

**Board of Selectmen
Minutes of Tuesday, April 30, 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

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2019 MAY 17 AM 11:54
TOWN CLERK OFFICE

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

7:00 p.m. Call Public Session to order in Open Session

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.

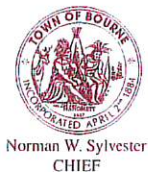
Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsibility and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

Public Comment – Non-Agenda Items

George Seaver, military coordinator for the military section of Bourne's Fourth of July parade, asked to have the support of the town government. Requesting a note to be sent

stating you support the parade. Ask people in the audience and viewers to volunteer and submit their floats for the parade. Mr. Guerino said he will send the letter he sent last time.

Chief Sylvester, Fire Chief, Town of Bourne, wanted to respond to the articles that were put in the paper last week. Wanted to make sure the press got a valid response, regarding the Vote of no Confidence from Local 1717. Wanted to respond to the allocation against me. Mr. Sylvester read the letter he wrote.



Norman W. Sylvester
CHIEF

TOWN OF BOURNE

Fire/Rescue & Emergency Services
51 Meetinghouse Lane
Sagamore Beach MA 02562
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April 29, 2019
Peter J. Meier, Chair
Board of Selectmen
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532-3441

Re: Union Vote of "No Confidence"

Dear Chair Meier and Board Members:

I want to thank each of the Selectmen, as well as the Town Administrator, for the support you have shown me in the face of the recent outlandish action by the union. I am also comforted by the "confidence" and support extended to me by the leadership and members of the Barnstable County Fire Chiefs Association as well as the Fire Chiefs Association of Massachusetts. As you can imagine, it has been difficult to sit quietly as news reports repeatedly recite the litany of baseless accusations the union has concocted. This has been difficult as well on my family.

First, I want to make it clear that I am proud to serve with a fine group of men and women on the Bourne Fire Department that do their jobs every day, caring for the fine citizens of this community. These days Fire Chiefs have to have thick skin and not become too distracted by union attacks that resemble a child's temper tantrum but do not truly reflect the concerns of all department members. If the union had any intention of trying to change things, or they had real concerns about their members' safety or well-being, they would have brought some or all of these matters to my attention long ago. The fact that they never even sent me a copy of their undated and un-signed "vote" undercuts their pretense of sincerity. By the time I first saw their letter, the story had been reported for two days in the local media. I could not comment on a document the union intentionally neglected to send to me.

Some have suggested that I remain calm and not address the union's accusations. Many have been telling me that most people will see this for what it is, a last-ditch effort by some disgruntled union leaders to put pressure on me and the Selectmen in matters that are more properly dealt with at the bargaining table or other forums. While I debated whether to issue a formal response to the union's assertions, I feel I must now do so, rather than let anyone think that by making no comment I was somehow acknowledging that some or all of the union's claims had any merit.

"Smoke Detectors Save Lives"

As you know, a vaguely worded "vote" such as this one is often the result of frustration resulting from other issues. And, as is typical, this one lacks not only specificity but also accuracy. This "vote of no confidence" route is generally seen as an out-of-date union tactic that most often backfired and has been discarded by most responsible unions across the country and in this state. You can tell by the poorly written litany of complaints that this "vote" was a product of certain local union leaders and not of their state or international union.

Let me comment on each allegation:

Complaint:

the Chief of Department has lowered the bar on the level of training that is provided to new Bourne Fire Department recruits by allowing a part-time call/volunteer firefighter academy to take the place of a full-time recruit firefighter academy that has been the standard for over 25 years;

Response:

Since taking over as Fire Chief in 2015, I have personally sent 21 firefighters to the Fire Academy. The members were sent to the Career Academy in Stow and presently a career academy in Brockton. The one firefighter not sent to the Academy was an individual who already went to a Call/Volunteer Academy and came out with the same certifications a Career Firefighter obtains. At no time was the intention to replace a full-time academy with a call academy if an individual didn't already have any training or certifications. This included a member who failed to complete the call academy or to obtain the proper certifications. He was sent to the Career academy even though he went to the call/volunteer academy. The alleged "standard" of sending people for over 25 years didn't include the fact the State started offering call academies with the proper certifications that are offered to full-time day academies.

If the union had simply asked, I could have cleared this up immediately.

Complaint:

the Chief of Department has weakened the Bourne Fire Department public fire and life safety education program by returning almost \$7000 in Student Awareness of Fire Education (SAFE) and Senior SAFE grant funds back to the Commonwealth of Massachusetts; that grant funding

was intended to provide fire and life safety education to vulnerable populations in the town, including, but not limited to older adults and children; trained public fire and life safety educators were previously hired to teach education programs, they have now been replaced with on-duty firefighters who may not have had appropriate training, and who may have to leave to respond to emergencies;

Response:

Let's recognize this complaint for what it is: the union is unhappy that I was able to provide the same training more cost-effectively by using available on-duty personnel rather than hiring off-duty union members at an overtime rate. Their complaint has nothing to do with safety. The exact same classes were delivered; the same "vulnerable populations" were covered; and, we were able to do so at virtually no additional cost to the taxpayers.

The idea of my weakening the SAFE Program (Student Awareness of Fire Education) and Senior SAFE program is absolutely false. We covered each training session with department staff members who are trained and qualified SAFE instructors while they were on duty. The duty crews were assigned to teaching the programs while on duty. The previous practice of hiring members at overtime while still having members on duty was stopped. A qualified SAFE instructor was sent to the appropriate training session and we covered shifts as needed with overtime.

This last Fall the training provided to all the schools and seniors cost the Town of Bourne only 4 hours of overtime. There was no lack of available on-duty firefighters. At no time did the crews leave during a training session because we filled with all off-duty firefighters prior to needing the crew assigned to the SAFE training. We have been using this model of filling shifts when the members are committed to training since 2015 when I took over as chief. We would fill when members were committed to boat and other vital training courses, with off duty staff. This allowed the members doing the required training to stay focused on their task and minimize the impact on our day to day operations.

The idea of spending close to \$7,000.00 dollars of taxpayer's money when we could provide the exact same training to students and seniors while the members were on duty made absolutely no sense.

