

**Board of Selectmen
Minutes of Tuesday, September 25, 2018
Bournedale School House
Bourne Bay, MA**

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TA Tom Guerino

Selectmen

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

RECEIVED
2018 OCT 17 PM 12:21
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.

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

Documents

Meeting Called to Order

Chm. Meier called the meeting to order at 7:21 pm.

Peter Meier thanked the Finance Committee members, the Board of Selectmen, the Town Administrator, and assistant, Town Clerk staff as well as the other town staff that have been involved in the preparation in getting the Warrant put together for the Town Meeting.

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

1) Public Comment – Non-Agenda Items

None requested.

2) Approval of Minutes: 9/11/18; 9/18/18

Voted Judy Froman moved and seconded by James Potter to approve the minutes from September 11, 2018. Vote 5-0-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve the minutes from September 18, 2018. Vote 5-0-0.

3) Correspondence

James Potter said the 11 correspondents are listed on the website. There were a couple of letters from residents the other are notices.

- A. Division of Marine Fisheries: Shellfish Transplant Closure - Emmons Road Bridge
- B. Department of Environmental Protection decision to overrule the Harbormaster's denial of mooring permits for Tadhg Sweeney I Winnepoe Mooring Field, Pocasset Harbor
- C. Letter from Department of Environmental Protection regarding Joint Base Cape Cod - Final 2017 Central Impact Area Sources Removal Annual Report - RCL, Concurrence.
- D. Letter from Barbara Lingard expressing concerns regarding the proposed CPC funding source from the Community Preservation Act Funding for the Town Administrator's Advisory Committee on Pedestrian Bicycle Pathway
- E. Notice for Public Hearing from Zenith Consulting Engineers fro 594 Circuit Avenue, Pocasset for relief from the Board of Health for the installation of a septic system.
- F. Notice from CarriageHouse Consulting regarding Notification of Phase 1 Completion Statement and Tier II Classification Submittal - Pairpoint Glassworks Facility, 851 Sandwich Road, Bourne
- G. Eversource Energy is providing notice of planned and scheduled vegetation maintenance work on the transmission right-of-way [ROW] that is located at the site address of 0 Route 28A, Bourne
- H. Elizabeth Songer submitted letter of resignation from the Council on Aging Board of Directors.
- I. Letter from Massachusetts & Northern New England Laborers' District Council regarding Notice of Intent to Renegotiate.
- J. Pocasset Village Association submitted the original "A Sense of the Community" signed by residents of Bourne
- K. MMA's Legislative Breakfast Meeting will be held on October 12, 19, and 26.

George Slade said regarding letter H requesting a letter of thanks be sent to Mrs. Songer as well as Monica Layton who resigned earlier in the summer.

Tom Guerino said regarding letter K, the MMA Legislative Breakfast Meetings, if any Board members would like to attend please let him know so he can sign you up. Regarding letter J, you received a letter, with the letter there were a number of signatures.

Peter Meier questioned letter I. Tom Guerino said you will get a letter every three years from them. The next correspondents will be from the group that covers the police department. The Charter provides that I negotiate on behalf of the Board. We will need to get together to set parameters on that as we move forward.

4) Town Administrator Report

- a. Technology Committee**
- b. Finance Director Recruitment**
- c. Barlow's Landing Intersection**
- d. Community Building**
- e. Web Site Working Group**

f. County owned land off County Road in Bourne - opportunities for possible acquisition. Mary Jane Mastrangelo/Chief Sylvester - Discussion to retain an appraiser for the county property

Tom Guerino spoke about the upcoming Town Meeting, and the people who have helped out with the Warrant. Peter Meier thanked additional people for working on the Warrant.

4.a. We were planning on meeting tomorrow, but it will be deferred for a week. We are planning on bringing in a second permitting software company. We will start to look at financial software. We need to start bringing companies to give us an initial overview.

4.b. Finance Director - Mr. Guerino said the Finance Committee Chair and myself met with the selected consultant to go over some parameters and ideas on how to look for a Finance Director, and how to increase our ability to recruit qualified people into a Finance Director position.

4.c. Barlow's Landing intersection - Mr. Guerino said George Sala has been working with Beta. They are coming up with a proposal relative to taking a look at that particular intersection. I am working with the Cape Cod Commission on some of the mitigation monies that we have received for pedestrian and transportation pieces. There are traffic issues and pedestrian issues, crossing the street and the line of site for pedestrians and bicycles.

4.e. Website Working Group - Mr. Guerino said we will start to be proactive, there will be letters/memo going to various department and outside people this week to see if they are interested in serving on this committee.

