Board of Selectmen
Minutes of April 9, 2013
Bourne Community Building
Bourne, MA 02532

TA Guerino

John A. Ford Jr., Chairman
Donald J. Pickard, Vice-Chairman
Peter Meier, Clerk
Earl Baldwin
Linda Zuern

Documents
- Ms. Ellis letter dated 4/9/13 – 2 pages

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time

Call to order
Chm. Ford at 7:00 pm.

Moment of Silence for our Troops

Salute the Flag

Public Comment – Non-Agenda Items
None.

Minutes: 4/2/13
Pickard MOVED and SECONDED by Zuern to approve minutes of 4/2/13 as amended. VOTE 4-0.
Baldwin not present at vote.

Meier – 3/5/13 minutes to be brought to next week's agenda for verifying vote taken at that Selectmen's meeting.

Correspondence
Meier read correspondence into record. Hard copies are available at the Town Administrator's office upon request.

Item A – TA to advertise as opening on the Bourne Historical Commission.

Appointments and Licenses

a. **Cranberry's LLC d/b/a The Bog Pub – Name Change**

Pickard MOVED and SECONDED by Zuern to approve Name Change from Cranberry's LLC to The Bog Pub. VOTE 5-0.

b. Jake's Pizza Company – Common Victualer

Pickard MOVED and SECONDED by Zuern to approve Jake Gray d/b/a Jake's Pizza Company request for a Common Victualer license per routing slip. VOTE 5-0.

c. Auctioneer License Antiques Plus – Charles Lewis

Meier MOVED and SECONDED by Pickard to table vote to the next meeting. VOTE 5-0.

d. Vincent Michienzi – Bylaw Committee – Planning Board Member

Pickard MOVED and SECONDED by Ford to appoint Mr. Vincent Michienzi to the Bylaw Committee by recommendation of the Planning Board.

Zuern – would like to vote after the election.

Roll call: Zuern – no; Pickard – yes, Meier – no; Baldwin – no; Ford – yes.

Statuary at Buzzards Bay Park – Stan Gibbs – update and request

Fisherman statue will be placed on Main Street, in front of the gazebo. This project is part of the beautification of Main Street. Unveiling of the statue 12' high on an area 50' in diameter. Chamber of Commerce has approved the "general location of the statue" will be at the 100 Celebration of the Canal. Requesting authorization to sell bricks: 4x8 - $50; 8x8 - $125; 12x12 - $200. Bricks can be purchased on line to raise the remaining amount of money to complete the statue. www.fishermanfund.com or www.bricksrus.com.

Ms. Oliva, Director of the Canal Region Chamber of Commerce has approved the statue as well as DPW Superintendent Mr. Sala has seen the statue.

Chm. Ford – requested a routing slip for the statue. TA Guerino – agrees, and will check with the electrical and water lines.

Pickard MOVED and SECONDED by Meier to grant permission of the statue to be placed in the park on town land for a location to be determined at a later date and that the fundraiser organization to be able to sell bricks for the purpose of fundraising. VOTE 5-0.

Capital Outlay Committee Report - Mastrangelo

Total estimated cost is almost $70M which includes the large facilities. It is a long-term process.

<u>Capital Budget/Debt Service</u>

5 Year Plan

Capital Improvement

Police Department -

- 159,400 for 4 cruisers
- Cruiser laptops and mounts – 3 laptops
- Portable radio replacement – replacing 1986

Fire Department –

- Ambulance 133 – replacing ambulance
- Car 141 replacement – Fire Chief's command vehicle
- Laptops – 3 laptops in ambulances (software for medical data to simplify billing)
- King Fisher Radio box – deferred for one year per Chief Greene's recommendation
- Portable Radios – 12 for replacement
- Equipment Grant Match – contingent on receipt of FEMA grant (funds 80% - town 20%)

DNR –

- Hen Cove Pier and Dingy Dock Renovation – public service to the boating people; completing work done
- Install security cameras at Taylors Point Marina and Monument Beach Marina – onboard thefts of marine equipment
- Replace ramp Monument Beach – deferred due to cost estimates being higher

Bourne Public Schools –

- Systemwide
- Technology Plans
- Purchase/Replace SPED mini bus – replacing a 2005 mini bus
- Asbestos abatement – to face ongoing asbestos projects (Peebles, Otis and the High School)

Mastrangelo – removal of the asbestos is an issue as the schools need to report to the State every 6 months and need to be worked on a little at a time to be cost effective to the town.

