

**Board of Selectmen  
Minutes of Tuesday, July 20, 2021  
Bourne Veterans' Community Center**

**Buzzards Bay, MA**

RECEIVED  
2022 AUG -4 PM 12: 32

**TA Tony Schiavi  
ATA Glenn Cannon**

TOWN CLERK BOURNE

**Selectmen**

Peter Meier, Chair  
George Slade, Clerk  
Judith Froman, Vice-Chair  
Jared MacDonald  
Mary Jane Mastrangelo

Others: Michael Rausch, Heather DiPaolo, Jean Hills, Phil Goddard, and Dave Bergeson.

**6:00 P.M. Call Public Session to Order in Open Session**

**1. Board of Selectmen Executive Session**

Motion to enter into Executive Session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

- o 0 Ernest Valeri Road (several parcels)
- o 479 Scenic Highway
- o 4,5,6,7,8,9,10,11,14,15,17 Fawn Hollow Way
- o 9,11,15,17,19 Deerpath Trail

Roll call Vote to convene in Executive Session for the purpose stated.

The Board of Selectmen "WILL" reconvene in open session at the end of the Executive Session.

The Chair will report out a summary of any votes taken during the Executive Session.

Roll call vote to adjourn the Executive Session and re-enter Public Session.

Chair Meier called the Public Session of the meeting to order. He said that the Board of Selectmen was just in Executive Session, and they voted to execute a memorandum of understanding with NextGrid Corporation.

**Voted:** Judith Froman moved, and Jared MacDonald seconded, to enter into a memorandum of agreement between the Town of Bourne through the Board of Selectmen and NextGrid Corporation.

**Vote:** 5-0-0.

Town Administrator Tony Schiavi said that the Town was approached by NextGrid, a solar developer, about 9 months ago, about partnering with the Town with what is called a Public Entity Project. This would result in the gift of quite a bit of property to the town, assuming it gets approved at Fall Town Meeting. About 30 acres of the land would be the solar array. There would be about 4 acres gifted to the town for any municipal purpose, and about 10 to 14 acres of property that would be gifted to the town under a conservation restriction perpetuity, which would also provide additional benefits to the town given the sensitivity of the water resource in that general area.

In return, the town will receive a \$500,000.00 initial deposit for the commercial operation of the facility and the town would also receive approximately \$160,000.00, a year for 25 years, as payment in lieu of taxes. The town would also receive annual lease payments for 25 years, which adds up to approximately 4 million dollars. The total benefit to the Town over the 25 years is approximately 6.3 million dollars.

Chair Meier said that he would like the Board of Selectmen to recognize Linda Zuern who recently passed away. He said that she was a former Board of Selectmen member that served in the Town of Bourne for many years. He and Mr. Schiavi said some kind words about Ms. Zuern.

2. **Moment of Silence to recognize our Troops and our public safety personnel.**
3. **Salute to the Flag**
4. **Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
5. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
6. **Public Comment on Non-Agenda Items**

Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond. Public comments on workshop items will be taken at this time.
7. **Minutes: None**
8. **Appointments and Licenses**
  - a. **Recycling Committee Presentation.**

**b. Discussion and possible vote – Baystate Equipment LLC, dba Bobcat of Cape Cod, Class 1 dealer's license.**

**8.a. Recycling Committee Presentation.**

Heather DiPaolo, Chair of the Recycling Committee, said that the last time the Committee gave an update was in August of 2019. She said that they have been meeting regularly virtually. She said that they talk about the numbers at each meeting. She said they are holding steady with curbside recycling.

Ms. DiPaolo said that in 2016 they got textile bins from Bay State Textiles, and they are in every school so residents can drop off clean, and dry textiles at the schools including Upper Cape Tech, and now there is one on the base. She said in the last 3 months there were 18,725 pounds of textiles have not gone into the landfill due to this effort.

Ms. DiPaolo also said that they have a partnership with DPW and ISWM and they met with the new DPW Superintendent, Shawn Patterson, via Zoom. She said they got some continuing education for the members of the Recycling Committee. She talked about the litter-free program and the clean-ups that they have done. She said they are working with the Curriculum Director of the district to see if they can have the 3 R's, (Reduce, Recycle, Reuse) part of the everyday curriculum in the schools.

