

**Board of Selectmen
Minutes of Tuesday, March 19, 2019
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

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TA Tom Guerino
ATA Glenn Cannon

Selectmen

Peter Meier, Chairman
Judy Froman, Vice Chair
James Potter, Clerk
George Slade
Jared MacDonald – Arrived at 7:03

RECEIVED

2019 APR 29 AM 11:40

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 7:00 pm.

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: 2/25/19 – Joint meeting with Finance Committee; 3/05/19

Voted Judy Froman moved and seconded by James Potter to approve the minutes from February 25, 2019. Vote 4-0.

Voted Judy Froman moved and seconded by James Potter to approve the minutes from March 5, 2019. Vote 4-0.

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. Annual Town Meeting – (There is no report at this meeting.) This will become a recurring piece of the TA report through May 2019. I will update on articles that are being considered.**
- c. Economic Development Forum – Invitations are out for RSVP. The CCC and town staff are coordinating for the agenda.**
- d. Gardner (Briarwood) Bridge update – I will provide an update of the MassDOT meeting held on Friday with Briarwood area residents.**
- e. Pedestrian and Bicycle Pathway update – Mr. Cannon will provide an update. I will report on any action taken at the MPO meeting held on Monday the 18th.**
- f. Marine Life Center – Attorney Troy is reviewing the lease and exhibits.**
- g. County oil and gasoline bid – Bids are due to the County on Gasoline and Diesel in early April**
- h. Hoxie School RFP. The Town Planner is almost complete and this should be out to “bid” at the beginning of April.**

4. a. Tom Guerino said the Select Board has been meeting with the Finance Committee on a weekly basis. They had a good report from the Finance Director as for the long-term plan and the debt.

4. b. Mr. Guerino said he is meeting with Town Council to continue to review the non-specific budget articles that are being presented for the Annual and the Special Town Meeting. The warrant should be done within the next three weeks. The Board will have the chance to review and support or not support the articles.

4. c. Glenn Cannon, folks at the Cape Cod Commission, Coreen Moore, and the Planning Department, have been working on this. The invitations went out. Glenn has secured the location at the Mass Maritime Academy, with about 45 attendees on the list.

4. d. Regarding the Garner Bridge, Mass DOT met with the representatives of the Briarwood area on Friday of last week. The outcome was that Representative Vieira may file legislation that would take that area by eminent domain, so there would not be any question who owns the property on either side of the bridge. Legislation found documentation back to 1872. The Board of Selectmen have been put on a list, so any information from Mass DOT relative to that bridge or any action on that bridge will be sent out to the Selectmen.

4. e. MPO - Glenn Cannon said we have a professional engineering firm under contract. We are moving forward with design of the first phase of that project. Judy Froman said the first phase of the Pedestrian and Bicycle Pathway is on track for 2024, Belmont Circle is on track for 2020 and Scenic Highway and median improvement are on track for 2024.

Tom Guerino said the 2024 Pedestrian and Bicycle Pathway reserved amount is \$2,200,000. When we discuss the safety improvement for Scenic Highway the monies they have currently set aside are not sufficient to do the fly over to Belmont Circle, so they will look at the most difficult areas for the median barriers.

Jared MacDonald spoke about the speed limit being one of the safety issues. Mr. Guerino said MPO doesn't look at that type of issue, they look at capital construction issues.

Judy Froman said Scenic Highway came in under Pavement Improvements. We made sure they knew we were there, we brought up the safety issues of that area. There is a map on the Commissions website that highlights where there have been accidents.

Glenn Cannon said they will have a 25% design public hearing. There have not been any design plans for this section yet. Jared MacDonald spoke about the speed/safety in that area. Tom Guerino said slowing the speed will be something we can bring up on the 25% design meeting.

George Slade said regarding Belmont Circle, he would like the Selectmen to be able to review the plans one more time. Tom Guerino said he can request District 5 to come back in and give an updated presentation.

4. f. Mr. Guerino said the Selectmen should have received an electronic copy of the lease. It is currently with Council for review.

4. g. We bid out gas and oil with the County every year. The bid is due on April 9th, we will have prices.

4. h. RFP is almost complete; it should be out the beginning of April. That will come before the Board for approval before we put it out.

5) Municipal Vulnerability Workshop – Sam Haines, Conservation Agent

a. 0 Shore Road improvements – Sam Haines

Sam Haines spoke about the Municipal Vulnerable Workshop, which is a workshop to start the discussion on sea-level rising and climate change. The confirmed dates are April 16th & 17th at the Bourne Community Center. If anyone is interested, Mr. Haines passed out some flyers, or people can contact him.

Municipal Vulnerability Workshop

You are invited to join Town & County staff for a workshop on sea level rise and climate change.



Help the Town begin the conversation on how to plan for future climate change.