Complaint:

that grant funding enabled the Bourne Fire Department to purchase smoke and carbon monoxide alarms for crews to install in homes that were identified as lacking proper smoke and carbon monoxide alarm protection;

Response:

The 8 members that teach SAFE at no time came to me to complain or voice their concerns about how we would cover the cost of replacing smoke detectors and carbon monoxide detectors for those individuals who need them. We currently keep a certain number of detectors in the service vehicles and, when we run low, I replace them as needed. This minimizes the possibility of detectors becoming out dated while being stored.

The SAFE instructors also were paired up with the American Red Cross since I became Chief to put a list together and go out to homes and assist them with smoke/CO detector replacement program. This joint program was developed to get the word out to individuals or businesses about the importance of fire safety. We have provided the needed equipment whenever and wherever requested.

The bottom line here is that I have been able to provide the exact same level of service and training in a more cost-effective way. The same qualified instructors are used. The same populations are served. All this was done without sacrificing public safety. Let's call this what it is: certain disgruntled union leaders trying to fabricate an issue and pretending they are simply looking out for the financial well-being of their members. I have never been one that opposed paying firefighters well for the valuable service they provide. But I do not see my job as spending taxpayer funds needlessly. The program that we have been following for several years without incident now somehow becomes a basis for a union "lack of confidence." No one can be so naive as to believe that! The real reason for the complaint was that certain individuals

were no longer getting overtime for a function that could be done while on duty and has been done for several years without any adverse impact on the training program or departmental operational needs.

Complaint:

the Chief of Department choses to ignore nationally recognized standards and practices for the response to active shooter and hostile events; the Chief of Department refuses to provide proper training and equipment for Bourne Fire Department personnel to respond to active shooter and hostile events, and properly protect the residents of Bourne;

Response:

The assertion of me not wanting to provide training to deal with active shooter responses and hostile events is baseless and offensive. No one should question my commitment or concern for the safety and well-being of the members of this department or the citizens of Bourne.

The union leadership should be aware that the NFPA 3000 standard is a New Standard which is constantly changing and evolving. The Bourne Fire Department held a training session on Active Shooter response offered by the Massachusetts Fire Academy on January 8, 2019 at the Massachusetts Maritime Academy Auditorium. I scheduled a Deputy Chief and a Bourne Police Officer to attend training scheduled at COMM Fire Department. This Course would include the most current standards and training techniques so that this information can be taught to the members of the Bourne Fire Department.

The "Stop the Bleed" course was taught to anyone who requested the training at all the Bourne Schools. This training included the Bourne Fire Department purchasing 10 "Stop the Bleeding Packs" out of my budget to be placed in the AED cabinets located at the schools. The last school will be scheduled once time permits.

In regards to equipment for the members, this is still being looked at and evaluated. Once a standard procedure is developed between local law enforcement and fire personnel, we will obtain the proper procedure equipment that is consistent with the NFPA 3000 standard and training. I am not going to allow members to purchase or obtain whatever equipment they feel is appropriate without having a standard or policy in place to make clear how and when to put this equipment to use. (We have already had one instance where an individual department member was told to remove a vest he brought into the station without getting any prior approval.)

Complaint:

the Chief of Department refuses to ensure that the Bourne Fire Department is promptly notified of motor vehicle crashes, some requests for medical aid, downed power lines, and water leaks inside of structures;

Response:

Notification of dispatch is a process established between the Bourne Police Department and the Barnstable County Dispatch. If there is any delay in notification or not being dispatched to calls, we would not know about it until after the situation occurred. I discussed this with the Police Chief and County Dispatch Supervisor and was assured neither one was holding calls or not giving us proper information. Until we get dispatch into one building there might always be a slight delay in transferring information from one dispatch to another dispatcher.

Complaint:

the Chief of Department has jeopardized public safety by eliminating details once provided by the Bourne Fire Department for events such as high school graduations, ice skating shows, and one of the largest fundraising campaigns in the Commonwealth of Massachusetts—the Pan Mass Challenge, which brings an influx of riders, visitors, and volunteers to the Massachusetts Maritime Academy during an already busy summer weekend;

Response:

The union leadership is aware of how inaccurate this complaint is. They intentionally left out an important reason why the detail policy changed at the Bourne Fire Department. The Local grieved the fact a member was held for a graduation detail last year and in the paper work they submitted they highlighted the members' need to be willing to work details. There was no provision for the Town of Bourne to go outside fire departments for assistance when the details couldn't be filled by Bourne Fire Department staff. The Union and I discussed ways to come up with a solution to the word "willing" in the contract. I tried to work with them until September without any solution. The details are voluntary and all parties involved were advised of the current situation. Since last September and continuing through the summer, any details that are required by the Fire Code are being covered. Outside private details are not required and such individuals or entities have been told to hire their own staff or personnel. The Bourne Fire Department has allowed outside vendors to work events for years without the union ever filing any grievances. The events that the Union contends I jeopardized public safety by not assigning staff on a detail basis are all private events and I assure you that we continue to cover all Town of Bourne events with Department staff members.

Complaint:

the Chief of Department has prevented members of the Bourne Fire Department from conducting fire and life safety inspections for any new construction at the Massachusetts Maritime Academy, which increases the risk to cadets and staff, because fire department members no longer witness testing of fire and life safety systems that are installed on campus; the Chief of Department prohibits Bourne Fire Department personnel from participating in joint inspections, personnel are not informed of new construction that takes place on a college campus that houses over 1,700 undergraduate students, which could significantly impact department operations during an emergency;

Response:

This is another bogus issue. The Massachusetts Maritime Academy is a State-owned facility. The State uses their own inspectors to certify and maintain the safety of the students, staff and visitors.

We have no authority to sign-off or to validate their fire alarm systems or to test. We would like to assist the State inspectors with their building and system checks, but Town of Bourne inspections come first. The increased inspections we are required to perform is making it more difficult for us to take on additional responsibilities for complexes we have no control over. We continue and will continue to respond and provide fire and EMS services as needed to the MMA campus.

Complaint:

the Chief of Department refuses to communicate any of his decisions in writing, which creates confusion and inconsistency within the department;

Response:

The idea that information isn't being communicated is also false. Since taking over as Chief, I have upgraded from using a daily handwritten log book to using a computer-based system. The computer system now has all the Department's Standard Operating Procedures and Rules and Regulations.

