

**Board of Selectmen  
Minutes of Tuesday, August 21, 2018  
Bourne Veterans' Memorial Community Center  
Buzzards Bay, MA**

.....

TA Tom Guerino  
ATA Glenn Cannon

**Selectmen**

Peter Meier, Chairman  
Judy Froman, Vice Chair  
James Potter, Clerk  
George Slade  
Jared MacDonald

RECEIVED  
2018 OCT 17 PM 12:20  
TOWN CLERK BOURNE

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 – Michael Rausch Bourne Enterprise and Beth Treffeisen Cape Cod Times.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**6:15 p.m. Chair called session to order in open session**

- a. **Motion to enter into Executive Session or discussion about strategy with respect to contract negotiations and actions filed with the Department fo Labor Relations regarding Local 1717. The Chair declares that an Open Meeting would be detrimental to the negotiation position of the Town.**

**Roll Call Vote to convene in Executive Session for the purposes stated. The Board will reconvene in open session following the conclusion of the Executive Session at approximately 7:00 p.m.**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:05 pm.

**Moment of Silence for our Troops and our public safety personnel /Salute to the Flag**

**Public Comment – Non-Agenda Items**

None requested.

**2) Approval of Minutes: 7/24/18; 7/31/18; & 8/14/18**

Peter Meier said the minutes from July 24<sup>th</sup> will be deferred until the next meeting.

Mary Jane Mastrangelo said we need a specific plan for what we will be doing in the next five years; we need to look at long term plan for roads and traffic. George Sala said we do have a five-year plan. We would like a joint meeting with the Finance Committee, the Selectmen, and the Consultant to go over the plan, the roads and how they do the conditioning of the roads. Mr. Sala spoke about the beautification/vegetation that has been done by property owners.

Chief Woodside said the shrubs aren't the main problem; the curb is a problem the intersection width is a problem.

Ed Burk, spoke about the problem in that intersection.

Judy Froman would like to move forward with the short-term ideas. Have 2-way stop added to the stop signs, no parking signs where people shouldn't be parking, sight lines that are blocked, and look into doing an engineer study.

James Potter suggested to work a traffic segment into the big picture because there are more intersections that need attention.

Tom Guerino said we/the staff will go forward with an engineering study utilizing Chapter 90 money.

Jared MacDonald spoke about the problems at the intersection. Mr. MacDonald feels at this point it has to be an engineer study.

Jim Mulvey spoke about the problems at the intersections and if the Town Administrator says some of the suggestions could be immediately implemented who would head up that operation.

**Voted** Judy Froman moved and seconded by Jared MacDonald to move forward with a short-term approach adding small 2-way stop below the stop sign, clearing back the sight lines, and address the parking where there is parking and there shouldn't be, as well as moving forward with permission to do an engineering study.

Chief Woodside said there are two areas where there is private parking; one is the church and the other is along Graziella's building, we will check into it.

**Vote:** 5-0

## **5) License/ Appointments**

- a. 7:15 Hearing on application for a Year Round Common Victualer License for the sale of all kinds of alcoholic beverages and live entertainment - IL Sfocato Uno, Inc.. d/b/a Bridge View Grill, James H. Hildreth, Jr., Mgr. 109 Trowbridge Road, Bourne**

- b. Continued Pole Hearing from August 7, 2018: Verizon New England Inc. and NSTAR Electric Company d/b/a/ Eversource Energy proposes to replace new pole - 460/1.5 on Summer Street, Buzzards Bay.**
- c. Reappoint - Election Workers**
- d. Proclamation - Suicide Prevention Week**
- e. Sagamore Inn - Request for Weekday Live Entertainment from 7:00 to 9:30 p.m.**

**5.a.** Peter Meier spoke about the hearing at 7:15 for the year round Common Victualer license for the sale of all kinds of alcoholic beverages and live entertainment for IL Sfacato Uno, Inc. d/b/a Bridge View Grill, James H. Hildreth, Jr., manage, 109 Trowbridge Tao, Bourne, MA.

**Voted** Judy Froman moved and seconded by James Potter to open the hearing.  
**Roll Call Vote:** George Slade - Yes; James Potter - Yes; Judy Froman - Yes; Jared MacDonald - Yes; Chair - Yes.