April 16th & 17th

All Stakeholders are welcome

- Residents
- Business Owners
- Educators and students



Participants are asked to attend the entire workshop, which takes place over two days:

Afternoon Section

April 16, 2019

Bourne Community Building

12:30 pm – 4:30 pm

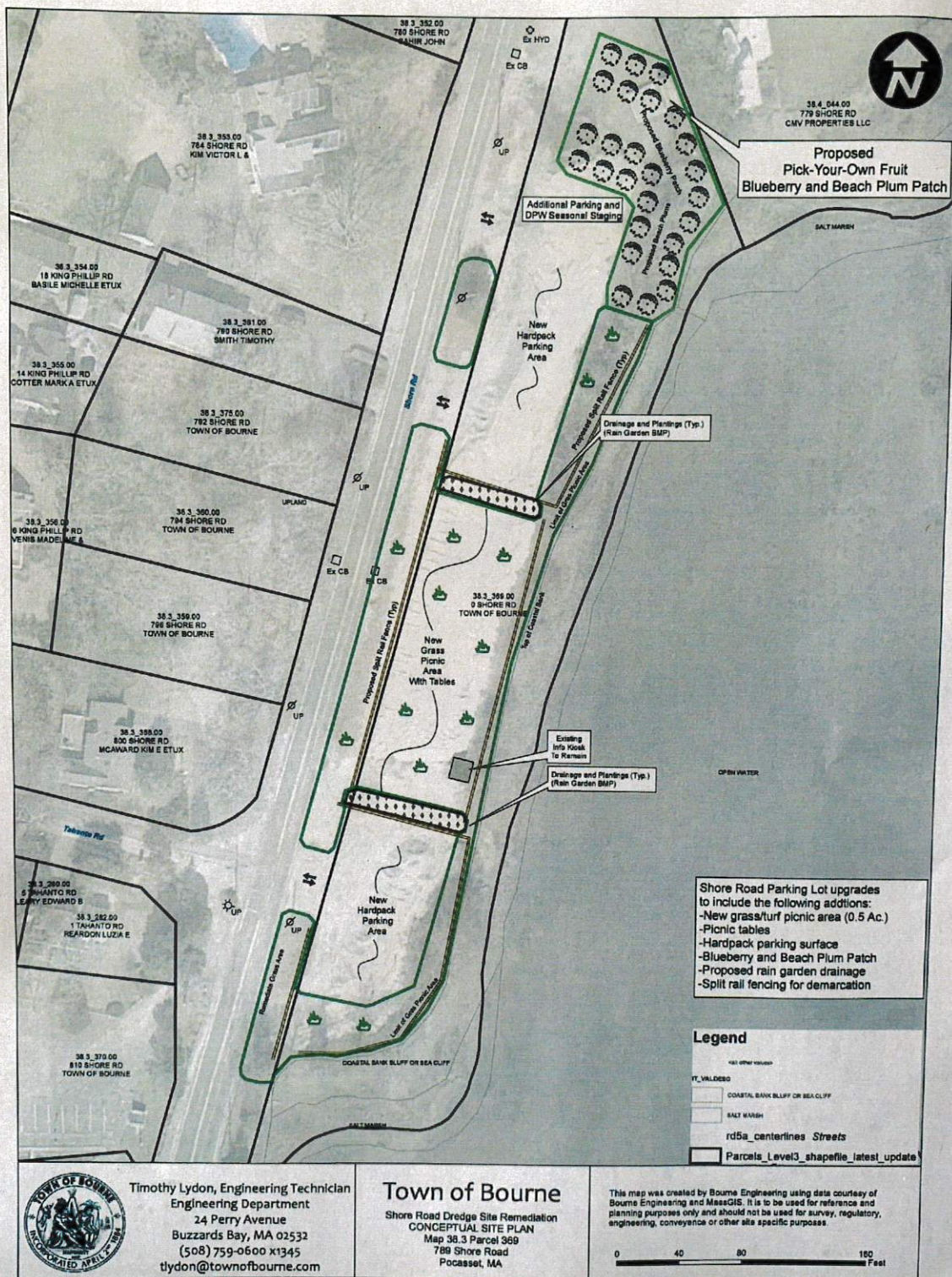
Morning Section

April 17, 2019

Bourne Community Building

9:00 am – 1pm

If you are interested in participating please contact Conservation Agent Sam Haines at shaines@townofbourne.com or 508.759.0600 x 1344



Mr. Haines spoke about underutilized public land, the Shore Road site across from the Pocasset River. When they cleaned up the site they realized it was an underutilized piece of

land that could be turned into passive recreation for public use, with minimal investment. It is town land not conservation land, which is under the Selectmen's control. Would like the Selectmen's blessing to move forward. In order to keep the cost down it will be worked on by staff and as funding becomes available, it isn't going to be a fast project. Would like to do some fencing for safety, bring in loam and seed. Mr. Haines said in a couple of weeks he is planning on going to Shore and Harbor and the Open Space Committee to see if there is any funding available. Peter Meier suggested reaching out to the Pocasset Height's Association and Pocasset Village Association. Also maybe look at CPC money.