4.d. Community Building - Tom Guerino said relative to the contactor we are working on getting a final invoice. There is a small punch list of things that still need to be completed. The remaining dumpster has been called to be removed.

Krissanne Caron said installers came in today to reattach the bleachers. The manufacturer had to come back to do the install for the bleachers. Company will come back on Thursday to inspect our hoops and the net; those have to be done annually. We will be moving forward on a maintenance plan for all the items going forward. We have work to do on the gym lobby bathrooms. The gym will be open for scheduled programs through the COA and the Rec department starting tomorrow. Once bathrooms are done it will be open to everyone for general use. Switch basketball is not open yet, it starts in December.

Jared MacDonald questioned the bleachers were they damaged by water? Krissanne Caron said the water flowed under the floor, which caused the entire gym floor to come up, so the bleachers had to be removed.

Krissanne Caron said furniture is a revolving ordering process. Bookcases are in, couches and benches should be in within a week, tables have been ordered and additional bookshelves have been ordered.

Community Building Fall Programs - Thanked everyone who accommodated the programs. We will still be branching out, we have plans to try to get into the schools and do some onsite programming.

FALL FUN WITH BOURNE RECREATION



BOOTCAMP
Basketball Boot Camp with
Coach Bob



Trunk or Treat



PICKLEBALL



AMAZIN' AG
The Ultimate Action Game
Video Game Truck & Laser
Tag BPS Half Day Programs!