Peter Meier read the hearing notice:

Notice Town of Bourne Liquor License Hearing

**Notice is hereby given in accordance with Massachusetts General Laws, Chapter 138 Section 12 that application has been received from IL Sfacato Uno, Inc., d/b/a Bridge View Grill, James H. Hildreth, Jr., Mgr., 109 Trowbridge Road, Bourne, MA 02532 for a Year Round common Victualer license for the sale of all kinds of alcoholic beverages to be drunk on premises. Description of premises: 2 floors: 1<sup>st</sup> floor - roof deck, dining room, kitchen, 3 storage areas; basement containing 3 function rooms, restrooms, 2 offices, coat room, 3 storage rooms, 2 service bar, service kitchen. A public hearing will be held in Bourne Veterans' Community Center, 239 Main Street, Buzzards Bay, MA on Tuesday, August 21, 2018 at 7:15 p.m.**

**Board of Selectmen**

**Peter J Meier**

**Judith MacLeod Froman**

**James L Potter**

**George G Slade, Jr.**

**Jared P. MacDonald**

Peter Meier stated if you do not agree with the decision you have a right to appeal the decision to Barnstable Superior Court.

James Hildreth briefly spoke about the restaurant and what his plans are.

James Potter said the Board of Health hasn't signed off and Fire Department hasn't sign off on the routing slip. Tom Guerino said the Board usually approves conditionally pending the signoffs and things being completed on the routing slip. You can't approve the license until the final inspection is done. Title 5 is generally done after they know they will be able to open the business.

James Potter said he doesn't like to approve the licensing when all the departments haven't signed off on the routing slip. Mr. Potter read what the Board of Health stated pending plan approval for new food establishment, passing Title 5 Inspection Report, Board of Health approval at public meeting, and preoperational inspection. Fire Department stated needs full inspection and will need to meet all current fire codes prior to opening.

Jared MacDonald said he agrees with Mr. Potter, we receive these license requests and they aren't completed, and that is a concern. How will we know all the items were completed, will it come back to us?

Peter Meier said we can approve with the condition that all the items have been completed. We don't have to sign the license until it comes back to the Board completed.

Kathleen Hohol, Sandwich Road, spoke about her concerns, people drinking and how many people will be cutting through the driveway/common way behind 92 & 90 Sandwich Road.

**Voted** James Potter moved and seconded by Judy Froman to close the public hearing.

**Roll Call Vote:** George Slade - Yes; James Potter - Yes; Judy Froman - Yes; Jared MacDonald - Yes, Chair - Yes.

George Slade said he would like it to provisionally pass this time. Judy Froman would like the provision to include formal verification follow up with the Board.

**Voted** Jared MacDonald moved and seconded by Judy Froman to provisionally approve with notification back to the Board upon completion of said items in this packet.

James Potter will agree but don't think this should be the practice going forward. We need the follow up that the items were completed and approved. Peter Meier will follow up with the issues and report back to the Board.

Tom Guerino said they won't get the license signed until all the provision have been completed.

**Roll Call Vote:** George Slade - Yes; James Potter - Yes; Judy Froman - Yes; Jared MacDonald - Yes, Chair - Yes.

#### **5.b.**

Peter Meier said we are going to continue the pole hearing from August 7, 2018 Verizon New England and NSTAR Electric for a new pole on Summer Street, Buzzards Bay.

**Voted** Judy Froman moved and seconded by James Potter to reconvene the pole hearing from August 7<sup>th</sup>.

**Roll Call Vote:** George Slade - Yes; James Potter - Yes; Judy Froman - Yes; Jared MacDonald - Yes; Chair - Yes.

Harvey Williamson, Contract Engineer for Verizon, said he has been in touch with Gregory Bartlett, owner of the property where the pole is going to be located in front of. The concern about the storage trailer, it has been moved so that is not a problem anymore. The area is clean to set the pole. Concerning the trimming, Verizon will be doing the trimming with a contractor that will apply to the town for a tree trimming permit.