This system also requires each member to sign off they receive any new notifications of important department changes. As with any organization that has four groups, certain information that only applies to one group wouldn't be discussed or transmitted to the other groups. The new current structure of Bourne Fire has added an Assistant Chief (Non-Union). With the addition of this position, the Shift Supervisors (Deputy) have been put more in line with what they do, i.e., oversee a shift and handle some day-to-day operations. The union leadership's complaint was not specific as to what decisions they want communicated to them so I am left to guessing what they are looking for or want. We made significant progress in

regards to updating SOP's and Regulations so that the members know to find them and how to use them.

Complaint:

the Chief of Department refuses to follow the collective bargaining agreement that he participated in negotiating, resulting in numerous grievances, arbitrations, and unfair labor charges against the Town of Bourne; the Chief of Department fails to follow Massachusetts General Law, Chapter 150e, the collective bargaining law for public employees; the Chief of Department refuses to accept an arbitration award from the American Arbitration Association, which is the final and binding, previously agreed upon method to resolve contract grievances;

Response:

In regards to matters involving the state's collective bargaining law, MGL Chapter 150E, the union leadership is not pleased with the Town's handling of the numerous matters the union has tried to have the state Department of Labor Relations handle. I am confident that this issue is being addressed competently by Town Counsel and the upper management in the Town of Bourne.

Complaint:

the Professional Firefighters of Bourne, Local 1717 has pursued every available avenue to remedy these health and safety concerns, including requests to meet with the Town Administrator and Board of Selectmen; Therefore be it resolved that on Monday, April 1, 2019, by unanimous vote, the members of the Professional Firefighters of Bourne, Local 1717 declare that they have no confidence in the leadership of Chief Norman Sylvester, Jr., and call upon the Board of Selectmen, and Town Administrator Thomas Guerino to suspend the Fire Chief.

Response:

As discussed above, few, if any, of these issues have been brought to my attention previously. Nor am I aware of any requests to discuss these with the Town Administrator or Selectmen.

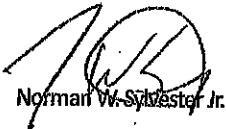
The "no confidence" letter was not signed by any member of Local 1717 or even placed on the union's letterhead. It threatened to go to the media if I were not suspended, yet the document was distributed to the press before the Selectmen or I ever saw a copy.

As a Civil Service Chief, I am entitled to due process. Nothing in the letter comes close to alleging any violations by me of any rules or standards of conduct.

You know that I had planned on retiring in June of this year. At your Board's request I agreed to stay longer. One can only speculate that had we stuck with that time-table, the union leadership would have been less inclined to mount this attack. I can tell you one thing for sure: I do not shy away from a fight and I am proud to lead so many fine men and women in the Bourne Fire Department and will continue to do so even in the face of these shallow and misguided allegations.

Lastly, I want to speak from my heart. The courage and integrity your Board and the Town Administrator have shown in the face of these senseless attacks deserves recognition. Elsewhere, in similar situations other municipal officials have been too quick to scapegoat a chief to make themselves look better in the eyes of the public. My family and I truly appreciate your support. You are what President Kennedy called a "profile in courage".

Sincerely,



Norman W. Sylvester Jr.

Chief of Bourne Fire Department

CC: Town Administrator Thomas M. Guerino

Town Counsel

In the letter Mr. Sylvester addressed each allegation.

Mr. Sylvester went on to say I was going to retire the end of June 2019, but I was definitely not going to resign. I will be a Fire Chief for the next 12 years if you want me. In lite of this I would stay here and run the fire department.

Glenn Cannon said tomorrow night we have a Bourne Rail Trail Phase 1 public information meeting at 6:00pm at the Bourne High School Auditorium. The committee wanted the town to know what they have been up to for the past 6-7 months. They received Community Preservation Funds last year in the amount of \$50,000; they have applied that money.

3) Approval of Minutes: No Minutes to approve

4) Town Administrator Report

- a. FY 2020 Budget – This will be an ongoing piece of this part of the agenda.**
- b. Meeting update of the Buzzards Bay Coalition joint wastewater discussion related to Wareham, Plymouth, Marion, etc.**
- c. Private Roads Acceptance Committee – reinvigoration – Mr. Cannon, Mr. Slade**
- d. Town Meeting 101 update**
- e. Annual Town Meeting – Special Town Meeting Warrant review and possible votes of the Board of Selectmen**

4e.

Barry Johnson, Town Clerk, spoke about Electronic Voting at Town Meeting. Mr. Johnson spoke about what the committee has been doing and why they are making this recommendation. This idea/presentation is not being given as a cost saving method; it will not save any money doing this. It will speed up the voting process, ensure the privacy of each town meeting attendee, it's a transparent process, it eliminates the intimidation factor, and encourages more participation at Town Meeting. The voting period will be shortened. We looked into this because we have been approached to do something to speed up Town Meeting. The committee feels a system would provide a greater accountability and communication.

How this would happen. When they check in and return each night they will be given a remote handset. They would vote by pressing yes or no, or a third button corresponding to abstain or present. Each handset would be numbered and assigned to the member who checked it out. Members would return the remote handset as they leave the meeting.

Electronic voting at town meeting produces an accurate and instant vote count. Results from an electronic vote may immediately be displayed and be easily published online for public review. Some concerns were; is the technology available, feasible, and easy to use – Yes. What does it cost to obtain and operate; we did an RFP for the lease of the equipment. We are estimating the use of 500 sets for 1 or 2 nights. The RFP is for \$17,749. We will only be charged for the actual sets that we use. On the second night the price may go down. In the RFP we have committed ourselves to give the company at least a week's notice of the number of devices we need.

Management of the handsets, handset check-in was rapid and did not cause backups at the door. Handsets are collected each night as members leave. We will be providing bins for rapid return.

We feel the savings in time and efficiency will offset the cost. If this project goes forward the committee and the company is committed to doing education, training, and demonstration, long before the start of any Town Meeting. That would continue as each Town Meeting goes forward, it will become less as more people get used to the handsets. We would go on local access channel to give a demonstration.

Appropriate accommodations would be made for people with physical disabilities at Town Meeting. It is the intention of the committee to meet with members of our own Commission on Disabilities to develop certain policies to address this issue.