GAMIN' OF CAPE COD



GPS
Let's Kick It with Global
Premier Soccer



**Wine, Craft, Build: Game
with Legos**



LASER TAG



SewPro
Sewing Workshops



**American Red Cross:
Babysitting Course**



Girls Chemistry Club



Open Gym Basketball

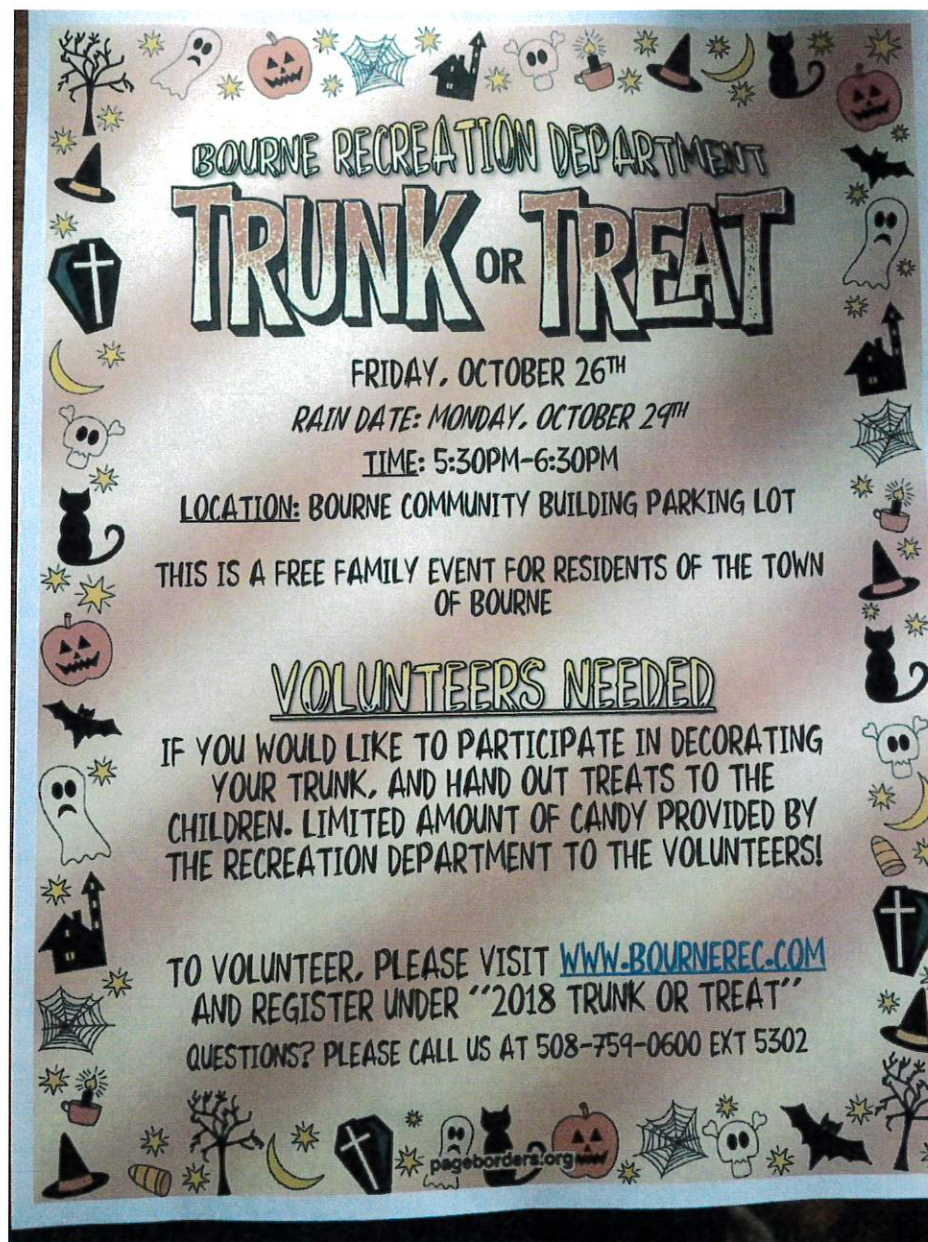


SWISH
SWISH Basketball League



Taekwondo

REGISTRATION AND PROGRAM DETAILS CAN BE
FOUND AT WWW.BOURNEREC.COM
AS ALWAYS, IF YOU HAVE ANY QUESTIONS OR
NEED ASSISTANCE WITH REGISTRATION PLEASE
CALL US AT (508)-759-0600 EXT 5302



Annual Trunk or Treat is going to be Friday 26th of October in the parking lot starting at 5:30. Katie Mehrman, Program Coordinator, has been working on after school programs and Saturday programs. The programs are on our website. We are offering half day programs; after school programs include: basketball boot camp, engineering, girls chemistry club, hoop, sewing for children ages 8 and adult classes, Lego workshops, Zumba kids, Tae kwon do program, switch basketball. Saturday programs include: babysitting course for kids, flag football, soccer program for children, adult sewing workshop, pickle ball social Saturday.

Jim Mulvey spoke about the projector not being able to read from a laptop. Tom Guerino said we are working on that.

Krissanne Caron spoke about having the Christmas event at the Community Building; we don't have a date yet. George Sala suggested a permanent tree. James Potter said going forward it might be a good idea to have something on Main Street. Krissanne Caron spoke about a Main Street stroll.

4.f. County owned land off County Road in Bourne

Mary Jane Mastrangelo, Capital Outlay Committee, spoke about where to locate the South Side Fire Station. One piece of property was the county owned land. The county is interested in selling some of that property. This total piece is over 80 acres. It has the community garden, the thrift shop, which is a historic building, conservation land, affordable assisted living and the house that was used by AmeriCorps. It seems to be a good time for Bourne to look at this piece of property, have our own appraisals done, and look at the different pieces of the property. What the entire piece of property would cost the Town of Bourne to buy. If we have control of the parcel it gives us flexibility to do multiple things in the best way that works for the town. The request is for the Board of Selectmen to request an appraisal be done, because that is the first step in any land acquisition. There are several different parcels. We have to look at the parcels as the 5 acre piece, the AmeriCorps piece, the assisted living piece, the piece that had the Gosnold section, and the conservation piece. The open space committee would be interested in participating in the discussion. It is an opportunity for the town.

Peter Meier said it's a great investment if we look at acquiring the whole parcel. This is the perfect tool to preserve property in that area.

Judy Froman said the appraisal that we are being asked to approve is for the entire 80 acres, will it also be segmented into the different parcels. Mary Jane Mastrangelo said she hopes so. It is important for funding issues. We need to know what each piece is worth.

Chief Sylvester said to let the OPM decide what to do and where to place the station. We would have to worry about the people there with the trucks moving around that area and the noise from the trucks moving around. The 80 acres may give us more room to work.

Judy Froman questioned the cost of getting an appraisal. Barry Johnson said we would have to go to Chapter 30 B Section 16, we have to do a procurement process. Mr. Johnson said this is an important parcel in the town. If they (the county) wants to dispose of it they have to offer it to the commonwealth first, if the commonwealth says no then it would come back to the host community. That is the time we want to be in a position to respond to any RFP they put out for this parcel. Would like to offer the services of the Open Space Committee. We are familiar with the process. We could look to the CPA fund to assist with this acquisition.

Voted Judy Froman moved and seconded by Jared MacDonald to approve moving forward with the appraisal, instructing the Town Administrator to start the process for an appraisal for this property.