TA Guerino – a lot of deferred maintenance in the past will have to be addressed.

DPW –

- 1 ½ ton pick-up truck – replacement
- Recycle truck – replacement
- Dump/sander trucks
- Dump/sander truck
- New DPW Facility – $11,080,798

ISWM –

- Cubic yard wheel loader
- Hydraulic excavator – replacement of one lost in fire
- Phase IV Stage II liner construction

Shore & Harbor –

- Annual dredging/ramp repair and improvements

Waterways funds is $300,000 per year. This year taking out $75,000 plus additional monies for an extra person salary, dredging and for the DNR projects.

Sewer Department –

- Sewer grinder pumps

Facilities – Town Hall –

- Emergency Power Upgrades including Generator Replacement – The Community Building expenditure per BOS establishing an in-town shelter – meeting State requirements - $437,762 TA Recommended

Mastrangelo - Ms. Marzelli identified monies left from other Capital Articles to use.

Mastrangelo – the generators are not that expensive; it is the generator installation that is a major cost. In addition, the cost of over $100,000 for design fees. Mr. Nelson – included in the budget a 30% buffer.

Zuern – inquired about the police cruisers. Mastrangelo – trading is generally over 100,000 miles. Most of the cars already have that. It is more expensive due to the purchasing of the Police Interceptor (SUV model) as the Crown Vics are not available. The town has about 20 police vehicles currently.

Chm. Ford – explained that the cruiser plan works in being cost effective to the town.

Pickard – asked if the Fire Deputy Chief vehicle could be less money. TA Guerino – the Chief over the last several years have made a good case to the Capital Outlay relative to the second large vehicle that is carrying plans, radio equipment, safety equipment. Our Chief ends up at many of the structure fires and equipment is required. Guerino doesn't disagree that we should figure out a way to afford the Assistant Chief and allow the chief to be more of an administrator/planning position.

Pickard MOVED and SECONDED by Meier to support Capital Outlay Budget as submitted. VOTE 5-0.

At this time the board recessed for two minutes.

Town Administrator's Report

a. Review of the power purchase agreement with the Mann Farm. Vote on 4/23/13.

Mr. Nelson – this proposal will commit a portion of the town's load. NStar would credit Bourne and we would buy power direct from Future Generation as our power provider. The first years' savings is about $78,000.

Proposal guarantees a savings of 20% off the G1 rate. The savings over the market will be anywhere between 20% - 30%.

TA Guerino – the contract is 25 years and one of the reasons he will discuss with Town Counsel. Blue Wave (solar proposer) to come before the board next week, which is a 20 year agreement. The question is if the town wants to diversify. However, he doesn't recommend committing more than a total 80% of the town's total load.

Mr. Nelson – if Future Generation couldn't fulfill generation needs, the contract has a 30-day to remedy any issues or allows the town to go for a competitive price or another provider.

Mr. Agrillo – he would like to see how the project will happen.

Selectmen's business

a. **Annual and Special Town Meeting Article Review**

ANNUAL TOWN MEETING ARTICLES

TA Guerino requested two articles to be taken out of order at this time – Article 12 and Article 31 of the Annual Town Meeting.

Article 12

TA Guerino – $11,080,798 as a debt exclusion, $750,000 from Stabilization, with a total net borrowing of $6,330,798. It will be about $35/year per household which amounts to about $600 over 20 years. This is a debt exclusion for the purpose of the building only.

Zuern – is in favor of this facility.

Pickard – if this Article does not pass, we will have to find a way to build in our budget.

Chm. Ford – is in favor of the project and discussed how the working conditions in this building for today is not appropriate.

Meier – this facility will create needed room within Town Hall and not just the DPW building.

Baldwin – is in favor of this facility.