Article 19 to appropriate fund for the electronic voter use equipment. The committee believes the contracting was a vendor will provide both the equipment and personnel to operate the equipment is the best long-term solution to start with. It would provide the most trouble-free operating equipment with no additional personnel to manage and authorize this special equipment.

Peter Meier said you can't put a price on a comfortable level for people to vote at Town Meeting. It speeds up efficiency and time. It's an option I think this town should support and try, if we don't like it we don't have to do it again.

Jared MacDonald said we need to try to bring more people in and younger people to Town Meeting. If the meetings are shorter, you'd give more people and younger people the time to come in and vote. This gives everyone a better opportunity to vote in a shorter period of time.

Jim Potter said we'd eliminate the counters. This concept at first is the way to do it, but long term maybe buying the handsets would be a better way to handle it, because it would increase attendance. Town Meeting is a community event, and we need to make that community event better.

Barry Johnson said we could put out an RFP for up to 2-3 years, and put out a lease/purchase option. Some people may love it and some people may hate it. We would be able to get more in-depth discussion on Articles. One question from last night was what happens, is my personal vote recorded. Mr. Johnson said No, all the handsets are cleaned out by the company, and only the votes are recorded.

George Slade said he agrees we have to engage younger voters. He is concerned about the learning curve.

Mr. Johnson said we'd like to try it, I hope you will support it. The Finance Committee did vote to support the article.

Voted Judy Froman moved and seconded by Jared MacDonald to support the article.
Vote 5-0.

Voted James Potter moved and seconded by Jared MacDonald to take 8C out of order. Vote 5-0.

8.c Parking Working Group discussion – Mr. Meier and Ms. Froman

Judy Froman said the parking working group is a temporary group that was formed by the Town Administrator. Ms. Froman said she is speaking on behalf of this because she attended the meeting and expect to speak on this matter at Town Meeting. Ms. Froman gave a brief summary of what they gathered as a working group.

We have a good problem...we need to talk about our parking.

To provide context, the Working Group is comprised of Town Administrator, Planning Dept, Engineering Dept, Planning Board Chair, and 2 Board of Select members, Mr. Meier and Ms Froman. Initially the idea of the group came out of our first economic development workshop, however the two articles on our STM forced the emphasis to be short term information gathering in preparation for the support of the motions. It's been significant and helpful fact gathering by a number of people.

The Group recognized the needs to be immediate, short term (2-4 years), and long term as it supports economic development of the Town of Bourne. The immediate attention has landed squarely on the potential growth of Buzzards Bay, the NMLC and MMA.

What we know:

NMLC (National Marine Life Center)

- Been leasing their parking lot to MMA since 2009 under the idea that the 'no subleasing' pertained only to the building.
- They worked with MMA as collaborators and saw the arrangement a win for both organizations in alleviating parking stresses in Town and on campus, providing a trustworthy landlord, and providing some cash to their budget.
- Only recently was it brought to light that they are in violation of their lease with the Town. They have been cooperative and open to discussion.
- The Board of Selectmen had a decision to make, either put forward a *cease and desist* or put the request for the Board of Selectmen to amend the lease. The Board voted to put the request to STM.
- Due to timing for the Warrant for the STM, the article had to be posted prior to the NMLC being on the agenda for the Board of Selectmen. The Working Group arranged for a meeting with NMLC and some of their Board. It was a candid and productive meeting.
- The land is "brown" land that Mobil Oil Corp gave to the Town under the express directive that the land be used for marine related endeavors (marine animal rehab, science and education programs) or for open space. If the Town no longer had NMLC

there, we would be very limited on what could happen there. The process would take some time to arrange. It would not likely be income generating.

- Income is approx. \$40,000
- NMLC currently does not stop the public from parking in its front lot and they have offered the back lot to the Town during the non-academic year. 130 spaces being leased to MMA directly. 40-44 spaces are available in the front lot.
- The NMLC Board has voted to support negotiating in good faith with Board of Selectmen
- Long term plan for NMLC includes building on some of the back parking and on the front parking.
- We can discuss payments in lieu of taxes to the Town, in our negotiations.
- There is conservation easement through the middle of the back lot. It is not likely that the easement could be used for parking. Tom to check with Troy.
- 9,000 in person visitors last year are documented to have visited NMLC.

MMA

- Currently have about 100 cadet cars at NMLC and 130-200 at Liberty Liquor lot
- Plan to increase enrollment 3% each year for 5 years...that's maybe 50 students a year.
- There is no first-year cadet parking provided by MMA.
- They appreciate the possible 80 spaces Columbus Day to Memorial Day at the Marina lot as discussed with the Town. On the Article being put forward.
- They would prefer having control over where their students parked, stickers, patrol, et
- Procurement Law 30b is applicable. Appraise the value and put out to bid. If rate is less than appraised value, then we could arrange for an offset (exchange of spaces could be an option. ie. 240 spaces at Taylor's Point (Mass Maritime Lot)
- 60 vehicles in MassDOT parked illegally. (The MassDot lot is located behind the Chamber of Commerce)

MassDOT Lot

- Controlled by license agreement between Chamber and the rail division of the MassDOT.
- Transient and tourism – 61 spaces
- The 6 spaces with the signs for the condos/apartments are not leased...The Chamber is just being a good neighbor; made their own signs
- We are confirming that the Chamber does have the right to sign and enforce overnight parking
- Cape Flyer is asking for parking. Marie Oliva will verify all this with MassDOT/rails.
- Board of Selectmen needs to review/revisit parking rules to enforce overnight parking

Math

Town needs 100 to 150 public parking spaces for the commercial support.

- 60 in MassDOT lot
- 40 in NMLC front lot

- \$15,000 from Cape Cod Commission to help plan efficiency of parking for GIZ (Growth Incentive Zone)

NMLC needs vary based on activities during the day. Open during the day.

MMA needs 300.

- 100-130 at NMLC
- 130-200 at Liberty Liquors lot
- 50 at St Peters

Working Group is looking for Immediate short-term plans.