**Voted** Judy Froman moved and seconded by Jared MacDonald to close the public hearing.

**Roll Call Vote:** George Slade - Yes; James Potter - Yes; Judy Froman - Yes; Jared MacDonald - Yes; Chair - Yes.

**Voted** Jared MacDonald moved and seconded by Judy Froman to approve the application.

**Roll Call Vote:** Jared MacDonald - Yes; Judy Froman - Yes, James Potter - Yes, George Slade - Yes, Chair - Yes.

Tom Guerino requested to go to item 4.c and then 4.d

#### **4.c School Department High School Roof**

Mr. Geist requested an article to be placed on the October 1<sup>st</sup> Town Meeting in regards to the A wing roof at the Bourne High School. It is very important as far as the time line goes to work with MSBA, the accelerated repair project. The goal is to have the project completed at the High School by next summer. The language for the vote has been approved by the MSBA Legal Counsel. That would cover the feasibility study and the schematic design.

Mary Jane Mastrangelo said this project came before the Capital Outlay Committee yesterday. The approval of MSBA to participate in the accelerated project in June and they indicated they would entertain the C wing roof as well. B would probably not be able for reimbursement. Hope you support this article.

Mary Jane Mastrangelo explained how they would do the bid alternates. They will go through the feasibility process with MSBA and they will tell us which roofs they will participate in. In the bid process we can have a base bid then have a second bid for first alternate and second alternate. We will save money for the town by doing all three roofs. Jared MacDonald questioned the timeline. Mary Jane Mastrangelo said accelerated projects have pretty quick timelines.

The MSBA timeline calls for the town to have voted the funding by August 27<sup>th</sup>. The Superintendent requested an extension on the vote of the funding until October 1<sup>st</sup>. As soon as they get the certification that the funding has been voted they will assign an OPM and the feasibility process will start. They will expect to have the vote before the MSBA at their February meeting to have the approval. We can be working on the bid document in that timeline. It will be contingent on the vote at Town Meeting on May 7<sup>th</sup>.

James Potter questioned how old the roofs are at Bourne High School. Mr. Geist said the A Wing roof is original 1961, C Wing is 1992.

Peter Meier questioned if there is a motion to support this article going forward on the October 1<sup>st</sup> Special Town Meeting for purposes of feasibility study schematic for replacement of roofs.

**Voted** Judy Froman moved and seconded by James Potter to move forward at the October 1<sup>st</sup> Special Town Meeting with the article. Vote: 5-0

#### **5 c. Election Workers**

**Voted** Judy Froman moved and seconded by Jared MacDonald to approve all the names on the election worker list presented for FY19. Vote: 5-0

#### **4.c. Special Town Meeting Article**

Tom Guerino said it may make sense to combine Special Town Meeting Article with agenda item 6.b.

Tom Guerino spoke about the articles, budget amendment, closeout articles, community preservation article, housing articles, petitioned marijuana bylaw article that came in by citizens petition, solar overlay district that was put off at the Annual, Capital Outlay article that deals with the high school C wing roof, utilization of retained earnings on the sewer rate stabilization, and others. We will get into the budget articles when we start looking at the budget. We think there will be between 16-20 articles. There has been some discussion relative to holding two separate Town Meetings. It will take a couple days to get the articles written and the motions drafted. The moderator is not in favor of two Town Meeting, Town Counsel believes this can be done without two Town Meetings, the articles that are necessary for the function of the town can be separated out. The concern is there is a lot going on at the Clerk's office.

Barry Johnson, Clerk, spoke about the things that are going on at the Clerk's office. Pursuant to Chapter 39 section 10 for a Special Town Meeting to be held on October 1<sup>st</sup>. That date isn't official until the Selectmen sign the warrant. The warrant must be signed 14 days before then. Have recommended the Selectmen sign the warrant no later than September 11, 2018.

Next week we will be starting to set up for the Tuesday September 14<sup>th</sup> primary. On Friday September 21<sup>st</sup> we are open until 8:00 p.m. We will be holding a voter registration for those who wish to participate in the October 1<sup>st</sup> Special Town Meeting. Monday October 1<sup>st</sup> is the Special Town Meeting with the possibility to go two nights. Wednesday October 17<sup>th</sup> we'll be open until 8:00 p.m. to hold another voter registration for those who want to vote in the November 6<sup>th</sup> State Election.