Sam Haines said some ideas for that area are pick your own fruit, blueberries, beach plum. Would like to work with the Selectmen on how much parking would be needed in that area as opposed to how much green space. This is just a concept on how we can do it with limited funding, without substantial permitting. We want to keep this low maintenance.

Judy Froman said it would be great to be able to clean up some areas to be able to use the land. James Potter said it is worth it to look into this further. Recommended going before the Planning Board for traffic flow. Sam Haines said he does have to go in front of the Planning Board because there will be parking. Sam Haines questioned if the Board of Selectmen know how much parking would be needed based on historic routing slips. He said we will have to address the boat trailers that park in that area.

Mr. Scott spoke about living on the Pocasset River and it being used by kayakers. He said he is nervous about stripping the vegetation, and how many kayakers will use that area as a runway into the Pocasset River. Once a runway is there it is a natural flow for sand and silt to further come into the river. Would rather see a set of stairs going down to a float to launch kayaks. Sam Haines said regarding the walkways there are two areas of erosion that are being used for kayakers and fisherman. We wanted to fence that area off and maybe do some vegetation in that area. We discussed signage, but once you add signage directing someone across the street you would incorporate some liability.

Sue Baracchini, Pocasset, said she likes the idea to beautify the area. It is used for the residents of Tahanto for overflow for guest parking. Would be opposed to a fence.

Bob Dwyer, Barlow's Landing, said one opportunity is to pilot test some best management practices for storm-water runoff. No mow, no fertilizer, no water would minimize the DPW maintenance requirements.

Sam Haines said it is about 2 acres, but the actual grass area would be 1/2 - 2/3 acre, at least 50% would be used for parking.

James Rossignol said he likes the idea of blueberries. Likes the direction it is going.

6) Cape Cod and Islands Water Protection Fund – MANAGEMENT BOARD

Tom Guerino said that is the fund that has been established with the new rooms and meals tax. It will be established to monitor and help maintain wastewater and wastewater projects. There was a specific carve out in the Legislation for this Cape and Island Water Protection Fund. This group will be the overseer of that fund, the grant application reviewer, and the group that recommends the money to go to various projects throughout the Cape and Islands. Mr. Guerino said that Mr. Potter indicated he has some interest in serving on that board, and Mr. Guerino said he would be happy to serve as an alternate on that board.

The Cape Cod and Islands Water Protection Fund was signed into law as part of the short-term rentals bill by the Governor on December 28th.

Voted Jared MacDonald moved and seconded by Judy Froman to have Mr. Potter serve as the representative on that board and Mr. Guerino be the alternate. Vote: 5-0.

7) License/Appointments

- a. 7:30 p.m. Route 6A Brewer – Liquor License Hearing under Chapter 138, Section 19C [n] Farmer Series Pouring Permit**
- b. 7:50 p.m. Patrick Ross – Aquaculture Hearing – 1.8 Acre Shellfish Grant Expansion**
- c. 8:10 p.m. Dan Maurice & James Rossignol – Aquaculture Hearing – 1.95 Acre Shellfish Grant Expansion**
- d. Seasonal Liquor-Food-Entertainment-Amusement License Renewals**

7.a. 6A Brewing Company, LLC, Sean M Downes, Manager; 119 Cranberry Highway, Sagamore; Applicant holds Federal/State Licenses for the sale of canned/bottled malt beverages manufactured by the brewery and to be consumed off the premises and a license from the Town of Bourne under Chapter 138, Section 19C(n) to sell malt beverages for consumption on the premises. Full application on file in the Town Administrator's Office. Pending Insurance. Remarks: Planning Department – Existing restaurant use. No site changes proposed. Board of Health – Pending approval for wastewater disposal 2/19/19 TG. Building Inspector – Will need occupancy permit and new Certificate of Inspection \$90 total. Town Clerk – Doing business under corporate name. Police Department – All Liquor laws must be complied with. No open containers to leave the establishment. Fire Department – Need full inspection along with occupancy number. No entertainment because this would trigger night club rules and regulations.