"We don't want to be short-sighted because we don't have a long-term solution"

At this stage we have 3 Choices

1. Cease and desist NMLC (130 cars displaced)
2. NMLC can work with the Board of Selectmen to lease for 2-3 years benefiting from full revenue of 100-130 spaces
3. Shared benefit (between the town and the NMLC)

George Slade reiterated that he would like to attend some of the meeting. Tom Guerino said there has been additional request to be included in the working group. It is looking like it will be a large group where it will have to become a committee on parking. We need to get DPW involved, Chief Woodside or his designee should be involved. The business community has been attending but they should have a seat at the table. It would have to be a committee and subject to the open meeting law, and we will have to post meetings.

Judy Froman said with the goals the Select Board put forward in the summer time we talked about economic development. From that workshop there was a request and a need for more conversation about parking and a committee about parking. It would be better for the town to have it be broader in focus in terms of who is involved.

Tom Guerino said he can put together a draft of a working of a task, scope of service for this committee. It can be established through the administration or have a standing committee, through the Select Board.

Peter Meier said this needs to be a priority going forward. Would hate to see the progress we have made on Main Street fall apart because of parking.

Judy Froman would like the Board to weigh in on the need and looking at it from the town's perspective. It would be helpful if the Board voted or had a statement stating it is to the benefit of the town to vote in favor of article 12 and article 13.

Jared MacDonald said he wasn't trying to force a cease and desist to the National Marine Life Center. It is in our best interest as a town to work/negotiate with them for the best interest of the town.

Tom Guerino said we have been working on the west end but the Town Planner makes a good point there are issues on the east end as well. We have to look at the entire downtown area.

Peter Meier said we will make sure we have the town best interest.

James Potter said we have to take a more global approach. It would be helpful to have a parking study done. In a year the police station will be empty and there is property there that can be used for parking. There are also business in the future that will have parking of their own. We have to catch business when they come in for planning.

George Slade said we need to make this a village that people would like to visit and then to come back to.

Judy Froman said the Planning Board has been studying the parking and looking at zoning bylaws, and number of spaces for buildings. We have to work on parking management so we have enough parking for the appropriate types of businesses at the appropriate times.

Vincent Michienzi said this has been an issue for a while. There isn't plenty of parking. No one is here to fight the Maritime; but they are making their problems ours. We should be concerned about the tax payer first; the parking should be available for the taxpayers.

Elmer Clegg, Planning Board Chair, said regarding chain links, there are zoning bylaws that regulate what a permanent parking lot has to look like, it doesn't include chain link fence. Regarding parking studies – we have done parking studies, in 2007-2008 the town spent a lot of money on parking studies. The studies focused on the full build out of Main Street. They all concluded that when that happens, parking structures are going to be needed. There is an abundance of striped asphalt on downtown Buzzards Bay; the problem is the town doesn't control an adequate amount of it. The only parking lot the Town controls is the Marina parking lot. Getting a solution that involves designated public parking at the train station and designated public parking at the front lot of the Marine Life Center, 2 parking lots that sit on either side of our town park and within 300-400 feet walking distance of the downtown businesses in the west end, is a necessity. The Planning Board will not be able to approve the next project that comes before us where the landlord/developer is not able to provide the full amount of parking that is required. At Town Meeting people are going to voice opposition to giving any parking to Mass Maritime, and the Marine Life Center should not get revenue from parking on town parking. Please have a stated position on what you are going to attempt to achieve through negotiation with those two organizations as we move forward.

Jim Mulvey said parking is a problem in Buzzards Bay. All this discussion is centered on the continual expansion of student parking associated with the Mass Maritime. Their growth of students is going to continue, they show no indication of putting a cap on increasing the student body. The town will continually give way to the need of the academy by dedicating public lands, these are temporary solvents. The problem will continue to exist. When all

these spaces of public parking have been assigned to solve their problem, what do we do as downtown develops. What are we going to do when the town property is needed for the growth of the town's economy, its tax payers and its businesses? It has to be stopped.

Judy Froman said Mass Maritime Academy is not asking for additional spaces. They are asking for areas that are controlled, areas they can sell permits, they are asking us to work together in town so it's not on main street with chain link fences. The number of spaces the Mass Maritime Academy needs off campus is 300. We can accommodate and gain some income at the Marina of 80 spaces during a specific time frame from Columbus Day thru Memorial Day. We have been working with Maria Oliva at the Chamber of Commerce, the lots where there are 61 spaces where students are parking illegally, the Chamber is willing to work together with the town to make sure that lot is available to the town for public parking for the need specifically at the west end and rail. The area in back at the Nation Marine Life Center is not an area that can be used as public parking unless we negotiate that area. We are putting forward a short-term plan, 2-3 years max. We are determined to make sure we come up with a comprehensive management plan. Mass Maritime Academy is only seeing 3-5% enrollment growth.

Jared MacDonald said Mass Maritime Academy isn't taking these spaces, they are renting/leasing, they are providing income to the Marine Life Center, the town of Bourne. It is our job to work on this. Don't feel Mass Maritime Academy should be condemned for bring monies into our town and bring a support system into our community. They are the most willing participants to make it work for everyone. The lots they would like to have at the Marina are for freshmen and only during certain times of the year. This is important for everyone. Mass Maritime Academy is doing what they can to provide parking for students correctly. The problem isn't Mass Maritime Academy, the problem is the shortage of parking. The article going forward gives us the opportunity to negotiate to make it work for everyone.

James Mulvey said the Mass Maritime Academy is the problem, it is a teaching educational facility. It is a state non-tax paying organization. The Academy and the student contribute nothing of consequence to the town financially. They have on campus their own snack bar access to drinks; they have little reason to come to downtown. They pay no taxes on that state property. They wiped out 200 of tax paying houses on Taylor point to build that facility.

Roger Laporte wanted to clarify the state pays us money for the properties we don't get taxes from, and houses that Mass Maritime took. We get money in leu of taxes.

Chris Farrell, Monument Beach, said he was involved in the study of downtown Main Street. We have studied parking issues. We pointed out issues years ago. Two issues that are going to inhibit economic development for down town are wastewater and parking. If you lease the Marina parking lot, Columbus Day to Memorial Day, 80 cars, where are the cars from September 1st to October; they will find another place to park. We also looked at shared parking. On the West end we have to maximize the parking. The committee should look at

all the documents from when we did the parking study years ago. The old police station could be used as parking.

