

**Board of Selectmen
Minutes of Tuesday, February 19, 2019
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
2019 MAR 13 AM 9:41
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

Executive Session: Motion to enter into Executive Session to discuss strategy with respect to threatened litigation regarding the Buzzards Bay Playground. The Chair has declared that an open meeting may have a detrimental effect on the litigation position of the public body.

Motion to enter into Executive Session to conduct strategy related to the Fire Department Arbitration and Department of Labor Relations cases. The Chair has declared that an open meeting may have a detrimental effect on the litigation position of the public body.

Board of Selectmen to convene in public session at the conclusion of Executive Session.

Roll Call vote to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7:00 P.M.

Chairman call public session to order in open session

Meeting Called to Order

Chm. Meier called the meeting to order at 7:16 p.m.

Point of personal privilege - Peter Meier spoke about Robert Parady and what he means to the community.

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

None requested.

3) Approval of Minutes: 1/29/19

Voted Judy Froman moved and seconded by Jared MacDonald to approve the minutes from 1-29-2019 with one edit (change blithe to blight). Vote: 5-0.

Voted Jared MacDonald moved and seconded by Judy Froman to take agenda number 6 out of order as the next item on the agenda. Vote: 5-0.

6) License/Appointments

a. Robert Frangieh – Bourne Housing Partnership Committee

b. Franchesca M. Ferguson, Esq. – Bylaw Committee

c. Karl Spilhaus – Historic Commission – Assoc.

d. Wendy Welsh-Manley – Human Services Committee [At-Large Member]

e. Election Workers – Jeanne E. Hurley and Sherry L. Peck

f. Annual Best Buddies Bike Ride – Use of Town Road

g. Phinney's Harbor Day – Use of Town Property-Entertainment License and One Day Liquor License.

h. Annual MS Cape Cod Gateway – Use of Town Roads – One Day Liquor License

a. Robert Frangieh spoke briefly about why he wants to be appointed to the Bourne Housing Partnership Committee.

Voted Judy Froman moved and seconded by Jared MacDonald to appoint Robert Frangieh to the Bourne Housing Partnership Committee, term to expire June 30, 2019. Vote: 5-0.

b. Franchesca Ferguson spoke briefly about why she wants to be appointed to the Bylaw Committee.

Voted Judy Froman moved and seconded by Jared MacDonald to appoint Franchesca M. Ferguson to the Bylaw Committee, term to expire June 30, 2019. Vote: 5-0.

- c. Karl Spilhaus spoke briefly about why he wants to be appointed to the Historic Commission.

Voted Judy Froman moved and seconded by Jared MacDonald to appoint Karl Spilhaus to the Historic Commission as an Associate Member, term to expire June 30, 2019. Vote: 5-0.

- d. Wendy Welsh-Manley spoke briefly about why she wants to be appointed to the Human Services Committee.

Voted Judy Froman moved and seconded by Jared MacDonald to appoint Wendy Welsh-Manley to the Human Services Committee as an At-Large member, term to expire June 30, 2019. Vote: 5-0.

James Potter said there is one more vacancy on the Bourne Human Services Committee.

- e. Election Workers

Voted Judy Froman moved and seconded by Jared MacDonald to appoint Jeanne E. Hurley and Sherry L. Peck as Election Workers, term to expire June 30, 2019. Vote: 5-0.

- f. Peter Meier briefly went over the request.

Paul Curley 96 Partridge Circle, Taunton, Best Buddies International. Bike route starting at JFK Library, 3A South – In Bourne riding on Old Plymouth Road to Meetinghouse Lane to Hunters Brook Road to Canal Road- dismount and walk bike over Sagamore Bridge, thru guardrail cut for Christmas Tree Shops onto Adams Street – Cross Cranberry Highway and travel Cranberry Highway to Sandwich Road to 6A to Sandwich. (No travel on Adams Street) – Barnstable ending at Hyannis Port. Looking for the use of Town roads on Saturday, June 1, 2019, Estimated attendance: 1,050. Insurance Certificate on file good through December 31, 2018; will receive update prior to event. Remarks: Department of Public Works – Remove all signs after event. Police Department – As in prior years, event organizers must contact the Bourne Police Department Administration 4 weeks before event to coordinate any police detail requirements and review the route.