Peter Meier read the notice:

Notice is hereby given in accordance with Massachusetts General Laws, Chapter 138 Section 19C (n) Farmer Series Pouring Permit that application has been received from 6A Brewing Company LLC, Sean M Downes, Manager, 119 Cranberry Highway, Sagamore, Massachusetts for Year Round Farmer Series Pouring Permit for the sale of on-premises consumption of malt beverages produced by the brewery of produced for the brewery and sold under the brewery brand name. Description of premises: Building consist of a full basement with 2 rooms (office & brewery equipment and beer coolers); main floor consists

of 3 entrances/exits, (one front door, 2 rear doors) 2 restrooms, a pouring bar/counter area, lounge area and a main seating area with a total of 69 seats. The pouring/bar area will serve the guests glasses of beer. A public hearing will be held at the Bourne Veterans' Memorial Community Center, 239 Main Street, Buzzards Bay, MA 02532 on Tuesday, March 19, 2019 at 7:30 p.m. Signed by the Board of Selectmen: Peter J Meier, Judith MacLeod Froman; James L Potter, George G. Slade, Jr., Jared P. MacDonald.

Tom Guerino said this is for the former Flynn's Restaurant and Pub, which is now being proposed as a brewery. The Town's responsibility under the law is to provide the pouring license, which is a beer, malt, wine license. Other licenses that need to be procured for brewery come from both the USDA and the Commonwealth. There are a number of issues, and we have not heard from the Board of Health yet on this license.

John Downes, former owner of Flynn's Irish Pub, briefly spoke about the establishment and what they offer. It is very small, which is called a nano brewery. Know the Health Dept. is concerned about the waste. Beer is 95% water and the rest is yeast. In Sandwich we have a 300-gallon wastewater tank, it is pumped out once a week. One idea is to filter the waste (water and yeast) into the existing grease trap then have it pumped out. The DEP has been testing it. Until that is approved, we will use our 300-gallon tank. Health Agent was concerned about pumping it into the grease trap, making sure it was sealed properly so it wasn't leaking. Will be brewing beer on an electrical system in the basement. The brewery process will end by the time we start pouring the beer in the tasking room. We will be pouring 5 oz. and 10 oz. tasters. We will also be selling beer and merchandise.

James Potter said not sure if the Board of Selectmen wants more research done. If you are applying under the Farmer Brewery License 19C, the state handles that license. John Downes said we got state approved, federally approved, we are just waiting on the town to approve. Mr. Potter said the Selectmen just have to approve the pouring license.

James Potter said if you are applying for a brewery license you can't have an all alcoholic license in another establishment. John Downes said he doesn't own this establishment, and he is speaking on behalf of his brother. Mr. Potter said the Three Irishmen Corporation is still listed at that address. John Downes said the Three Irishmen is closed, we are waiting on information from the insurance company then it will be dissolved. Jared MacDonald confirmed this application is discontinuing the Three Irishmen and re-entertaining a new license under a new name.

James Potter questioned what is the typical amount of seats and how many seats do you have now? John said they have 42 on record and are asking for 69 seats.

Tom Guerino questioned if there is a thing for companies to get a buying co-op. John Downes said it is viable.

George Slade questioned if the Three Irishmen is being dissolved.

John Downes said the establishment of the Three Irishmen is being dissolved.