Tom Guerino said state owned land in lieu of tax payments in FY19 was \$573,392. It looks about level for FY20, that includes Joint Base Cape Cod, the Maritime, any state land. The Finance Committee voted 11-0 to support this article.

Voted Judy Froman moved and seconded by Jared MacDonald to support article 12 of the Special Town Meeting.

Judy Froman read the motion: We move to authorize the Board of Selectmen to amend the lease between the Town of Bourne and the National Marine Life Center on terms and conditions deemed to be in the best interest of the Town by the Board of Selectmen, to permit the National Marine Life Center to sublet a portion of the leased property for the purpose of providing additional parking in Buzzards Bay.

Vote: 5-0.

4a. Budget

Tom Guerino said the Finance Committee re-voted the motion, even though the dollars hadn't changed, on article 3 the budget article to re-affirm their vote. There is nothing more to report on the budget. Everyone from the Select Board and the Finance Committee are supportive of the budget article.

4.b. Meeting update of the Buzzards Bay Coalition joint wastewater discussion related to Wareham, Plymouth, Marion, etc.

Tom Guerino said there was a meeting last week, I attended. The group had a gentleman from Taunton to discuss IMA (inter-municipal agreements) as an approach to partnerships within these types of joint ventures. The prior month we had a discussion relative to governance boards/districts. It was the opinion of the committee members present that IMA was a more cumbersome way to go on a project of this size and scale, and looking at an overall governance board was the way to go. In addition to that I brought up the idea of a joint-powers agreement, Coreen Peterson was going to reach out regarding that.

c. Private Roads Acceptance

Glenn Cannon said they had a productive meeting last week. This committee has been around for a while. Tim Lydon put together an Unaccepted Road Betterment Guide. This is in relation to town bylaw 3.1.28 Temporary Repairs of Private Roads. This gives resident an idea how to get a betterment done, how to get paving done. This policy will have to come to the Board of Selectmen. He was also working on the bylaw for Layout and Acceptance of Private Ways.

George Slade said it was a committee that was dormant for a couple years. We have to think about making the directions more intuitive and put them on the website. Mr. Lydon has a map on the website which has what are accepted roads and what are unaccepted roads. We have about 100 miles of unaccepted roads.

4.d. Town Meeting 101

Tom Guerino said that will be Thursday night at 7:00 at the Community Building. It will be a review not a debate of the articles. We will provide information on each of the articles. The Town Meeting Warrant Book is available online. Mr. Guerino thanked George Slade for the idea of the road acceptance handbook.

4.e. Annual Town Meeting – Special Town Meeting Warrant review and possible votes of the Board of Selectmen

Tom Guerino said the article relative to reconvening a Special or Annual Town Meeting on Saturday was voted down by the Finance Committee last evening. The Saturdays in May are very busy month, traffic, first communion, confirmations, and spring sports.

James Potter said Town Meeting usually elects to continue to the next night; you'd have to be into at least a 3-night Town Meeting before you'd hit Saturday. We just wanted an option for a Saturday, doesn't mean it was for May, it was for any month.

5) ISWM Enterprise Fund Financial Policies and Guidelines – Third Reading

3rd Reading
TOWN OF BOURNE
24 Perry Avenue
Buzzards Bay, MA 02532-3496
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Phone 508-759-0600 – Fax 508-759-0420

**TOWN OF BOURNE****ISWM ENTERPRISE FUND FINANCIAL POLICIES AND GUIDELINES****I. INTRODUCTION**

The following financial management policies and guidelines set forth the framework for overall planning and management of the Town of Bourne, Integrated Solid Waste Management Enterprise Fund, overseen by the General Manager of the Town of Bourne, Department of Integrated Solid Waste Management. The policies are intended to be advisory in nature and serve as a point of reference for all policy-makers, administrators and advisors.

Responsibility for maintaining safe and environmentally sound operation of the Department of Integrated Solid Waste Management, that is in compliance with all Federal, State and local laws and regulations, is by the Charter, the responsibility of the ISWM General Manager. For each Fiscal Year, the General Manager shall prepare an overall financial management plan that includes an annual budget, administrative fee structure, capital outlay and debt management plan, and contributions to all funds within Retained Earnings. The ISWM General Manager will work closely with the Town Administrator and the Finance Director in the annual budget planning process and the implementation of the Financial Policies.

The policies are designed to ensure the sound financial condition of the ISWM now and in the future. Sound financial condition may be defined as:

- Cash Solvency: The ability to pay bills in a timely fashion and have a reserve to address unexpected increases in operational expenses
- Long- Term Solvency: The ability to pay future costs including all debt service and benefit costs beyond the life of the landfill
- Service Level Solvency: The ability to provide needed services for the residents and customers of the ISWM facilities in a safe and environmentally sound manner
- Infrastructure Solvency: The ability to maintain infrastructure, plan for future development and meet long term obligations

II. ANNUAL BUDGET

- A. Components: The annual Operating Budget of ISWM shall include the Salaries and Wages, Expenses, Host Fee; and the Administrative Fee.
- B. Administrative Fee: Administrative Fee represents contributions from the ISWM Enterprise Fund, in a manner compliant with the MA Department of Revenue guidelines for Enterprise Funds, for Administrative expenses of the Town. The Administrative fee shall include ISWM fringe benefits, DPW expenses associated with the curbside collection program and other miscellaneous expenses such as accounting, management, postage and legal counsel.
- C. OPEB: ISWM will make contributes to the OPEB Trust Fund in accordance with the Town's Financial Policy on OPEB contributions.

III. FISCAL RESERVES GUIDELINES

ISWM's accumulation of prudent reserves is critically important to the fiscal health of the community for many reasons. The Town will endeavor to establish and maintain the following accounts as part of Retained Earnings. The undesignated balance of Retained Earnings will be reviewed as needed and applied in a manner to enhance the financial stability of the Enterprise Fund, including reducing debt.