Jean Hills said that one of the biggest problems in Bourne is getting people to understand there is a bylaw to recycle. People need to continuously be educated on how to recycle. She said they have put out placards with what to recycle and have the information on the Town's website. She said that one of the committee's focuses is litter. This fall she said that Bourne will be part of the Great Massachusetts Cleanup. She said they will continue to do open events. She also said that they need new members to volunteer to be on the Recycling Committee.

Jared Macdonald asked for clarification on clean recycling and textile recycling for the public. Ms. Hills said that textiles are basically fabric including towels, curtains, etc. Phil Goddard said that on the Town of Bourne ISWM website there is a whole Recycling in Bourne website with a lot of information including details on textiles, which is everything from sneakers to bedding to clothing. Mr. Goddard said that clean recycling means emptying all food from containers. There was some discussion about composting.

**8.b. Discussion and possible vote – Baystate Equipment LLC, dba Bobcat of Cape Cod, Class 1 dealer's license.**

The owner of Bobcat of Bourne said that he recently purchased the business, and they are in the process of rebranding it to Bobcat of Cape Cod. He said that they have two dealerships in New Hampshire also.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded, to grant Baystate Equipment LLC, (dba Bobcat of Cape Cod) a Class 1 Dealers License for the business located at 170 MacArthur Boulevard.

**Vote:** 5-0-0.

**9. Selectmen's Business**

- a. **Vote to accept the Town Administrator's Letter of Resignation.**
- b. **Vote to accept two (2) monetary donations made in memoriam to the Bourne Fire Department**

**9.a. Vote to accept the Town Administrator's Letter of Resignation.**

Mr. Schiavi said that he submitted his letter of resignation on June 8<sup>th</sup>. George Slade, Judith Froman, Chair Meier, and Mary Jane Mastrangelo expressed that they do not want Mr. Schiavi to leave this position, but that they do have to respect his decision. They said that he has done a tremendous job in his short time as Town Administrator and that he has made a difference in that time.

Dave Bergeson said he asked Mr. Schiavi why he was leaving, and he responded by saying it is for personal reasons. He said that this is a sad day for Bourne, and the Board better figure it out and not have this happen again and turn the office into a revolving door. There was some discussion about holding an exit interview. Chair Meier then said that the Town Clerk asked the Board to accept Mr. Schiavi's resignation in the form of a motion. He said this motion is to affirm what Mr. Schiavi has submitted

**Voted:** George Slade and Judith Froman seconded, to table the acceptance of the resignation of the Town Administrator, Anthony Schiavi.

**Vote:** 5-0-0.

**9.b. Vote to accept two (2) monetary donations made in memoriam to the Bourne Fire Department**

Mr. Schiavi said that two donations came in for the Bourne Fire Department, one was from Laura and Bill Dunn of Forestdale for \$50.00 and the other was from Susan Roza and Jane Lewis of Sandwich for \$25.00.

**Voted:** Judith Froman moved, and Mary Jane Mastrangelo seconded, to accept a donation of \$50 from Laura and Bill Dunn of Forestdale and a \$25 donation from Susan Roza and Jane Lewis of Sandwich made to the Bourne Fire Department in memory of Ugo Ferrari of Sagamore in lieu of flowers.

**Vote:** 5-0-0.

**10. Selectmen's Workshop**

Chair Meier said that now they are going into a workshop format for the next portion of the meeting so they will not be taking any comments from the public during this time.

- a. **Discussion related to Town Administrator Transition Plan.**
- b. **Discussion related to Board of Selectmen Retreat 2.0.**
- c. **Discussion related to potential double pole bylaw for Fall 2021 Special Town Meeting.**
- d. **Discussion related to potential bylaw change related to potholes and other repairs to unaccepted roads.**

**e. Discussion related to various Board of Selectmen Policies and Procedures.**

- i. Discussion related to possible Policy Sub-Committee.**
- ii. Discussion related to possible Budget Sub-Committee.**

**10.a. Discussion related to Town Administrator Transition Plan.**

Chair Meier said he put the advertisement in the packet as well as the RFP that the Town used for the Town Administrator search last time. He said he would like the Board to go through the document and make necessary changes in it to move forward. The Board discussed whether they should hire an Interim Town Administrator or if they should temporarily make Glenn Cannon the Acting Town Administrator until a permanent Town Administrator is hired.

Judith Froman said that in the Spring there was some controversy and disagreements and the Board of Selectmen talked about the need to hire someone from the outside to facilitate discussion and training. She said that she was given the task of finding the right counsel for the job and she did a lot of research, homework, and interviewing to find the right person and found Attorney Lampke. She was discouraged when she brought it forward to the Board and they said: "not now". She said that there are still unresolved issues and there needs to be a reconciliation before there is a timeline and before moving forward with the hiring.