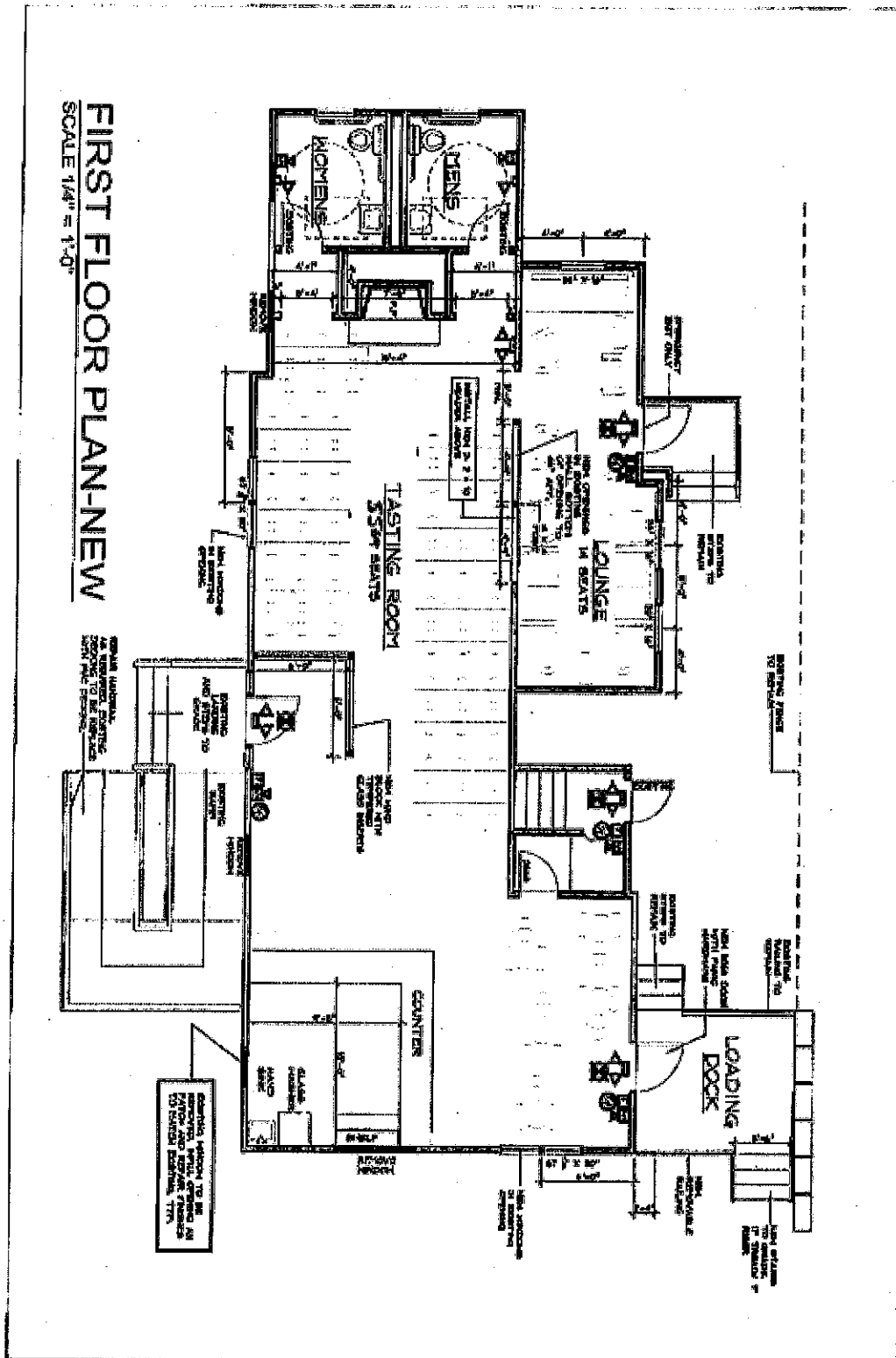
Voted Judy Froman moved and seconded by Jared MacDonald to close the public hearing. Vote 5-0.

Voted Jared MacDonald moved and seconded by Judy Froman to approve subject to the conditions on the route slip, Health Department, and also once we get a report from the insurance company that everything has been changed over, and a notice from the state stating the Three Irishman has been disbanded.

Tom Guerino said the Board may want to make sure that the corporation has been dissolved before the Board move forward with an approval. John Downes said the Three Irishmen is in his name, and he is not on the 6A Brewing Company. Jared MacDonald clarified they are two different entities. That part of the Three Irishmen being dissolved is part of the motion, so it wouldn't be an issue.

James Potter said he is going to vote against it, we would be giving a license to the same address that has the previous license, and the non-profit Three Irishmen charity that lists Mr. Downes and his brother Sean Downes as part at the same 119 Sandwich Road. Peter Meier said there are steps they have to undertake before they will be given the license.

Roll call vote: Judy Froman – Yes; Jared MacDonald – Yes; Peter Meier – Yes; James Potter – No; George Slade – Yes - Vote 4-1. Motion passes.



7b. 7:50 p.m. Patrick Ross – Aquaculture Hearing – 1.8 Acre Shellfish Grant Expansion

Peter Meier read the notice:

Notice is hereby given in accordance with provisions of Chapter 130, Section 60 of MGL as amended and Rules and Regulations and Application Requirements promulgated by the Board of Selectmen, that Patrick Ross, 6 Benedict Road, Bourne, MA 02532 filed an application on February 21, 2019, to expand an existing Aquaculture/Shellfish Grant operation within the municipal waters of the Town of Bourne. The proposed expansion will be for 1.8 acres and will be located north of the Mashnee Dike and east of Hog Island. The application, including a plan showing specific location of the proposed grant, can be view at Town Hall. A public hearing will be held on March 19, 2019 at 7:50 p.m. in the Bourne Veterans' Memorial Community Center, 239 Main Street Buzzards Bay, MA 02532. Signed by the Board of Selectmen Peter J. Meier, Judith MacLeod Froman; James L Potter, George G. Slade, Jr., Jared P. MacDonald. In the March 8th public addition of the Cape Cod Times

Mr. Chris Southwood, Acting Director, Natural Resources, gave a brief background on why Mr. Patrick Ross and Mr. John Ross are here. Little Bay inside Tobey Island is where the two growers have their primary sights. It was reclassified by the Division of Marine Fisheries, from approved status, which allows shellfishing year-round; to Conditionally Approved, which is restricting their ability to harvest in the summer months. Patrick Ross does fit certain criteria, away from navigable channels, distance buffer zone from eel grass beds, non-productive bottom habitat. There is an existing grant holder, John Ross that is east of Patrick Ross proposed location. There was a little bit of an impact, so Patrick Ross moved this proposed site approximately another 200 feet west to give John Ross more room. It is vital for this grower to find another site so he will be able to sell his product this summer.