19 HPC rt notes

2019 Best Buddies Challenge						Approx	
Go	To	Traffic	Police or	Direction	Location (roads of travel in Bold Italic)	Landmarks	Arrival
(Mile)	(Mile)	Signs	Marshall				Fastest
BOURNE:							
0.4	74.2		P	bear left	onto <i>Old Plymouth Rd</i> at Scusset Fish Pier sign	Rte 3A, straight	
2.4	76.6 ss		M-1	straight	across Scusset Beach Rd/ Meetinghouse Ln		
0.1	76.7		M-3	right	onto <i>Hunters Brook Rd</i>	quick	
0.3	77.0 ss			right	onto <i>Canal Rd</i> along Cape Cod Canal	Sagamore Recreation Area	
0.2	77.2		M-1		use <u>sidewalk</u> on left for Sagamore Bridge crossing	at Friendly Ice Cream	10:20 AM
0.1	77.3		M-1	straight	up left sidewalk of Sagamore Bridge...walk bike!	walk over bridge per BPD	1:57 PM
0.6	77.9			bear left	off bridge thru guardrail cut for Christmas Tree Shop		
0.1	78.0 T		P	right	onto <i>Adams St</i> (old route went left)	new in 2016	
0.0	78.0 T		P	left	onto <i>Cranberry Hwy</i>	4 lane road	
0.6	78.5			straight	on <i>Cranberry Hwy</i>	Ben Abbey Rd	
0.4	78.9		M-3	bear right	on <i>S. Sandwich Rd/ Rte 6A East</i>	rejoin old route	
SANDWICH:							
0.3	79.2				continue on <i>Rte 6A</i>	town line/Rt 130 on right	
0.2	79.4		P	left	onto <i>Tupper Rd</i>		
1	80.4		M-2	right	onto <i>Merchants Rd</i>		10:28 AM
0.2	80.6		P	right	into CVS - <u>Rest stop #6</u> , 20 MILE RIDE START (10:30am)		2:12 PM
0	80.6		M-2	left	onto <i>Merchants Rd</i>		
0.2	80.8 ss		M-1	right	onto <i>Tupper Rd</i>		
0.4	81.2 L		P	straight	on <i>Tupper Rd</i>	Sandwich Rd/Rt 6A	
0.3	81.6 ss		P	left	onto <i>Main St/Rt 130 (South)</i>	Town Hall, First Church	
1.2	82.7 L		M-2	straight	on <i>Rt 130</i>	ramp to Rte 6 West (right)	
0.1	82.8 L		M-2	straight	on <i>Rt 130</i>	ramp to Rte 6 East (right)	
0.6	83.3		P	left	onto <i>Service Rd</i>		
2.1	85.4 ss		P	straight	on <i>Service Rd</i>	at Quaker Meetinghouse Rd	
0.2	85.6			straight	on <i>Service Rd</i>	Sandwich Hollows Golf	
1.9	87.5 ss		P	straight	on <i>Service Rd</i>	at Chase Rd	

Voted Judy Froman moved and seconded by Jared MacDonald to approve the Annual Best Buddies Bike Ride for June 1st subject to the conditions on the route slip. Vote 5:-0.

g. Peter Meier briefly went over the request.

Bourne Community Boating, Inc. Phinney's Harbor Day Fundraiser, Annual Event; Amy Wright; Monument Beach and Monument Beach Marina [between fixed pier and boat launch ramp]. Saturday, July 13, 2019 from 7:00 a.m. to 6:00 p.m. including setup and takedown. Fundraising for Bourne Community Boating Scholarship Fund to include 5k, Beach Party with music, food, boat rides, silent auction, and raffle. 5K Road Race 8:30 a.m. to 10:00 a.m. [setup 7:00 a.m. to 10:30 a.m.] approx. 300; raffle and silent auction; Entertainment license: live music – will play from 1:00 p.m. to 5:00 p.m. playing on the beach/paved area; application for Special one-day License for Beer and Wine 12:00 p.m. to 5:00 p.m. – will provide designated area for consumption of beer & wine to be served in plastic cups adjacent to the tented food area. ID's will be checked before entering and bracelets will be worn once ID is approved; The area will be fenced in with only 1 point of manned egress. A layout plan of the facilities and fixtures, site plan and outside façade is available on line in separate attachment. Insurance Certificate on file good thru June 11, 2019. Will receive update prior to event. Remarks: Conservation Commission – No porta-potties on the beach. Trash must be collected and disposed of offsite at an appropriate facility. Board of Health – Pending food permits. Department of Public Works – Remove all trash. Police Department – Detail officers required as in years past. Parking lot must be maintained for emergency vehicle access at all times, including boat ramps. Parking must be orderly and in marked spots only. Event Organizer must contact police administration 4 weeks prior to event to review road race route and overall event. Liquor license should state the responsible person name on same.