James Potter said we have to make sure the appraisal breaks down the various lots.

Mary Jane Mastrangelo said the county appraisal was for the 5 acres and the AmeriCorps property. We also want a separate breakdown of the property with the assisted living and the conservation land.

Barry Johnson said this is a multi-faceted type of use on the property so we might have to do a combination, one section for open space for conservation and the other would be for other municipal uses, such as the fire department.

James Potter said regarding breaking out the lots, we can designate the use of the property when we have it appraised, but the county has to have it appraised at the highest and best use of the property. So we have to appraise it properly.

Mary Jane Mastrangelo said the assisted living is on a 50-year lease and has an option for renewal, it is limited because of the restriction on it, and they want to expand.

Vote 5-0-0.

5) License/Appointments

a. Use of Town Roads - Cape Cod Harley

b. Election Worker - Priscilla Cook Dunlavy

c. Common Victualer [food] License - Wheelhouse Café, Inc.

d. Verizon License Agreement at New Elementary School Property

Peter Meier said 5a is being deferred.

5.b.

Priscilla Cook Dunlavy, 26 Lincoln Ave, Buzzards Bay MA 02532, Election worker, term to expire June 30, 2019

Voted Judy Froman moved and seconded by Jared MacDonald to appoint Priscilla Cook Dunlavy as an election worker term to expire June 30, 2019. Vote: 5-0.

5.c The Wheelhouse Café, Inc. William J Ferreira, III, Manager. P.O. Box 2046, North Falmouth, MA 02556; Gallo Ice Arena, 231 Sandwich Road, Bourne, Common Victualer License [food]. Remarks from Board of Health: Pending Board of Health approval at public meeting and pre-operational inspection. Assessors: 9/7/18 received Form of List, will be exempt, equipment owned by Bourne Recreation Authority. Fire Department: Needs full inspection of premises prior to opening.

Peter Meier said this is the management company going into the Gallo Ice Arena to take over the snack bar.

William Ferreria, we signed a lease with Gallo Ice Arena the end of August. Requesting a Common Victualer License. Been in business for 35 years. Looking to expand on the snack bar.

Tom Guerino said the final inspection is scheduled for tomorrow. The Board of Health will vote tomorrow night.

Voted Judy Froman moved and seconded by Jared MacDonald to move ahead with the Common Victualer Food License for the Wheelhouse Café subject to any outstanding conditions. Vote 5-0.

5.d. Verizon License Agreement at New Elementary School Property

Tom Guerino went over the request. There was concern relative to the specificity provided to the town on the initial license request for movement. Counsel sent back asking for more specificity. This has been approved by Counsel. Suggest this is a license and would recommend you put an end date on the license of June 30, 2020. At that point this would have to go to town meeting as an easement to convert the license to an easement. Could do it at this annual meeting, but recommend giving it an extra year.

SD

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is entered into this _____ day of _____, 2018, by and between The Inhabitants of the Town of Bourne, a municipal corporation, having its principal place of business at, 24 Perry Avenue, Bourne, Massachusetts 02771 (hereinafter referred to as "Licensor") and Verizon New England, Inc., a New York corporation having its principal place of business at 6 Bowdoin Square, 9th Floor, Boston, Massachusetts 02114 its successors and assigns, (hereinafter referred to as the "Licensee").

WHEREAS, Licensor is the record owner of land situated at #70 Trowbridge Road, located in the Town of Bourne, Barnstable County, Massachusetts, by virtue of a deed dated March 3, 1953, recorded with the Barnstable County Registry of Deeds in Book 835, Page 457. Said property is shown as, Lot 4300 +/- Acres, presently shown on a plan entitled "Plan of Land to be Acquired by the Town of Bourne in Bourne Village", Buzzards Bay, Mass. Barnstable County, Massachusetts", prepared for the Town of Bourne, by Newell B. Snow, Engr., Scale 1" = 100', dated 3/3/1952, and recorded with the Barnstable County Registry of Deeds in Plan Book 108, Page 51.

NOW THEREFORE, Licensor hereby grants permission to Licensee, its successors and assigns, the right to access, construct, operate, maintain, connect, replace and remove facilities, which may be erected at different times with the necessary conduits, cables, wires, poles, anchors, guys, supports, fixtures and appurtenances thereon for the transmission and/or distribution of telecommunications subject to the terms, conditions and covenants hereinafter set forth. The Licensee shall have the further right to enter said portion of Licensor's land by foot or by vehicle for all of the herein stated purposes and to connect said pole(s), wires and cables with the poles, conduits, cables and wires which are located or which may be placed in parcels of land, public or private ways, adjacent or contiguous to the aforesaid premises. The location of said License, which area is approximately shown on a sketch labeled Exhibit A, attached hereto and made a part hereof. The location of said facilities to become permanent upon the placing thereof.