Pickard MOVED and SECONDED by Zuern to endorse Article 12 in the Annual Town Meeting. VOTE 5-0.

Article 31 – Rescind the vote taken on Article 8 of the 11/14/12 STM.

TA Guerino – the attorney for the owner indicated another offer has been accepted. Moving forward, the Finance Director concurred this Article should be closed. This will go back to Free Cash and will be certified in FY14 and used until after town meeting.

In preparing budget for this year:

$1,400,000 – FY14 budget
$ 25,000 – FY14 articles
$ 500,000 – DPW facility (ATM)
$ 255,000 – contract settlement (ATM)

$ 145,000 – sewer study (STM 2012)
$ 320,000 – insurance expense transfer (STM 2012)
$ 150,050 – Article 2 (STM 2012)
$ 89,600 – Article 6 (STM 2012)
$ 250,000 – OPEB (STM 2012)

Balance of $3,465,333.

TA Guerino – we also have year-end close outs with an approximate $310,000 Snow & Ice overage that won't be going to certified Free Cash. He is not opposed to a program to take

another look at 9 Sandwich Road from a different prospective; however, we have fulfilled the obligation of what the town has requested. This needs to go to FY14 and when we have a plan to work with and therefore believes it should go back to the Fall ATM.

Meier – asked what happens if Ms. Ellis makes a negative motion and is seconded and the motion is heard on town meeting floor and approved. Chm. Ford – appropriations can be made, but the board is the only ones who can spend it.

Ms. Ellis – is here on her behalf of herself and for the voters who supported the purchase of this property. She respectfully asks to postpone this article until the Fall. The present owner still wants and needs additional parking for his facility.

TA Guerino – there has been no discussion relative to this in his office.

Chm. Ford – asked if the town could use the money be used to build a parking lot. TA Guerino – believes the motion will allow the board the flexibility to do so. TA Guerino will seek Town Counsel opinion.

Pickard – would support reverting money into Free Cash.

Chm. Ford – he would like to hear from Town Counsel.

Zuern – asked if the town could accept part of the land as a donation and if the owner is willing to pay for the parking lot. TA Guerino – the intent is what we can do as a municipality. The owner of the property isn't exempt from the zoning bylaw. Any negotiation will take longer than 5/6/13. He believes this article needs to be rescinded.

Ms. Ellis – the voters would want to follow through.

TA Guerino – the parking lot is the optimum goal but it will become a capital expense.

Mastrangelo – if the owner has not approached the town, it would be a good time to do so. If the money can be used for the parking lot and might be able to enter into negotiations, it may be a good idea not to rescind the article.

TA Guerino – we need to see where we are upon certification to bring forward.

Zuern – asked the amount in free cash we have currently. TA Guerino – we have 5% free cash which is approximately $3M. He doesn't want to put the town's position in a different light from where we have been in the last few years.

Ms. Ellis – asked why we have to wait for the owner to approach the town and suggested the TA Guerino approach the owner.

Mr. Mulvey – wondered what the town gets in exchange. The key is a proper motion to go to the Moderator and ask to postpone to a particular time in place.

Ms. Ellis – if the medical center leaves, the town loses. She sees no reason it cannot be worked out.

TA Guerino – it is up to the owner to come to the town.

Ms. Ellis – she doesn't agree as the motion directed the town to purchase the property.

Pickard MOVED and SECONDED by Baldwin to support the recommendation of the Town Administrator and to rescind the vote of Article 31. VOTE 4-1. Meier in opposition.

TA Guerino briefly reviewed each Article prior to the board vote.
Article 1
Pickard MOVED and SECONDED by Meier to approve Article 1. VOTE 5-0.

Article 2
Chm. Ford is in favor of the additional $1,000 for the Chairman and is appropriate.
Pickard MOVED and SECONDED by Meier to approve Article 2. VOTE 5-0

Article 3 –
Pickard MOVED and SECONDED by Meier to approve Article 3. VOTE 5-0.

Article 4 –
Pickard MOVED and SECONDED by Meier to approve Article 4. VOTE 5-0.