James Potter questioned the liquor license and the bylaw to not have alcohol on town owned property. The Board should either fix the bylaw or follow the bylaw.

Jared MacDonald said we do need to update our policies/bylaws.

Voted Judy Froman moved and seconded by Jared MacDonald to approve Phinney's Harbor Day Event on Town property for July 13th subject to the conditions on the route slip.


James Potter said he will approve with the update of the bylaw.

Vote: 5-0.

h. Peter Meier briefly went over the request.

Austin Caudle – Event Manager; Promoter Line, Inc. MS Society 35th Annual Bike Ride. 35th Annual MS Cape Cod Gateway; One-Day Wine and Malt Beverage License on 6-29-19 from 12:00 p.m. to 5:00 p.m.; MMA Softball Field and Deck of Mess Hall; Bike ride as follows: Day 1: Left onto Head of the Bay Road, right onto Puritan Road, left onto St. Margaret's Street, right onto Cohasset Avenue, left onto Wallace Avenue, right onto Main Street and left onto Academy Drive to MMA. Day 2: Main St. to Bourne Rotary to Bourne Bridge/28 S. to Trowbridge Road to Veteran's Way to Sandwich Road to Canal Access Road to Canal Services Road to Sandwich. It's a 2-day mile ride, on June 29 and June 30, 2019, with an estimated 2100 cyclists from Boston to Provincetown. Additional MS Info in Route Slip folder. Remarks from Department of Public Works – Remove all signage after event. Police Department: This should be a heavy traffic day (Saturday) as it is the weekend before July 4th. Event organizers must contact Police Administration 4 weeks before event to coordinate any police detail requests or requirements and review the route. No volunteers in any roadway directing traffic as they attempted last year. The one-day liquor license should state an individual's name as the responsibility party. All liquor laws must be compiled with. PD has concerns with how they are arranging the liquor service. Is this involving the MMA Chartwells Caterers license? If so, no license is needed from the Town.

72.39	0.14	Turn left onto Head of the Bay Rd				10:58:29	16:41:12
73.33		Turn right onto Puritan Rd					
74.3	1.91	Turn left onto St Margarets St				11:03:59	16:54:58
74.68	0.38	Turn right onto Main St				11:05:05	16:57:42
75.01	0.33	Turn left onto Academy Dr				11:06:02	17:00:04
75.41	0.4	Finish				11:07:11	17:02:57



way Day 2									
Turn by turn	5:00:00	Start time	6:30:00 AM					20	8
Mile	Go	Turn Notes						Fastest	Slowest
0.4	0.4	Turn right onto Main St.						5:01:09	6:32:53
1.5	1.1	Turn left into Bourne Rotary						5:04:19	6:40:48
1.6	0.1	Take MA-28S to Bourne Bridge						5:04:36	6:41:31
2	0.4	Enter Bourne Bridge - stay in coned lane						5:05:46	6:44:24
2.8	0.8	At traffic circle, take 2nd exit onto Trowbridge Rd.						5:08:04	6:50:10
2.9	0.1	Turn right onto Veteran's Way/Freeman Rd.						5:08:21	6:50:53
3	0.1	Turn right onto Sandwich Rd.						5:08:38	6:51:36
3.2	0.2	Turn left onto Canal Service Rd.						5:09:13	6:53:02
7.7	4.5	Sandwich						5:22:11	7:25:26
8.5	0.8	Turn right onto Freezer Rd.						5:24:29	7:31:12
8.9	0.4	Turn left onto Tupper Rd.						5:25:38	7:34:05

Voted Judy Froman moved and seconded by Jared MacDonald to approve the Annual MS Cape Cod Gateway subject to the conditions on the route slip. Vote: 5-0.