Starting on October 22<sup>nd</sup> through Saturday October 27<sup>th</sup> we will be holding early voting sessions. Monday through Friday session will be done during normal working hours.

Monday - Friday session are mandated. The Saturday session is at our discretion. As of tonight we have 14,146 registered voters.

Barry stated I am against holding two Special Town Meetings in the month of October, because it is a huge impact. Could consider, to go into the annual at 7:00 Bob Troy goes through all his procedures, we get into the first article. 7:30 he has to recess, we go right into the Special, he does his procedures, we dissolve the Special and go right back into the Annual.

Take the corporate function of the town and go into meeting with Town Counsel, Moderator, Selectmen, Town Administrator, Finance Committee, and myself, Town Clerk and we decide which articles are the corporate function of the town. Wanted the town's people and the Selectmen to know what the impact is on our office, we will do whatever you think is the best interest for the town, but please consider the impact on the Clerk's office.

Tom Guerino said the later in October for budgetary amendments, and we have to get the tax rate set.

Peter Meier said we can do a Pre Town Meeting to vote on which articles are essential for the town.

Mary Jane Mastrangelo spoke about one of the concerns for a single town meeting - the most important thing for Town Meeting is to have adequate information for the Boards, adequate time for presentations, time for the Boards to deliberate and make their recommendations, to have time to have the voter handbook have in it the information the voters are going to need to understand what the articles mean and what their vote is. We want people recognize that a one town meeting is going to put a lot of on the Finance Committee and the Board of Selectmen to hear presentations at their meeting and to be able to deliberate and do things properly.

Mary Jane Mastrangelo spoke about having a Special Town Meeting in a Town Meeting. One thing that I think will work for this Town Meeting is to have the Special Town Meeting and have the articles. If we have a Special within the Special for the petitioned article we would stop the standard Special continue the petitioned article vote that article then close the Special and go back to the order of operations for the other articles which can be run as a standard Special Town Meeting.

Judy Froman wanted to know why the moderator is not in favor of having two Special Town Meetings.

Tom Guerino read what the moderator emailed to him.

I am unequivocally opposed to two special town meetings. I do not think it is a good idea; cost alone is a factor. If the warrant is not too long we can finish in one night. With the clock running there may be more pressure to finish the warrant the first night. You may make my feelings known to the Selectmen. I urge the Selectmen to go with one Special Town

Meeting. I doubt in the history of the town have subject matter articles been severed and given their own town meeting night. If the voters feel they need more time to finish the October 1 Special they can vote to recess to a second night in order to finish the warrant.

George Slade agrees with having a Special within the Special. Can the Moderator keep the scope of the discussion on topic and not stray?

James Potter said the citizen's petition was given to us to put on a Special; it wasn't formulated to be its own Special, so we are back to a single Town Meeting.

Peter Meier would like to schedule a pre town meeting educational forum to educate the public on what each voting option means.

Jared MacDonald said this town meeting will have to be run properly, critically, and diligently. We as a Board are going to have to understand we are going to have to put in some extra time.

Judy Froman said the next Special Town Meeting will be more organized. We have to present information as clear as possible. Who determines if we can have a Special Town Meeting within a Town Meeting?

Barry Johnson said it is up to the Board Members. According to Chapter 39 Section 10 the call of the Annual or Special Town Meeting is pursuant to the issuance of the warrant as issued and signed by the Board of Selectmen. Mr. Johnson said the article has to go on Town Meeting because it was petitioned.

Mr. Johnson said if it were up to him he would follow the bylaw. Then plan for all the suggestions later. The petitioned article has to go on the warrant at any Town Meeting you call. If there are going to be two Town Meetings you have to have two warrants.

James Potter suggested to move ahead with a single Special on October 1, 2018. We already heard that the superintendent wrote an extension for October 1<sup>st</sup>, so that article should happen on October 1<sup>st</sup>. The citizen's petition should be heard, we have other articles that are important; everything should be heard. If it goes more than one night then so be it.

**Voted** James Potter moved and seconded by Jared MacDonald to move ahead with a Single Warrant Town Meeting for the date of October 1, 2018.