- A. Working Capital: Retained Earnings should be maintained at a minimum balance of 3 months operating expenses in cash. A month's operating expenses shall be calculated as the 12-month average from the previous fiscal year. The Finance Director shall be consulted and will make the annual determination of the amount required.
- B. Reserve Fund: The ISWM Reserve Fund will be budgeted at 5% of the ISWM Annual Operating Budget (Components defined in Section II. A.). Access to the Reserve Fund shall be for emergencies or other unanticipated budgetary needs that may arise as a result of unexpected circumstances and must be approved by a vote of the Finance Committee upon request of the ISWM General Manager. Any funds expended during the fiscal year may be replenished at a Special Town Meeting if recommended by the General Manager and the Town Administrator. The minimum annual allocation shall be \$600,000.
- C. Closure and Post-Closure Funds: To maintain closure accounts in compliance with state regulations that set aside adequate funds to close the landfill and/or transfer stations and further to maintain an account for the long-term post-closure care and monitoring required by regulations. Any annual calculation shall be done, in accordance with regulations, to determine the contributions from Retained Earnings into these accounts. Costs for closure and post-closure will be reviewed and updated at least every two

years. Withdrawals from closure accounts shall be made on the recommendation the General Manager and in consultation with the MA DEP. These funds are not to be used for any other purpose and are required to receive operating permits.

- D. Future Solid Waste Stabilization: Funds set aside to cushion the impact on the Town's Operating Budget after the landfill closes and Host Fee revenue will be less. This fund will pay for transportation and disposal of MSW and recycling after the closure of the landfill. There are currently no required contributions to the fund. A policy for the specific goals of the fund and funding mechanism or requirements should be established.
- E. Host Fee: ISWM shall contribute to the General Fund, in accordance with law, the minimum required annual host fee based on a per ton fee per qualifying ton. Said fee shall be calculated in accordance with the law utilizing the cited inflation factor published by the Federal government. The fee shall be part of the annual operating budget and will be based on projected qualifying tons and revenue for the coming Fiscal Year. The total qualifying tons multiplied by the established rate per ton is the determining factor for the host fee. If the General Manager determines that the qualifying tons in any Fiscal Year will not be sufficient to cover the budgeted Host Fee, the General Manager will notify the Town Administrator and the Finance Director as soon as the determination is made but no later than April 1 before the Fiscal Year end.

IV. FINANCIAL PLANNING & MONITORING GUIDELINES

Long-term financial forecasting and constant monitoring of current revenue and expenditure trends are vitally important to maintain quality service levels and fiscal discipline. As a result, it is the policy of the Town that ISWM undertake the following:

- A. Multi-Year Financial Forecasting: Establish and maintain an on-going financial planning model that projects revenues and expenses over the next five (5) years by using five (5) years of historical data and other fiscal trend analysis. ISWM shall endeavor to secure long-term contracts and other business arrangements to ensure that it has a steady source of revenue to meet its obligations.
- B. Monitor and Track Current Year Financial Activities: Constantly monitor revenue and expenditure activities and publish periodic reports for policy-makers, the Town Administrator and Finance Director. To meet this objective, ISWM should implement improved financial management systems to create the required revenue and expenditure reports, reduce duplication of effort, and maximize productivity of finance department staff.

V. CAPITAL PLANNING & DEBT SERVICE MANAGEMENT GUIDELINE

ISWM's ability to address its capital needs (infrastructure, facilities, equipment, etc.) is critical to meet contractual and regulatory obligations to provide safe and environmentally compliant facilities. ISWM is a unique operation in the state of MA for a municipal government and consideration must be given to the General Manager that ISWM has substantial expenditures for the purposes of keeping its facilities in good working order and to plan for the future. Therefore, ISWM shall undertake the following:

- A. **Capital Improvement Plan:** In accordance with the Town of Bourne Charter, as amended, ISWM shall establish and maintain a five (5) year capital improvements plan, update the plan annually, develop capital financing strategies consistent with these policies, and integrate any new operating costs associated with capital projects into the annual operating budget. ISWM should capitalize expenditures of at least \$20,000 and having a useful life of more than five years.
- B. **Debt Maturity Guidelines:** The Treasurer will strive to limit the maturity of ISWM's debt according to Mass General Laws and within the overall active life of the specific project or the landfill. A debt management plan will be developed for each fiscal year as part of the Operating Budget. This plan shall take into account the Fiscal Reserves that have been identified and that must also be fully funded.
- C. **Alternative Financing Strategies:** ISWM will continually pursue opportunities to acquire capital by means other than conventional borrowing such as grants, and other programs as may be available.
- D. **Reconciliation & Record keeping:** ISWM will annually reconcile debt-related records with the Finance Director/Treasurer and the Town Accountant before April 1 of each fiscal year to determine if any unissued bond authorizations need to be rescinded at the Annual Town Meeting.
- E. **Debt Issuance:** ISWM will work closely with the Finance Director and the Town's Financial Advisor and Bond Counsel to ensure that all legal requirements are met and that the lowest possible interest rate can be obtained.
- F. **Capital Budget:** The Capital Budget for ISWM shall be determined on an annual basis and shall include replacement of ISWM funded equipment utilized by the Department of Public Works to fulfill the duties of curbside MSW and recyclables collection. ISWM will include a 5-year capital plan as part of the annual capital outlay review.

VI. REVENUE ENHANCEMENT GUIDELINES

- A. ISWM will rapidly move to collect all receivables and close accounts of customers who do not pay. Further ISWM will notify the Town Administrator of accounts that require the Town to pursue full payment by all legal means.

POLICY ENDORSEMENTS**Approved:**

Town Administrator
Dated:

Finance Committee Chair
Dated:

Chairman, Board of Selectmen
Dated:

Finance Director/Treasurer
Dated:

Vice Chairman, Board of Selectmen
Dated:

Town Accountant
Dated:

Clerk, Board of Selectmen
Dated:

ISWM General Manager
Dated:

Board of Selectmen
Dated:

Board of Selectmen
Dated:

5

Voted Judy Froman moved and seconded by Jared MacDonald to approve the ISWM Enterprise Fund Financial Policies and Guidelines.

James Potter questioned Mr. Barret how the budget has worked out this year. Dan Barret said we are doing well. We haven't had to consider hitting the Reserve Fund yet.

Vote: 5-0.

6) License/Appointments

a. Bourne Cultural Council – Kathy Fox Alfano

Kathy's activities include:

The Cultural Council for two terms, most as Chair, in Canton;
Elected Library Board of Trustees for a decade, half as Chair, in Canton;
Founded the Canton Community Theatre in 2002, serve as Chair for 10 years;
Founded the Canton Writes Contest which is now in its 10th year;
CPA as the Selectman's Representative over 5 years

Voted Judy Froman moved and seconded by Jared MacDonald to approve Kathy Fox Alfano to the Bourne Cultural Council, term to expire on June 30, 2021. Vote 5-0.