Article 5 –
Pickard MOVED and SECONDED by Meier to approve Article 5. VOTE 5-0.

Article 6 –
Pickard MOVED and SECONDED by Meier to approve Article 6. VOTE 5-0.

Article 7 –
Pickard MOVED and SECONDED by Meier to approve Article 7. VOTE 5-0.

Article 8 –
Pickard MOVED and SECONDED by Meier to approve Article 8. VOTE 5-0.

Article 9 –
TA Guerino – the board already voted previously tonight.

Article 10 -
Pickard MOVED and SECONDED by Meier to approve Article 9. VOTE 5-0.

Article 11 –
TA Guerino – the board to wait until town meeting.

Article 12 -
TA Guerino – the board already voted previous tonight.

Article 13 -
Pickard MOVED and SECONDED by Meier to approve Article 13. VOTE 5-0.

Article 14 -
Pickard MOVED and SECONDED by Meier to approve Article 14. VOTE 5-0.

Article 15 -
Pickard MOVED and SECONDED by Meier to approve Article 15. VOTE 5-0.

Articles 16, 17 and 18 -
Pickard MOVED and SECONDED by Meier to approve Article 16. VOTE 5-0.

Article 19 -
Pickard MOVED and SECONDED by Meier to approve Article 19. VOTE 5-0.

Article 20 -
Pickard MOVED and SECONDED by Meier to approve Article 20. VOTE 5-0.

Article 21 -
Pickard MOVED and SECONDED by Meier to approve Article 21. VOTE 5-0.

Article 22 -
Pickard MOVED and SECOND by Meier to approve Article 22. VOTE 5-0.

Article 23 -
Meier MOVED and SECOND by Pickard that the Board of Selectmen take no position at this time for Article 23. VOTE 5-0.

Mr. Mulvey – raises issue with giving the power of the Moderator. TA Guerino to look into.

Article 24 -
Pickard MOVED and SECONDED by Meier to approve Article 24. VOTE 5-0.

Article 25 -
Pickard MOVED and SECONDED by Meier to approve Article 25. VOTE 5-0. Chm. Ford and Zuern would like to see this town-wide.

Article 26 -
Pickard MOVED and SECONDED by Meier to approve Article 26. VOTE 5-0

Article 27 -
Pickard MOVED and SECONDED by Meier to approve Article 27. VOTE 5-0.

Article 28 -
Pickard MOVED and SECONDED by Meier to approve Article 28. VOTE 5-0.

Article 29 -
TA Guerino – the board to wait until town meeting.

Article 30 -
Pickard MOVED and SECONDED by Meier to approve Article 30. VOTE 5-0

Article 31 -
TA Guerino – the board previously voted.

Article 32 -
Pickard MOVED and SECONDED by Meier to approve Article 32. VOTE 5-0.

SPECIAL TOWN MEETING ARTICLES
TA Guerino briefly reviewed STM Articles.

Meier MOVED and SECONDED by Baldwin to endorse and to approve Articles 1 – 9 and Article 11 of the Special Town Meeting. VOTE 5-0.

Article 10 – petitioned article. The board to vote at Town Meeting.

b. Signing of Warrant for Special & Annual Town Meeting
Meier MOVED and SECONDED by Zuern to sign the Special Town Meeting Warrant. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to sign the Annual Town Meeting Warrant. VOTE 5-0.

c. Retirement of two custodians at Town Hall
TA Guerino – our two custodians David and Walter will be retiring in June and July after 12 years service for each. He wishes them well and they will be missed.

Chm. Ford – 4/20/13 Open House for Earth Day from 9:00 am – 1:00 pm at the residential recycling center. For more information on recycling go to www.earthday.org. He will be at Town Hall on Fridays 1-3 pm for any questions or concerns. He also attended the Kindergarten lottery and last night's FinCom meeting.

Zuern – attended the LEPC meeting and the educational subcommittee. She submitted a pamphlet on information of taking care of generators.

Meier – attended the CPC and ConCom meetings last week.

Adjournment
Pickard MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:00 pm. Unanimous vote.

Respectfully submitted,
Lisa Groezinger, sec.