go before the Zoning Board of Appeals, whom did not let him speak during their most recent meeting. Town Counsel has not returned Mr. Austin's phone calls. He also attended a Selectman's meeting in which he was unable to speak as well. Ms. Peterson explained that being unable to speak during a public meeting is outlined in the Open Meeting Law. She stated that the other Boards in Bourne cannot

help him until he receives his license from the Board of Health. There is no circumstance in which a business requiring a license from the Board of Health located in Bourne would be allowed to open prior to obtaining a license. He must submit his planning and documentation to the Health Office as well as send their proposed rules and regulations for the park to the Atty. General's office. Mr. Austin reiterated the fact that he has no authority to have a hand in decision-making for the park until Atty. Sabatt's Receivership is finished. He explained that Atty. Sabatt has given him zero information regarding the park and its conditions or how far along they are in the licensing process. There seems to be a lack of communication between atty. Sabatt regarding the park. Ms. Peterson reiterated that she was advised by Atty. Krauss that Mr. Austin be represented, and asked him not to discuss this further. Mr. Austin thanked the Board and left the meeting. Mr. Barlow suggested the Board extend the license past November 1st but Ms. Peterson explained that this cannot be done. Ms. Guarino stated that Mr. Austin mentioned the occupant and ownership status of the units. It is different from other properties in town by the fact that each unit is not separately listed on the Assessor's Database. Atty. Sabatt will need to submit a list of owners for each unit prior to his last day. **Ms. Peterson made a motion that the license for Pocasset Mobile Home Park will still expire on November 1, 2017. Ms. Mastria seconded, and all were in favor.**

2. **Approve the Minutes from the October 11, 2017 meeting.** Ms. Mastria made a motion to continue the minutes until next meeting for further review. Mr. Barlow seconded, and all were in favor.
3. **Set tentative date for next meeting and adjourn.** The next meeting will tentatively be on November 14, 2017.

Ms. Mastria made a motion to adjourn the meeting. Ms. Peterson seconded the motion. All were in favor, and the meeting adjourned at 7:45 pm.

Taped & Typed by Meghan McLean, Secretary

Kathleen Peterson

Stanley Andrews

Galon Barlow Jr.

Don Uitti

Kelly Mastria

cc Board of Selectmen/Town Clerk