It is also agreed that the Licensee, its successors and assigns, shall have the right to extend its lines on the subject premises from time to time as may be necessary in the judgment of the Licensee to serve customers on the subject premises without incurring any liability to the Licensor, or any successors or assigns. The License will remain in full force, provided it is being used for its intended purpose which is to provide for the transmission and/or distribution of telecommunications.

It is understood that the work shall be performed in a workmanlike manner and any damage to the premises caused by Licensee shall be corrected, and that while constructing, reconstructing, relocating, replacing, operating, repairing, maintaining and removing its facilities, Licensee shall save harmless and indemnify Licensor from physical injury to Licensor's property, its employees or the public which may occur at any time through the negligence of Licensee.

IN WITNESS WHEREOF, the parties have hereunto caused this License Agreement to be executed by their authorized officials, effective as of the date first written above.

#9 TROWBRIDGE RD, BOURNE, MA
EWO# 4A0EE9Y
UG FACILITIES OFF POLE 168/9

Town of Bourne, *acting by and through its Board of Selectmen*

Signature _____
Printed Name _____

Signature _____
Printed Name _____

Signature _____
Printed Name _____

Signature _____
Printed Name _____

Signature _____
Printed Name _____

Approved on Form

[Signature]

*Robert S. Troy
Town Council*

9-14-18

Peter Meier requested a motion to approve and sign the license agreement with Verizon to expire on June 30, 2020.

Voted Judy Froman moved and seconded by Jared MacDonald to approve. Vote 5-0.

7) Selectmen's Business

- a. Request new unit at 31 Wing Road be added to the Town of Bourne Subsidized Housing Inventory List**
- b. Adopt Rules of Procedure**
- c. Goals Update**
- d. Future meeting location**

Peter Meier briefly went over the request for unit at 31 Wing Road. There is a letter in the Selectmen packet. Upon approval we will be asking DHCD to add 31 Wing Road to the subsidized housing inventory list.

James Potter said it would be nice to know what is the current percentage of affordable housing we have.

Peter Meier would like a motion to approve the letter in our package and instruct Mr. Meier to sign the letter asking DHCD to approve our request of adding 31 Wing Road to the subsidized housing inventory list.

Voted Judy Froman moved and seconded by Jared MacDonald to approve. Vote 5-0.

7.b. Adopt Rules of Procedure.

Jared MacDonald requested an amendment on page 4 under Executive Sessions section 6, "The Board will then vote to disclose or withhold from disclosure the minutes depending on whether or not the reason for *them being kept secret still exists*. Change to "their being kept for disclosure still exists."

James Potter said the title is for the Selectmen and the Sewer Commissioners, should we break out the Sewer Commissioners to a separate policy, because there is a lot that doesn't apply to the Sewer Commissioners.

Judy Froman agreed to take out Sewer Commissioners from the title and the first paragraph under Procedural Matters.

George Slade suggested under section VII in the asterisk section for Public Comment take out the word discussion, because Public Comment does not include discussion.

Voted Jared MacDonald moved and seconded by James Potter to approve the Rules of Procedure with the three corrections. Vote 5-0.

7.c. Goals Update

Judy Froman said a draft of the Smart Goals that were discussed at the last workshop will be sent out before the next workshop.

7.d. Future Meeting Locations.

Peter Meier said the normal business meeting will be at the Community Building because it is a live broadcast. Looking into the process of doing a meeting at the Joint Base Cape Cod. Would like to see if the Board would entertain us doing a meeting on the Base.

James Potter said it is a great idea but should it be an additional meeting because our public cannot attend. If someone wanted to speak at the meeting they would not be able to attend the meeting.

Peter Meier said as part of the process we can explain we hold a public meeting and would like the public to be able to attend the meeting if they would like.

George Slade said to try to avoid an agenda item that is so controversial that many people would need to attend in person to reduce security concerns.

Peter Meier spoke about having National Grid come in before the Selectmen to talk about what controls they have in place, so what happened in the North Shore does not happen here. We would like to put people's fears at ease.

Judy Froman brought up the 5' diameter pipeline of gas that goes down Hunters Brook Road that feeds the Cape.

8) Adjourn

Voted Judy Froman moved and seconded by George Slade to adjourn. Meeting adjourned at 8:31pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.