**10.b. Discussion related to Board of Selectmen Retreat 2.0.**

Chair Meier said that he thinks the retreat could be one or two full days.

Mr. Cannon said that he will apply for the job of Town Administrator. He says that he thinks that the Board should consider is what is best for the Town. He said there is a tremendous amount of work to be done, and he feels that he would be the best person to carry it through as Acting Town Administrator. He said he should also have a consultant do their job.

Ms. Mastrangelo said she thinks the transition plan is a topic for the retreat. It was decided that Monday, August 9<sup>th</sup> would be the date for the retreat, and they need to find a place to hold the retreat. Chair Meier said that the discussions will be the roles and responsibilities of Select Board members, strategic plan goal setting, and the transition plan.

**10.c. Discussion related to potential double pole bylaw for Fall 2021 Special Town Meeting.**

Chair Meier said that this is something that he brought up because when you go around town you will notice that utility companies replace a telephone pole after an accident, they just sister it or they put the new one up and cut the old one in half and leave it there. The old telephone pole ends up being an eyesore, and Chair Meier made a draft bylaw regarding the double poling that he read aloud to the rest of the Board.

Mr. MacDonald said that maintenance becomes an issue, and it can be difficult to find what entity should deal with the pole, and it might be difficult to enforce the bylaw, although it is something

that should be done. Chair Meier thinks they should forward this to the bylaw committee. There was some discussion about trying to get the whole Cape to establish a similar bylaw.

**Voted:** Judith Froman moved, and Jared MacDonald seconded, to continue this discussion to the next available workshop.

**Vote:** 5-0-0.

**10.d. Discussion related to potential bylaw change related to potholes and other repairs to unaccepted roads.**

Mr. Schiavi said that a lot of the roads in Bourne are private ways open to the public which requires an investment by those who live on those roads to maintain and upkeep the road and drainage system. He said typically it is done through the betterment process. He said that the Town should have the ability to do some minor pothole repairs without having to go through the betterment process. He talked about the accepted roads and Chapter 90.

Chair Meier said he brought this proposed bylaw to the previous Town Administrator, and it was not well received. He said that this would not only help the residents of the affected roads but also town vehicles will benefit, and he referenced a bylaw from the Town of Marshfield. Ms. Froman said her only issue is that this might set a precedence in the Town that residents will feel that the town will continuously repair potholes. Ms. Mastrangelo said that she thinks that the cash deposit process that was done on Howard Ave. is very helpful, and she thinks that they can use the Marshfield bylaw as a template to start the process. Mr. Slade said that there could be problems once people see that money is put into the budget and could create hard feelings for those who do not get their potholes fixed on their streets.

**10.e. Discussion related to various Board of Selectmen Policies and Procedures.**

Chair Meier said that the Board should look at the policies and bring forward the policies and procedures that they feel need reviewing and to be sent to the Policy Sub-Committee.

Ms. Froman said she is not really in support of a budget sub-committee because she feels that the Board of Selectmen are basically just that, and they should always discuss the budget and be up to speed about the budget and have more conversations about the budget at their regular meetings.

- i. Discussion related to possible Policy Sub-Committee.**
- ii. Discussion related to possible Budget Sub-Committee.**

**11. Correspondence**

Mr. Slade said there were letters from the following:

- Don Pickard with an interest in serving on the Capital Outlay Committee.

- Cheryle McKeown with an interest in serving on the Board of Selectmen's Energy Advisory Committee.
- Letter from the Division of Marine Fisheries about shellfish closures at Little Bay.
- Upper Cape Tech District School Committee minutes from their June meeting.
- Department of Environmental Protection about a notice of draft expanded site inspection report and a chemical spill.
- Tech Consultants Engineers with 2021 to 2025 vegetation management plan.
- Xfinity regarding customers rate adjustments.

## **12. Selectmen Committee Reports**

Chair Meier said that National Night Out is coming up on the first Tuesday in August in Buzzards Bay Park. There is a possibility of an Open House at the new Police Station that evening as well.

## **13. Adjourn**

**Voted:** Judith Froman moved, and Jared MacDonald seconded, to adjourn.

**Vote:** 5-0-0.

The meeting was adjourned at 8:37 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary