

**Board of Selectmen
Minutes of Tuesday, January 8, 2019
Bourne Veterans' Memorial Community Center
Buzzards 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
2019 FEB -8 AM 9:49
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

Meeting Called to Order

Chm. Meier called the meeting to order at 7:00 pm.

Peter Meier spoke about the passing of Joe Agrillo Sr.

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

Vision: Bourne is a 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, embraces excellent education, and the amenities that it affords and offers to citizens a healthy, active lifestyle.

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 responsibility 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.

Public Comment – Non-Agenda Items

Mr. Don Hayward read the letter he emailed to the Selectmen.

Bourne Board of Selectmen,

Please be advised that should the Bourne Board of Selectmen proceed with the generation of a Host Agreement between Haven Center and the town of Bourne, such Executive/Administrative action shall be considered in direct violation, conflict of and opposition to the rule of law as created by legislation and approved by the Attorney General.

This action will necessitate and provide grounds for a petition to the court for a Writ of Mandamus for the purpose of requiring conformity to and the spirit of the existing law in the town of Bourne that bans marijuana.

As a proven merchant of addiction and sales of carcinogenic plant material, I find it reprehensible that any elected public official supports or condones the presence of Haven Center and its business model.

Regards, Don C. Hayward

Mr. George Seaver, Opt. Out Bourne

On Jan 4th Haven Center filed a law suit against the Town of Bourne for a number of things, one is that zoning trumps General Bylaw and they have invested a great deal of money so they think they should proceed with their recreation marijuana license. One line in their lawsuit they state that on November 28, 2018 the Bourne Board of Selectmen ended all negotiations regarding Host Agreement with Bourne. Mr. Seaver questioned have you ended negotiation for a Host Agreement regarding recreational marijuana, are you conducting negotiation regarding a Host Agreement for medical marijuana?

Peter Meier said this is under public comment so we cannot comment also Atty. Troy advised us not to answer any questions about this at this time.

Mr. Bill Stafford said he appreciates that you have advised the Haven Center that the Board of Selectmen will no longer work with them regarding non-medical cannabis retail sales in Bourne. Months ago, I asked you to rescind the support on the processing and cultivation in Bourne for the R&D, it is apparent that Haven Center is trying to get sales, cultivation and processing done in Bourne. It is apparent that the Town Administration and the Select Board have been complicit in making the Haven Center a marijuana capital on Cape Cod. It is wonderful that the Select Board has finally decided to stand with the citizens of Bourne who voted for a ban to retail marijuana. I will be happy to support the Select Board and the Town Administration to respond and dismiss the complaint.

Mr. Gregory A. Folino, Chairman of the Bourne Rec Authority, Representing authority members and staff at the Bourne scenic park and the John Gallo ice arena, to thank the Board of Selectmen. Spoke about the Home Rule Petition

Doug Oesterheld spoke regarding the consequences of recreational marijuana. Handed out an article that recently appeared in the New York Times about What Advocated of Legalizing Pot Don't Want you to Know.

2) Approval of Minutes: Executive Session to disclose 5/22/18; 6/5/18; 6/26/18; 7/10/18; 7/17/18; 7/24/18; 8/20/18; 8/21/18; 9/6/18; 9/11/18; 10/9/18; 11/6/18; 11/20/18; 11/29/18; 12/11/18; 12/18/18

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the minutes of May22, 2018. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclose the June 5, 2018 Executive Committee minutes. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the June 26, 2018 Executive Committee minutes. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the July 10, 2018 Executive Committee minutes. Vote 4-0-1. James Potter abstained.

Voted Jared MacDonald moved and seconded by James Potter to approve and withhold from disclosure the minutes from July 17, 2018. Vote 3-0-2. James Potter and Judy Froman abstained.

Voted Jared MacDonald moved and seconded by James Potter to approve and withhold from disclosure the minutes from July 24, 2018. Vote 4-0-1. Judy Froman abstained.

Voted JudyFroman moved and seconded by Jared MacDonald to approve and withhold from disclosure the August 20, 2018 Executive Committee Minutes. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the August 21, 2018 Executive Committee Minutes. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the Executive Committee meeting minutes from September 6, 2018. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the September 11, 2018 Executive Committee minutes. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the Executive Committee minutes from October 9, 2018. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the Executive Committee minutes from November 6, 2018. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the November 20, 2018 Executive Committee minutes. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the November 29, 2018 Executive Committee minutes. Vote 5-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve and withhold from disclosure the December 11, 2018 Executive Committee minutes. Vote 5-0.

Voted Jared MacDonald moved and seconded by James Potter to approve and withhold from disclosure the minutes from December 18, 2018. Vote 4-0-1. Judy Froman abstained.

3) Town Administrator Report

a. Stop & Shop Property

b. Introduction of Chris Southwood

c. Barlow's Landing Intersection - review update

d. Hoxie School

e. Technology (e-programing) recommendation update

f. Budget FY2020

- a. Tom Guerino said the representative will be present on the 22nd. They will give an update on what is happening with the property and the work they have been doing with MassDOT.
- b. Tom Guerino introduced Chris Southwood, Acting Director of the Department of Natural Resources.
- c. Chris Southwood introduced himself, he is a resident of the town. Recently working for the Town of Dennis as the Shellfish Constable and Natural Resource Officer. Have been a board member on multiple state panels and advisory committees and recently was on the Shore and Harbor Committee.
- d. Barlow's Landing intersection, you received that report a few weeks ago, the DPW Director and Police Chief are reviewing the report, and look at the next steps in addition to the 4-way stop that was recommended.
- e. Hoxie School lease, we have to incorporate a draft lease when we bring it to the state.
- f. Update on e-permitting, received a letter from the committee recommending a company called Full Circle. After further review of their proposal and costs, and further review of ViewPoint the committee has altered their recommendation and is now recommending ViewPoint, from a cost and the modules they offer. It will work with our current software.
- g. FY 2020 budget is ready for the presentation next Tuesday evening. Thanked Mike Ellis and Linda Marzelli for their help.

Tom Guerino asked the Select Board to consider taking item number 7a. as the next item on the agenda.

Voted Judy Froman moved and seconded by Jared MacDonald to take item 7a out of order. Vote 5-0.

7) License/Appointments

a. Patrick Ross – Appointment to the Shore and Harbor Committee

Patrick Ross gave a brief background on himself and spoke about why he would like to be appointed as a member of the Shore and Harbor Committee.

Voted: Judy Froman moved and seconded by Jared MacDonald to approve Patrice Ross as appointment to the Shore and Harbor Committee term to expire June 30, 2020. Vote 5-0.

4) School Building Committee update of Bourne School Project

James Potter introduced the members that were present for the School Project. Joel Seeley, SMMA, Owners Project Manager and Steve Lamarche, School Superintendent

Joel Seeley spoke about the school building committee project. Introduced the members that have worked on the project. Ken Kovacs, Flansburg Architects; and Superintendent Lamarche. Thanked the Select Board for their continued support of the project.

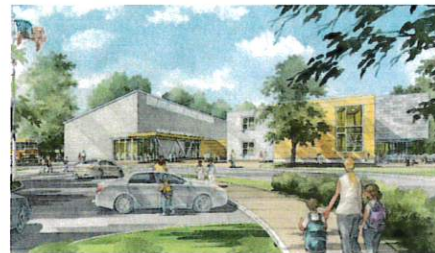
Ken Kovacs and Joel Seeley spoke about the project.

Bourne Intermediate School

Report of the School Building Committee



*Board of Selectmen Meeting
January 8, 2019*



PROJECT MANAGEMENT

SMMA

Project Team

SCHOOL BUILDING COMMITTEE

James L. Potter, Chair
Steven Lamarche
Peter J. Meier
Christopher Hyldburg
Natasha Scarpato
Donna Buckley
Richard A. Lavoie
William Meier

Erika Fitzpatrick
Frederick H. Howe
Jordan Geist
Thomas M. Guerino
Paul O'Keefe
Elizabeth A. Carpenito
Kathy Anderson

SUPERINTENDENT OF SCHOOLS

Steven Lamarche

PRINCIPAL

Janey Norton

OWNER'S PROJECT MANAGER

Symmes Maini & McKee Associates

ARCHITECT

Flansburgh Architects

GENERAL CONTRACTOR

Brait Builders Corporation

Project Description

- 72,680 Square Feet
- Sized for 460 Grades
3-5 Students



Project Timeline

- 2012 Statement of Interest Submitted to MSBA
- 2014 MSBA Invited Bourne to Feasibility Study
- 2016 MSBA Approved Project
Bourne Voters Approved Funding
- 2017 Construction Commenced
- 2019 August – New School to be complete
December – Site Work to be complete

Project Budget Expended

- Project Budget \$39,919,041
- Expended through 12/31/2018 \$22,588,676
- Balance \$17,330,365



Project Budget Balance

	Budget	Committed Amount To Date	Budget Balance
Feasibility Study Agreement	\$ 750,000.00	\$ 589,700.13	\$ 160,299.87
Administration	\$ 1,294,863.00	\$ 1,099,806.04	\$ 195,056.96
Architecture and Engineering	\$ 3,171,037.00	\$ 2,772,619.00	\$ 398,418.00
Construction	\$ 28,216,730.93	\$ 28,216,730.93	\$ -
Change Orders		\$ 226,730.93	\$ 226,730.93
Miscellaneous Project Costs	\$ 224,000.00	\$ 100,100.00	\$ 123,900.00
Furnishings and Equipment	\$ 690,000.00	\$ -	\$ 690,000.00
Technology	\$ 690,000.00	\$ 12,339.00	\$ 677,661.00
Owner's Construction Contingency	\$ 4,239,153.07	\$ (226,730.93)	\$ 4,012,422.14
Owner's (soft cost) Contingency	\$ 643,257.00	\$ -	\$ 643,257.00
Total Project Budget	\$ 39,919,041.00		

PROJECT BUDGET BALANCE	\$ 7,127,745.90
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Steve Lamarche spoke briefly about the Bourne School Project and the people involved in the project.

Peter Meier said he is very happy with the way the project is coming along, and thanked the OPM, Architect, School Building Committee, and the school staff.

Judy Froman commended the work that has been done on the School Project and the people that have worked on the project.

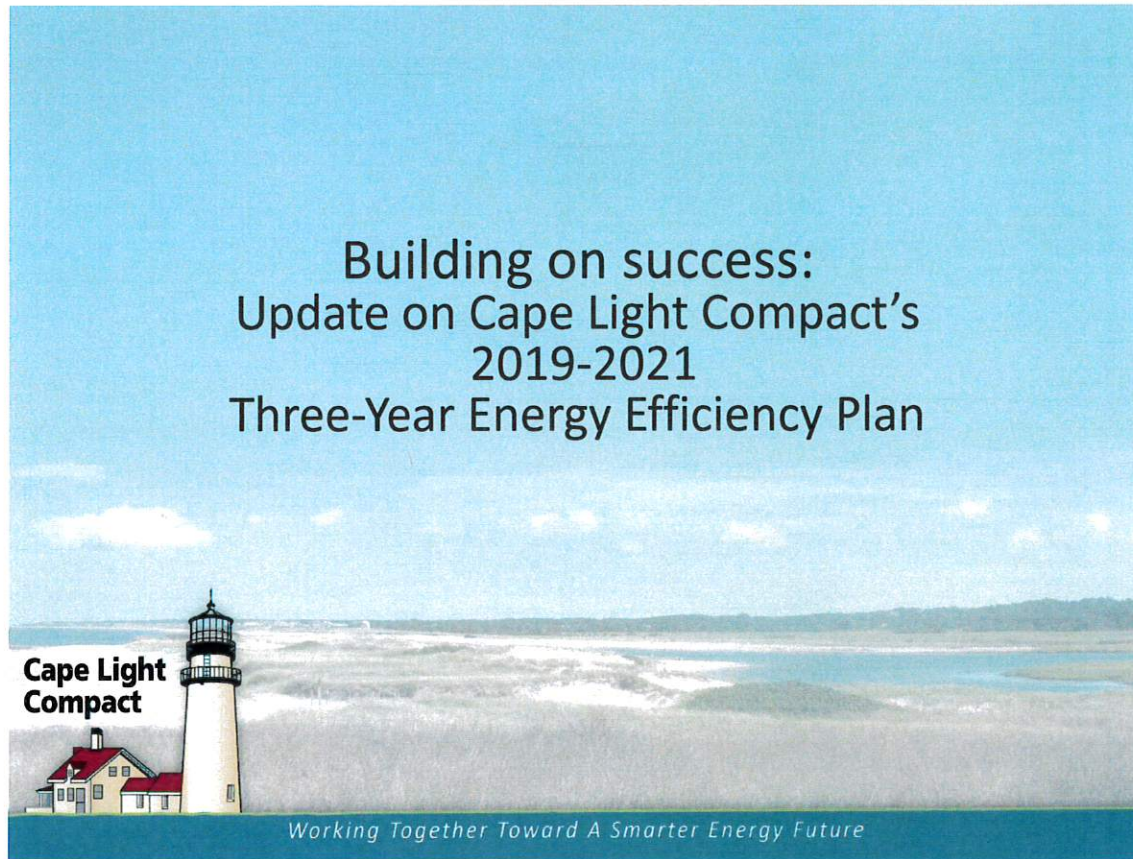
Jared MacDonald commended the work that has been done on the School.

James Potter commended Mr. Lamarche on his work on the project and the work that has been done on the new school; and wanted to see if the Board of Selectmen want to do a walk through.

George Slade spoke about how the people on the project really wanted to make a school that everyone would be happy with. Commended the people that have worked on the new school building.

5) Cape Light Compact update and information regarding filling next 3 years

Bob Schofield, Cape Light Compact Director, and Maggie Downey, Administrator for the Cape Light Compact, updated the Board of Selectmen and public on the Cape Light Compact's 2019 – 2021 Three-Year Energy Efficiency Plan.



Agenda for Presentation



- Overview of Cape Light Compact (CLC)
- Three Year Energy Efficiency Plan – Cape Light Compact Enhancements and New Opportunities
 - 2019-2021 is the fourth 3-year Energy Efficiency Plan filed by the Program Administrators (PAs).
 - PAs = Cape Light Compact and Investor Owned Utilities (e.g. Eversource)

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Cape Light Compact



- Award-winning energy services organization operated by the 21 towns on Cape Cod and Martha's Vineyard
- Mission: serve customers through delivery of
 - proven energy efficiency programs
 - effective consumer advocacy
 - competitive power supply and green aggregation
- Model for other community choice aggregation programs in MA and nationally



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Background on Three-Year Energy Efficiency Plan



- 2008 Massachusetts Green Communities Act (GCA) mandates *"electric and natural gas resource needs shall first be met through all available energy efficiency and demand reduction resources that are cost effective or less expensive than supply."*
- 2018 Amendments to the GCA:
 - Explicitly allows for cost effective energy storage and other active demand management technologies
 - Adds cost-effective strategic electrification
 - Explicitly authorizes renewable funding through EE funds
 - Changes cost-effectiveness requirement from program level to sector level (increases flexibility)
- Meetings with Department of Energy Resources and the Attorney General indicate Program Administrators' 2019-2021 Energy Efficiency Plans should comply with amendments
- Compact works collaboratively with seven other statewide PAs to provide cost-effective energy efficiency programs. These programs are most commonly known as Mass Save®.

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Calendar of Events



Date	Action
November 2017 – February 2018	Stakeholder Engagement Meetings to help inform the 2019-2021 EE Plan
April 30, 2018	Compact & all PAs submitted draft 2019-2021 Statewide EE Plans
September 14, and October 10, 2018	Second draft of Plan submitted Third draft of Plan due
October 31	Compact & all PAs file final 2019-2021 Statewide EE Plan with Department of Public Utilities

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Overview of Compact Programs



Sector	Program	Initiative
Residential	Residential New Buildings	Residential New Homes & Renovations
	Residential Existing Buildings	Residential Coordinated Delivery
		Residential Conservation Services
		Residential Retail Residential Behavior & Active Demand Reduction
Income-Eligible	Income-Eligible Existing Buildings	Income-Eligible Coordinated Delivery
Commercial & Industrial	C&I New Buildings	C&I New Buildings and Major Renovations
	C&I Existing Buildings	C&I Existing Building Retrofit
		C&I New & Replacement Equipment C&I Active Demand Reduction

Residential is non-income eligible, 61% + of state median income and includes multi-family (5+ units)

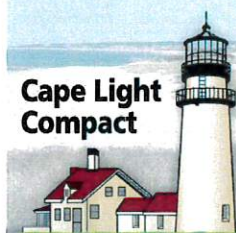
Income Eligible is up to 60% state median income, fuel assistance, and other income eligible benefits

Commercial and Industrial is businesses (including non-profits, churches, etc.), industrial, and municipal

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CLC Specific Program Enhancements



Working Together Toward A Smarter Energy Future

Enhanced Residential Coordinated Delivery Offerings



Statewide Offerings	Continue Current CLC Enhancements
90% with no cap on insulation measures for: - Landlords that agree to complete whole-building scoped weatherization work	100% with no cap on insulation measures for: - Year-round tenants (who pay their own electric bill)
Gas PAs serve gas heated homes, and electric PAs serve all other fuels	Serve customers with natural gas heated homes who prefer to be served by the Compact

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Enhanced Residential Income Verification Offerings



- Continue Compact-specific income verification for low-income customers

Household Members	60% State Median Income (SMI)
1	\$35,510
2	\$46,437
3	\$57,363
4	\$68,289

- Continue Compact-specific income verification for customers 61-80% of SMI

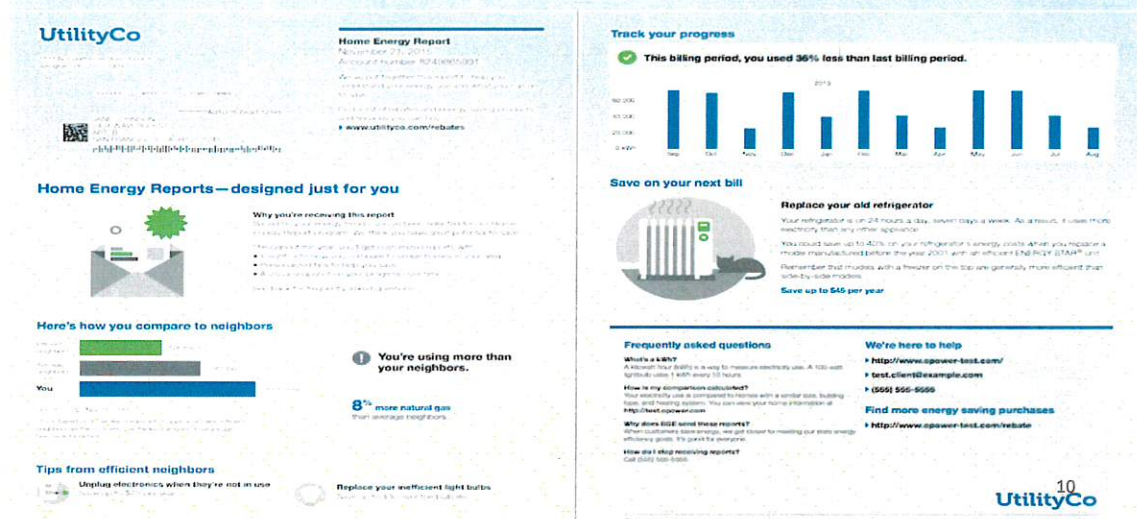
Household Members	61-80% SMI
1	\$35,510 - \$47,550
2	\$46,437 - \$61,915
3	\$57,363 - \$76,484
4	\$68,289 - \$91,052

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Enhanced Residential Behavior & Demand Management Offerings



- Behavior & Demand Management
 - Implementing a home energy report (e.g., OPower)



Enhanced Residential Offering Strategic Electrification



- Objectives
 - 700 total non-gas heated participants, tiered services by income
 - Additional incentives for low-income (up to 60%), moderate income (61-80%) and extended moderate income (81-120%) customers
 - Convert oil, propane, electric resistance heat to cold climate heat pumps
 - Install PV systems to support electrification of heating system, reduce GHG emissions, offset increased electricity usage
 - Install battery storage for demand response and resiliency

Enhanced Residential Demonstration



- Look to explore ways to incentivize connected devices (i.e., smart appliances, WiFi thermostats, plug load controllers, etc.) to reduce residential energy use.

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Summary of Enhancements for C&I Programs



- Continue enhancements for thermal measures in the New Construction and Major Renovation program as well as the C&I Retrofit program
- Municipalities – 7% of total C&I customers
 - Incentives (up to 100%) for greater cost coverage with equipment maintenance training to ensure savings with board approval for projects over \$150,000.
- Continue to offer Small Business incentives up to 100% as well as a zero-interest financing option
- Continue to offer a Business Energy Audit (BEA) which offers 100% incentive coverage for certain instant savings measures (ex. efficient lighting, water saving measures, etc.)
- Non-profits
 - Up to 100% coverage for recommended improvements
 - For 501 (c)(3) that promotes economic, social, cultural development on Cape or Vineyard or to organizations providing services to the low income population
 - Operating ≥3 years with unrestricted annual op. rev. <\$15M
- Main Streets Initiative

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Enhancements for Residential and C&I Programs



- Exploring residential battery storage to reduce peak demand in homes that have distributed energy resources
 - Will then look to investigate the potential for offering this to C&I customers
- Explore ways to reduce demand through Electric Vehicle Charging
 - Shifting charging to off-peak hours

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2019 – 2021 Budget



Total Budget (all sectors) October with a Benefit Cost Ratio of 2.21

2019	2020	2021	2019 - 2021
\$45,681,618	\$55,799,419	\$61,449,986	\$162,931,023

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2019 – 2021 Electric Savings



Net Savings (all sectors) October

	2019	2020	2021	2019 - 2021
Annual (MWh)	40,600	40,291	37,668	118,559
Lifetime (MWh)	336,293	351,582	361,925	1,049,800



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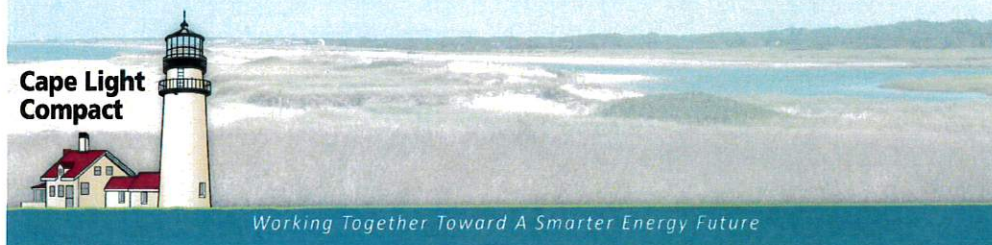
Thank You!

Final Plan

<https://www.capelightcompact.org/eeplan/>

- Email

info@capelightcompact.org



Maggie Downey spoke about who Cape Light Compact is and what they do; background on Three-year Energy Efficiency Plan; Calendar of Events; Overview of Compact Programs; CLC Specific Enhancements: Enhanced Residential Coordinated Delivery Offerings; Enhanced Residential Income Verification Offerings; Enhanced Residential Behavior &

Demand Management Offerings; Enhanced Residential Offering Strategic Electrification; Enhanced Residential Demonstration; Summary of Enhancements for C&I Programs; Enhancements for Residential and C&I Programs; 2019-2021 Budget; 2019-2021 Electric Savings. The website shows how the customer's bill will be impacted.

Peter Meier spoke about the streetlights on Academy Drive, Bourne Neck Drive, they changed the lights to LED, and now they are so dim it is hard to see people walking/skateboarding. Maggie Downey said the street lights can be adjusted, you can put back shields on them to redirect the focus.

Jim Mulvey spoke about dual metering for off peak hours. Bob Schofield said that request would be under Eversource's domain, we have asked for this in the past.

6) Dog Park Update: Mr. and Mrs. Butler

Janet Butler, resident in Bourne, spoke about the Dog Park in Bourne. Mrs. Butler gave a brief background on the Dog Park, why it started, and how they got to where they are today. They got support from everyone they approached, got support from the town, formed a non-profit, put together a group that would raise the money to make the dog park a reality. The Stanton Foundation is willing to fund dog parks and help design them, fund all but 10% of the construction costs, the design costs, and on some ongoing capital improvements for 3 years. The town could apply for that grant, Mrs. Butler offered to write the grant for the town, it would bring in about \$300,000.00 to fund this project. We have fundraised money to get the initial plans done, we have formed a group who are willing to steward the park, and provide the maintenance and the oversight of the park. We came up with a way to raise over a quarter million dollars to build the park. We need from the town a little piece of land to make this a reality.

Tom Guerino spoke about what the Butlers have done and the land they have looked at over the year, and the primary piece of property off County Road. It is near the Water District line of delineation. There is a meeting on the 14th, we will be meeting with the folks from the water district, Barry Johnson, and Sam Haines, to discuss with them to move this forward.

Robert Prophett, Bourne Water District Superintendent, spoke about the dog park. Mr. Prophett said his concern is the parcel on County Road is within a 100 ft of the zone of contribution under regular pumping, and that does not include the summer months. On a regular day we are drawing from where this park will sit.

8) Correspondence

James Potter brought the Board and the public up to date on the correspondence, everything in posted on the website.

- A. Notice of vacancy on the Bourne Housing Authority
- B. Shirley Fickie submitted letter of interest to serve on the Recycling Committee

- C. Haiden Powers submitted letter of interest to serve as youth representative on the Human Services Committee
- D. Chris Powers submitted letter of interest to serve as At-Large member on the Human Services Committee
- E. Letter from Don Hayward regarding the Host Community Agreement
- F. I SWM General Manager Daniel Barrett submitted letter to DEP regarding the Bourne ISWM Facility Quarterly Groundwater and Landfill Gas Monitoring Results
- G. Letter from SITEC Environmental regarding the Bourne Landfill – Review of July 2018 Environmental Monitoring Event
- H. Letter from Clean Harbors regarding Public Notification of Permanent Solution Statement/Diesel Fuel Release, 101 Academy Drive, Bourne
- I. Cape Cod Commission hearing notice: Draft Technical Bulletins to the 2018/2019 Draft Regional Policy Plan
- J. Division of Marine Fisheries - Status Close to Shellfishing – Plow Penny Road
- K. Division of Marine Fisheries - Status Open to Shellfishing – Cove East of Hideaway Village
- L. Cape Light Compact activity for the month of October 2018
- M. Cape Cod Regional Transit Authority Reports dated December 19, 2018

Tom Guerino spoke about the correspondence that came in regarding a Saturday Town Meeting and the Town of Bourne Bylaws.

9) Selectmen's Business

Discuss and Vote to authorize the Chair to sign a license to occupy State-Owned Real Property to install, construct, reconstruct, alter, extend, operate, inspect, maintain, repair, replace a subsurface water pipeline and necessary supporting appurtenances deemed necessary by Licenses to access for construction and maintenance purposes to the new Police Station Site.

Tom Guerino spoke about the design for the new Police Station and the Buzzards Bay Water District and how to bring the water in. Mr. Guerino encouraged the Board of Selectmen to support this.

Voted Judy Froman moved and seconded by Jared MacDonald to authorize the Chair of the Board of Selectmen to sign this on behalf of the town. Vote 5-0.

James Potter spoke about the Community Events committee and the Community Events fund. The idea with the fund would be the 2% authorization of the hotel and motel tax, and Air B&B, so communities can collect up to the full 6%, through Air B&B after July 1st. 2.75% collected for Cape towns for waste water needs. There's also an additional community impact fee that can be added for multiple property owners.

Mr. Potter said the Buzzards Bay Coalition is looking for representative from the Board of Selectmen for a multi-town panel for the proposed waste water project in Wareham

Mr. Potter spoke about the MMA Conference at the end of next week.

Tom Guerino said we just received the guidance document from the Department of Revenue as it relates to the Air B&B Legislation that was passed in the last session. We will be discussing this at the monthly managers meeting in Falmouth, on what towns are going to do, how they are planning to get this going.

George Slade said according to the Rules of Procedure we should still be reviewing the backlog of Executive Session minutes. We also have to work on appointments.

10) Adjourn

Voted Judy Froman moved and seconded by Jared MacDonald to adjourn. Meeting adjourned at 8:48 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.