Patrick Ross, Bourne – Gray Gables – briefly spoke about his history with raising shellfish. Had a couple conversation with John Ross. I moves as far west as I could to allow for John Ross to expand. My site meets all the criteria for not interfering with recreational uses.

Mr. Southwood said he would recommend this application, there still may be an issue regarding encroachment, the possible future expansion of John Ross's site.

John Ross, briefly spoke about how he got his grant, what he had to go through to get his grant, and now he has someone taking the spot next to him. He stated there isn't room in that area. He only has 1/3 of an acre. If he wants to expand, in the future, there won't be room for him to expand. He is against this request.



James Potter spoke about more people getting into this business, are we only allowing existing people to expand. We want to make sure the existing people are taken care of, but don't want the existing people to start fighting over space.

Mr. Southwood said he has had people ask him about future grants, and creating a waiting list. To clarify the space issue, would like to put into the amendment to the regulations is the maximum acreage size.

Jared MacDonald suggest to create some of the available spaces and put a size limit on the available spaces. Mr. Southwood also suggested to have a minimum standard of productivity that shows that the grant is being worked.

Mr. Southwood said if this proposal goes through, and after Mr. Ross moved west, there will be a 400 ft. buffer between Mr. Patrick Ross and Mr. John Ross. Patrick Ross said when he first set the boundaries, he left a 200 ft. buffer. After a couple of conversations with Chris Southwood he moved his spot 200 feet west to allow for a 400 ft. buffer.

Mr. Southwood said we had three meetings. John is growing soft shell, which is a lot of bottom planting. Patrick Ross is doing gear, which takes up more space.

Jared MacDonald questioned if we had the buffers area set today, what would the buffer be. Mr. Southwood said it would be about a 500 foot buffer in every direction.

Judy Froman questioned if there are other areas that haven't been developed that would be conducive to this type of cultivation. Mr. Southwood said there are spots in the town that we could locate.

James Potter said maybe we can get a map of all the existing locations and what is available. Mr. Southwood said what is available would be difficult, because the growers survey the sites themselves. It would be something to consider for future applications. Mr. Southwood said there is a lot of criteria that has to be considered, some places aren't good for the growers.

John Ross said as long as he has about 1 acre, and he has 1,100 feet, he would be OK with that space.

Zach Haskell, commercial fisherman, Buzzards Bay, said these grants are not expansions of existing grants, they should be new grants. Under the moratorium they shouldn't be allowed, because they are making a monopoly of this industry.

Jared MacDonald confirmed that Marine Fisheries and the State wrote the grants to be able to expand to different locations, so they dictate the opportunity to move from place to place. It would have to be a restriction from them.

Mr. Southwood went over the process. The town approves or not approves the applicant, from there the Army Corp and Marine Fisheries does a survey looking for shellfish, looking

for eel grass or other potential impacts that would not make it valid for the grant to be there. DMF give input for water quality opportunities in the area. DMF has the final approval to make sure it fits their criteria.

Zach Haskell suggested to put a limit to acreage so it can't be monopolized. The way it is set now they can apply for whatever they want for an expansion. A new grant is only allowed to apply for up to 1 acre. Limiting total acreage per person would be worthwhile. Possibly have the commercial shell fishermen and the growers come up with a list of areas or a map of areas that might be potential areas to put more grants. Peter Meier suggested to do a workshop this summer with the commercial fishermen and growers. Tom Guerino suggested for the Shellfish Warden, DNR Director to get these people together to meet then make a report for the Board of Selectmen.

James Mulvey suggested the town should be aware of areas that the State may be closing.

John Ross was opposed to Patrick Ross being so close but after further discussion and knowing he has up to about an acre area if he decides to expand, he said he is OK with Patrick Ross's location.

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

Roll Call Vote: Jared MacDonald – Yes; Judy Froman – Yes; Peter Meier – Yes; James Potter – Yes; George Slade – Yes

Voted Judy Froman moved and seconded by Jared MacDonald to approve the request as presented.

Roll Call Vote: George Slade – Yes; James Potter – Yes; Peter Meier – Yes; Judy Froman – Yes; Jared MacDonald – Yes.

Voted Jared MacDonald moved and seconded by James Potter to have a 5-minute recess. Vote 5-0.

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

c. 8:10 p.m. Dan Maurice & James Rossignol – Aquaculture Hearing – 1.95 Acre Shellfish Grant Expansion

Peter Meir read the Notice:

Notice is hereby given in accordance with provisions of Chapter 130, Section 60 of MGL as amended and Rules and Regulations and Application Requirements promulgated by the Board of Selectmen, that Dan G Maurice, 2 Evergreen Hill Road, Monument Beach, MA 02532 and James J Rossignol, 26 Pocahontas Road, Pocasset MA, 02559 filed a joint application on February 25, 2019, to expand an existing Aquaculture/Shellfish Grant operation within the municipal waters of the Town of Bourne. The proposed expansion will be for 1.95 acres and will be located east of Bassets Island west of the southernmost point of Patuisset. The application, including a plan showing the specific location of the proposed

grant can be viewed at Town Hall. A public hearing will be held on March 19, 2019 at 8:00 p.m. in the Bourne Veterans' Memorial Community Center, 239 Main Street, Buzzards Bay, MA 02532. Signed by the Board of Selectmen Peter J. Meier, Judith MacLeod Froman; James L Potter, George G. Slade, Jr., Jared P. MacDonald. For publication in the March 9, 2019 edition of the Cape Cod Times.



Mr. Southworth spoke about the request from Mr. Maurice and Mr. Rossignol. They fit the criteria; they are over 300 feet away from the navigable channel. There are possibilities of

impacts of kayaking and other recreational activities. Mr. Southwood said he recommends approval of this application.

Dan Maurice spoke about the situation with the water quality in Little Bay and that is why they are looking for additional site. That area was reclassified. Spoke about the new area they are applying for.

Bob Wallace, property on Bassett's Island, questioned is this a temporary closure regarding Little Bay. Dan Maurice spoke about the process of sampling the water to test the water quality. Hunter Scott, Pocasset, said he is a big believer in the development of aquaculture in the right place. The impact of the aquaculture on the inside of Bassett's Island is not in the best interest of the town and the community; it is used by small boaters and kayaks. This proposal should not be allowed. Bob Warner, lot #2 on Bassett's Island, questioned the access for people that live on the northern side of Bassett's Island, wondered if they could travel by boat over these areas and was told no, he is concerned of their access to get to the island. Dan Maurice said they mark the area with yellow floats so they would be visible.

Sue Baracchini wants clarification of the placement of the proposed grant because Buzzards Sailing School students sail around Bassett's Island. She said she is concerned with sailboats and kayakers.

Mr. Scott said Barlow's Landing or Hens Cove parking places will be affected because Dan Maurice and/or James Rossignol will be parking there. Mr. Scott also spoke about improving the water quality in Little Bay, by perhaps opening up a channel.

Judy Froman questioned if there is a standard practice for markers for their areas? Mr. Southwood said yes, they have to have their corners marked with the permit number. Judy Froman questioned could there be additional marking not just at the corners. That should be a standard from the beginning. Mr. Southwood said most of these grants are located along the coastlines so they will impact people.

Tom Guerino questioned if there is a possibility to reduce the size from 1.95 acres and make the footprint smaller/narrower; concerned about all the boats that go out there, to give a larger pass for those boats to get through. Dan Maurice said it is a relatively shallow area, and they don't expect to get a lot of heavy boat traffic close to the shore. His area might get shrunk down by DMF.

James Mulvey questioned the closure date of Little Bay. Mr. Southwood said July 1st; open from November 19th to June 30th.

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

Roll Call Vote: George Slade – Yes; James Potter – Yes; Peter Meier – Yes; Judy Froman – Yes; Jared MacDonald – Yes.

Voted Judy Froman moved and seconded by Jared MacDonald to approve based on the recommendation of the Harbor Master, Mr. Southwood with the condition of working out details for marking the area related to boating and access for boats for the people who live on the island.

James Potter wanted to note that there are reasons this is before us tonight and we have to look into this issue.

Roll Call Vote: Jared MacDonald – Yes; Judy Froman – Yes; Peter Meier – Yes, James Potter – Yes; George Slade – Yes.

d. Seasonal Liquor-Food-Entertainment-Amusement License Renewals

Seasonal Liquor, Food and Entertainment License Renewals: Jarvis, Inc. d/b/a Chart Room for Liquor license, Food license, Weekday Amusement, and Sunday Amusement; for KKP, LLC d/b/a The Sagamore Inn for Liquor license, Food license, and Weekday Amusement.

Voted Judy Froman moved and seconded by Jared MacDonald to approve the Seasonal Common Victualer All Alcoholic License for Jarvis Inc. d/b/a Chart Room and KKP, LLC d/b/a The Sagamore Inn. Vote: 5-0.

Common Victualer [food] for General Amusement C.O.A.D License for American Lobster LLC; Betty Ann's Dairy Freeze, LLC; Lazy Sundaes Ice Cream; Seafood Shanty, Inc.; Somerset Creamery, and Whistle Stop Ice Cream Co., Inc.

Voted Jared MacDonald moved and seconded by Judy Froman to approve the Common Victualer Food License. Vote: 5-0.

General License – Mini Golf for Cataumet Light Mini Golf

Voted Judy Froman moved and seconded by Jared MacDonald to approve the Mini Golf License. Vote: 5-0.

8) Comcast Representative (Mr. Galla) to discuss recent service issues pursuant to letter sent to Comcast regarding same.

Peter Meier said Mr. Galla is here pursuant to a letter we sent to Comcast regarding the issues and outages. We are now within the 3-year window to the next contract.

Mr. Galla, Representative from Comcast for the area, did receive the letter. We need more specific information on the outages, but did reach out to people. Did some significant work on the plant (infrastructure) since January. The nodes are stable and everything is working properly. Would be happy to look into specific issues at specific properties. The Monument Beach, Pocasset Village area seems stable.

Peter Meier said people have been concerned with the service they have been getting.

Mr. Galla said if more complaints come in send them to him or let him know. In order for Comcast to have record of problems is for customers to call them.

Judy Froman questioned if they have data-logs for people calling in from those areas.

Mr. Galla said we can look at specific accounts to see who called. Judy Froman questioned but not a system that demonstrates the calls are coming from a specific area. Mr. Galla said if there is a specific outage in an area, we will look at that area, but we haven't had an outage like that in the area that you are referencing. Our areas are based on the nodes and the servicing area for that node. Mr. Galla said we do offer credits if residents are impacted; it is best if the customer calls them to report problems, because a ticket will be generated.

James Potter questioned if there is a routine where the company will upgrade its infrastructure, ongoing maintenance plan, or do they wait for a system failure. Mr. Galla said we make sure we plan out for upgrades and repairs.

Bob Dwyer spoke about the failures he has had with the system. Suggested as part of the RFP is to have them identify the age of individual nodes, individual stretches of cable, the useful life of those, and what the schedule replacement should be.

9) Selectmen's Business

- a. Cable Television Advisory Committee**
- b. Dog Park**

Peter Meier said the Cable Advisory Committee is in process, we have to put a scope together, and rewrite the charge. Anyone interested in being on that committee please email the Town Administrator or mail a letter in.

Dog Park.

Open Space Committee is doing a feasibility study for 315 Barlow's Landing Road at this time. The Board of Selectmen haven't approved any location yet.

10) Correspondence

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

- A. Letter from Economic Development Administration acknowledging receipt of acceptance of their Financial Assistance Award in the amount of \$2,335,850 investment for assistance to the Town of Bourne-Buzzards Bay Wastewater Treatment Facility Expansion Project.
- B. Fire Chief Norman W. Silvester Jr. submitted letter of retirement from the Town of Bourne effective July 5, 2019.
- C. Patrolman Kyle Tringali submitted letter of resignation effective March 24, 2019.
- D. Letter of interest from Donna Pascarella to serve on the Bourne Council on Aging Board as an Alternate Member.
- E. Letter of interest from Edith Hurd to serve on the Bourne Council on Aging Advisory Board

- F. Letter from Buzzards Bay Coalition regarding Application for Individual Groundwater Discharge from Sewage Treatment Plant – The Village at Brookside, Bourne.
- G. The Buzzards Bay Action Committee submitted annual assessment in the amount of \$1,676.00 [same amount as last year].
- H. Letter from Eversource on routine vegetation maintenance with electric system rights of way on or near your property.
- I. Eversource providing notice of planned and scheduled vegetation maintenance work – see attached maps:
 - Transmission Vegetation Management – Right of Way 145
 - Transmission Vegetation Management – Right of Way 180
 - Transmission Vegetation Management – Right of Way 244
- J. Letter from Association to preserve Cape Cod [APCC] submits comments expressing concern regarding Eversource Energy's 2019 Yearly Operational Plan for Cape Cod
- K. Letter from Coneco Engineering regarding Notification of Environmental Sampling at residential Properties located at 9 & 10 River Road, Pocasset
- L. Xfinity submitted a copy of Comcast's Policies and Procedures per Massachusetts cable regulations. [Copy on file in the Town Administrator's Office]
- M. Letter from Bourne Historical Commission s=regarding concerns about the recent exterior work on house located at 9 Sandwich Road, Bourne Village.
- N. Commission on Disabilities has formally taken a vote to notify the Town Administrator and Board of Selectmen that they are down two [2] members on their committee. One [1] position is vacant and other is currently occupied but has permanently moved to Florida.
- O. Letter from Lillian and Julian Harwood regarding the bridge at Briarwood.
- P. Letter of interest from Jason Cullinan to serve on the Cable Advisory Committee.

11) Adjourn

Voted Jared MacDonald moved and seconded by George Slade to adjourn. Meeting adjourned at 10:03 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.