Jared MacDonald said we need to have one town meeting, be organized and be diligent. We know it will take extra time and we have to prepare ourselves that it will go into two nights.

Judy Froman said there is a very short time between Pre Town Meeting and Town Meeting. Make sure we really are putting in enough advance time to understand the process and who is taking the lead and how things are being presented, we are presenting the information as diligently as possible.



Mary Jane Mastrangelo spoke about the schedule of meetings. Suggested the Finance Committee and the Board of Selectmen have a joint meeting for those two articles. September 4<sup>th</sup> no meeting; September 11<sup>th</sup> signing the warrant and having presentations on articles - no regular business; September 18<sup>th</sup> voting your recommendations on the articles. In order to have the voter handbook ready by the 24<sup>th</sup> you have to have your votes done by the 18<sup>th</sup> of September. Ms. Mastrangelo suggested having some of the budget articles on the September 10<sup>th</sup> meeting and to have a joint meeting another night.

Tom Guerino suggested the Board meet the 10<sup>th</sup> to hear the particular articles that Mary Jane Mastrangelo spoke about.

Barry Johnson said there are only two meeting that cannot be held on election night and that has to do with the Zoning Board of Appeals as well as a public hearing on the Planning Board.

Mary Jane suggested set the joint meeting for dealing with the private petition on the 6<sup>th</sup>.

The Committee members discussed which dates to meet and where to meet.

**Vote: 5-0.**

#### **4b. Technology working group report**

Mr. Guerino brought the Board up to date on the Technology Working Group. We met twice since August 1<sup>st</sup>. We discussed what departments need. We're looking at things that would make departments more efficient and citizen friendly. Looking at software programs. We will meet on the 29<sup>th</sup> to start to schedule various vendors to give presentation on their software. We need to start looking at digitizing a lot of our documentation, and what will work with each department.

#### **4c. Finance Director Recruitment**

Tom Guerino said we have an interview scheduled for Thursday for a candidate. Mary Jane Mastrangelo, the Superintendent, and Board of Selectmen Chair will also be at the interview.

#### **4f. Community Building**

Tom Guerino said we are meeting Thursday, the Project Manager, the Contractor and myself to get a definitive timeline for when they will be done. We are going to have to look at some work within the building that had nothing to do with the burst pipe in the winter.

#### **4g. Discussion regarding future plans for Main Street Police Headquarters.**

Mr. Guerino requested to defer this discussion. Would like the Board of Selectmen to start thinking of what to do with that building.

**4h. Hoxie** - there has been interest in that building. Would like to go through the procurement process and redo an RFP. Mr. Meier suggested having people to look at a town

reuse of the property, tearing the building down. Mr. Potter suggested the Board meet and discuss this item in a workshop. Would like to look at the frame of the RFP.

#### **5d. Proclamation - Suicide Prevention Week**

Tom Guerino read the proclamation:

##### **Suicide Prevention Week**

**Whereas, in the United States, one person dies by suicide every 12 minutes and 121 people die by suicide each day;**

**WHEREAS, 20 veterans die by suicide each day, and**

**WHEREAS, suicide is the second leading cause of death for Massachusetts residents ages 12-44 and the suicide rate on the Cape and Islands is 1.4 times higher than the State of average; and**

**WHEREAS, suicide is a tragic and disruptive event for families and communities - it is estimated that annually, there are 6.3 million suicide loss survivors who have lost a loved one to suicide; and**

**WHEREAS, suicide is a public health issue and a community concern, and through increased education and awareness of the issue a great number of suicides can be prevented;**

**THEREFORE, we do hereby officially designate the week of September 09-15, 2018 as "SUICIDE PREVENTION WEEK" IN BOURNE, Massachusetts.**

**Voted** Judy Froman moved and seconded by James Potter to support and sign the proclamation. Vote 5-0.

#### **6) Selectmen's Business**

##### **a. Goals**

##### **b. Discussion regarding the possibility of two Special Town Meetings in October**

Peter Meier said the Selectmen will be talking about Goals at the next workshop which is next week at the Bournedale School House.

#### **7) Adjourn**

**Voted** James Potter moved and seconded by Judy Froman to adjourn. Meeting adjourned at 9:41 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.