4) Town Administrator Report

- a. FY 2020 Budget – This will be an ongoing piece of this part of the agenda. New considerations are a recording/floating Administrative Support staff person and consideration of an additional Facilities Management professional.**
- b. EDA Grant Award – Update on the announcement of award – next steps**
- c. Economic Development Forum. Update on meeting with CCC and correspondence related to the forum**
- d. Parking Main Street – update related to working with MassDOT**
- e. Briarwood (non town-owned) bridge issues. The bridge is failing which creates a number of municipal challenges. I will be working with Tim Lydon and Counsel on this.**
- f. Recent Hires – DNT – Health Department**
- g. Hoxie School RFP - status**

Tom Guerino spoke about the floating Administrative Support staff person. Someone to do some of the night meetings as well as fill in for vacation and busy times in the office. The schedule can be set to accommodate the night meetings and work 2-3 days in Town Hall. We have had a few applicants inquire about the position.

Judy Froman questioned would it be a minimum number of hours per week. Tom Guerino said it will be a 35 hour per week position.

Mr. Guerino also spoke about the Facilities Management Position. That person would handle the Capital Expenditures, Capital Projects, put all the towns buildings to follow the town maintenance agreements, provide a long-term capital planning piece working with

the Town Administrator, the Assistant Town Administrator, and the Capital Outlay Committee. There is not money in the budget for this position. This would be a management level position housed at the DPW.

James Potter questioned would this person be involved in the Sewer Department. Tom Guerino it wasn't envisioned it would be a wastewater treatment plant operator type position. Hadn't thought about this position being involved in the Sewer Department. Jared MacDonald said it would be beneficial if they had knowledge and being involved in the Sewer Department.

Judy Froman questioned do you know how you would make this work with the budget. Tom Guerino said it would be an addition to the budget. It would be an \$85,000-100,000 plus benefits position.

George Slade questioned if it would be an organizational chart change. Tom said yes it will be a new position. Housed at the DPW reporting to the Town Administrator and the Assistant Town Administrator.

Jim Mulvey questioned what this position's assignments would be. Tom Guerino explained the broad scope of the new position (Facilities Management), and what the other position (Facilities Forman) would cover.

Tom Guerino wanted to confirm that the Board wants to know what the job description is and figure out how it fits in the organizational chart.

Tom Guerino requested the Board approve \$90,000 for this position, but we might have to bring in someone a little higher. This will be an addition to what has been put in the budget. Mr. Guerino said he will have the information/job description for the Board two weeks from tonight; on March 5th.

b. EDA Grant Award

Tom Guerino said we have been notified and awarded a 2.3 million-dollar Economic Development Administration Grant through the Department of Commerce for the wastewater treatment facility construction in Buzzards Bay. The Commission will be administering the grant. The Admin fee is included in the grant. The next step is the engineering plans for the wastewater plant are to be reviewed by the EDA engineers. Mr. Guerino said the charter states the Town Administrator can accept the grant but since it is a 2.3 million dollar grant the Board of Selectmen should sign.

c. Economic Development Forum

Tom Guerino went over the Economic Development forum. We have been working with the Commission. Met with the Chief of Staff regarding IT issues and the Economic Development Forum. She brought the scope of the forum back to the staff at the Commission, they have three dates they could provide this: March 21, March 27, or March 28. We are opting for the March 21 date. We'll start with the folks who attended the last forum and we will invite

more members/representatives. We will tie it into the LCP and the SWOP that was done in November 2017.

Judy Froman requested the wastewater, sewer representative be invited; along anyone who would be a stakeholder in plans for the town of Bourne.

d. Parking Main Street

Mr. Guerino said he had a conversation with the Asst. Secretary of Rail and Transit. Spoke with the Admiral today. He will be providing us a letter relative to the parking area. There will be a meeting in Boston with the parties involved including, myself, Glenn Cannon, the Admiral, and the Police Chief, hoping to get a MOA to be able to do some enforcement in that lot. Will be working with the Admiral for the Town Meeting article relative to parking at the marina for specific time tables. Peter Meier suggested for the October Special Town Meeting to look at the Zoning Bylaws, maybe change the restrictions, because it is too restrictive.

Mr. Guerino spoke about the Town hosting the Cape and Island Managers Association this past Thursday and the parking.

e. Briarwood (non town-owned) bridge issues.

Tom Guerino spoke about the overpass of the railroad tracks at the Briarwood development. The railroad informed us the bridge is in serious disrepair. We do not own it. Need to meet with Town Counsel to find out what the towns responsibilities, if any, are. James Potter questioned did we determine who owns the bridge. Tom Guerino said if you go back to the original deeds there are two or three properties which that belongs to. We Need to talk to counsel because it is complicated. Jared MacDonald said there is no other access to the area, the bridge is the only access.

Jim Mulvey questioned if someone gets in an accident because of the bridge is the town responsible? Tom Guerino said he is going to have to check with Town Counsel.

f. Recent Hires

Tom Guerino said that Mr. Southwood recommend the hiring of a DNR officer, I agreed, she starts next week. The Health Agent informed me that she and Mr. Cannon interviewed for a Health Inspector. The Health Inspector will be starting on the 25th.

g. Hoxie.

Since it is the Boards desire to sell and not lease; we don't have to come up with a mock lease. Coreen Moore hopes to have that out within the next two to three weeks. Glenn Cannon had a tour with the Waldorf School folks to view the building.

5) Bourne Housing Partnership Committee – Notice of Intent to sell 12 High Ridge Drive, Buzzards Bay

Peter Meier read the Notice of Intent:

Please be advised that the Bourne Housing Partnership at its February 13, 2019 meeting, chose to recommend that the Town exercise its rights under the affordable housing deed rider for 12 High Ridge Drive to find an eligible buyer for the property. The Bourne Housing Partnership would be happy to serve as monitoring agent and to identify an eligible buyer as described in the deed rider. This process would be done in cooperation with the Massachusetts Department of Housing and Community Development. The notice of intent to sell was received on February 11, 2019 and the deed rider requires a written response by the Town to the owner within 30 days, and notification of the Town's decision to DHCD.

Voted Judy Froman moved and seconded by Jared MacDonald to authorize the town exercise its rights under the affordable housing deed rider. Vote: 5-0.

7) Selectmen's Business

- a. Special Town Meeting discussion**
- b. Parking Discussion**

Peter Meier said if we are going to have a Special Town Meeting in late March we need to decide now because of the 25 day window. Tom Guerino suggested to put this discussion on for the workshop to set a date, so he can check with the Moderator, Counsel, Assistant Moderator as to which days toward the end of March is their best availability.

James Potter said regarding parking we may want to look at it in the future to see if we want to increase parking on Main Street and how we would do that.

8) Correspondence

James Potter brought the Board and the public up to date on the correspondence

- A. Letter from Sagamore Highland Association express their gratitude for the rebuilding of our path and stairway to beach.
- B. MMA Statewide Essay Contest for 8th Graders.
- C. Letter from MassDOT regarding National Bridge Inspection Standards – Bridge Inspection Reports for Shore Road/Pocasset River [Copy of the report is on file in the Town Administrator's Office]
- D. Eversource has contracted with qualified tree contractors to perform routine vegetation maintenance within our electric system rights of way.
- E. Department of Agricultural Resources Notice of Approval of the Eversource Energy, Eastern MA Five Year Vegetation Management Plan for Cape Cod and Martha's Vineyard [Barnstable and Dukes Counties] 2018 – 2022
- F. Jesserie Leavett submitted letter of resignation from the Bourne Community Center, Board of Trustees
- G. Letter from DPW Director George Sala regarding Pedestrian Safety and Feasibility Study – Barlow's Landing Road and Shore Road Intersection.
- H. Letter from DEP regarding Joint Base Cape Cod – Draft Central Impact Area 2018 Annual Environmental Monitoring Report – RCL, Concurrence

Judy Froman suggested to send the MMA essay contest information to the School. Mr. Guerino said it has been sent to the Superintendent.

9) Adjourn

Voted Judy Froman moved and seconded by Jared MacDonald to adjourn. Meeting adjourned at 8:30 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.