James Potter said there is still one more vacancy on the Bourne Cultural Council.

7) Updates from owners of the following properties

- **Mr. Ryan Correia – 95-97 Main Street**
- **Mr. Joseph Sweeney – 228 Main Street**
- **Mr. Michael Maxim – 328 Main Street**

95-97 Main Street

Mr. Ryan Correia said we have entered into a purchase and sale with Mr. Michienze. The plan is to take the building down.

Mr. Michienzi said the P & S has been executed this evening. We are giving the tenants 2 months to get out. Then we will tear it down. We will not be building anything until everything is finalized with the Planning Board.

Elmer Clegg, Planning Board, gave a Planning Board perspective for downtown. One of our major targets for downtown district is mixed use. If Mr. Michienzi tears down the building it will be one less mixed-use facility. Being on the Planning Board if someone comes before the Planning Board and wants to tear down a building that has mixed-use and wants to put in something that isn't mixed-use they will have a challenge getting my approval.

Roger Laporte said the only stipulation to leaving a tenant in that building is that the alarm has to be maintained at all times. That is the only safety thing left for those people because that building is unsafe, it has a red X.

Vincent Michienzi said the State is going to pursue an investigation. Said he bought the property for half the assessed value.

Roger Laporte suggested to continue this indefinite. He will work with the new buyer. If anything falls through, he will bring it back to the Board. Jared MacDonald suggested to postpone for 3-6 months, because there are tenants for 2 months. Suggested having them back for September 3rd for an update.

Voted Jared MacDonald moved and seconded by Judy Froman to continue this to the meeting on September 3, 2019. Vote 5-0.

228 Main Street

Tom Guerino said the Board has been proved emails from the representative of Mr. Sweeney, Mr. Sweeney and myself, which were forward to the Select Board Members this evening.

Mr. Sweeney said the Sweeney family is still committed to the sale of 228 Main Street, as soon as the issue of right of way reference is agreed to. The court closing date is set for May 15, 2019. Mr. Sweeney said Ryan Correia is going to handle the demolition when they purchase the property. There is an easement, the owner of the Post Office property doesn't want to release the easement. We'd like to have the easement released then proceed with the sale so we can present Ryan Correia with a clean title. The easement is no longer needed.

Judy Froman questioned what will happen between now and May 15th. Mr. Sweeney said his brother has been dealing with the issues, and ongoing options. They are willing to participate in any conference call within the next week if that would help resolve any questions.

Judy Froman said we set this date for an update three weeks ago. Understand these take time, but we have had this discussion for removal of that property for many months. Is there a way the two entities can work something out?

Ryan Correia said we will do the demolition once we own the property.

Peter Meier said one option is we can vote to move ahead with a Board of Survey hearing for a specific date. Then we can decide if we want to tear it down or continue. If we move forward with a hearing date, we may push people along.

Jared MacDonald it could be a safety issue along with blight and at this point we may need to move forward. Mr. Sweeney said the building is not occupied and is locked up.

Roger Laporte said we have been working on this problem for over a year, the Board of Survey went out last March. There is an easement on the property but it has nothing to do with the building. The building is unsafe, it is a hazard to the town. Knocking the building down has nothing to do with Mr. Correia or the easement. The problem with unsafe structures is that it hurts the entire town.

We are being audited by ISO (Insurance Services Office) on how we do with code enforcement. This regulates the rates we pay for our property insurance. Even though it is unoccupied and locked up it is still an unsafe building. We have to decide whether we are going to take action on it, no matter who buys it, or if the easement gets cleared up.

Voted Judy Froman moved and seconded by Jared MacDonald to have a public hearing regarding the demolition of 228 Main Street based on the Board of Survey assessment, for May 28, 2019 at 7:15 pm.

Jim Mulvey questioned when an easement is granted is it granted for a specific use and is it in perpetuity. Roger Laporte said this is an easement to traverse across a piece of property. The easement does not affect the building. It is a deed restriction so in order to remove the deed restriction whoever has the rights to it has to sign off.

James Potter said the building falls under the blight bylaw. The blight bylaw is very thorough. This Board hasn't fined any property, but there is a section on fines for consecutive days until the property is brought back into an occupied structure.

Mr. Sweeney requested to be read the structural report.

Tom Guerino said the Building Inspector was clear. The notion that the Board of Selectmen gets an engineering report the day of a meeting/hearing that has been known for 3 weeks is bad practice. It's not fair to the Board or to the staff to have to review information the day of the meeting and come to some determination. Nothing has happened for 3 weeks, it all happened today. It is disingenuous to give an engineering report the day of the meeting.

Vote: 5-0

328 Main Street.

Tom Guerino said Mr. Maxim informed him last week that he will not be able to attend the meeting and asked for a delay. I told Mr. Maxim that I wasn't in a position to delay this any further.

Jared MacDonald said he did suggest a coat of paint or some lawnmowing services could have stalled this process.

Judy Froman moved to have a public hearing for the demolition for 328 Main Street on May 21, 2019.

Ms. Froman withdrew the motion.

Voted Judy Froman moved and seconded by Jared MacDonald to move the discussion of 328 Main Street to a Board of Survey hearing on May 28, 2019 at 7:30 p.m.

Vote 5-0.

George Slade questioned can we asses these fines and what we have forgone since we didn't enforce the fines.

8) Selectmen's Business

- a. 17 Harrison Avenue – convey property back to owner through tax title redemption**

- b. Board to discuss and consider action on the following regarding the Gardner Bridge: The Board of Selectmen support the Commonwealth in the eminent domain taking of the Briarwood Bridge and urge the Great and General Court to take action necessary to achieve the taking**
- c. Parking Working Group discussion – Mr. Meier and Ms. Froman**

Tom Guerino said the check is at Town Hall ready to be deposited. Nancy has met with these folks and so has the collector's office. Recommend the town allow them to redeem.

Voted Judy Froman moved and seconded by Jared MacDonald to convey the property back to the owner allowing the property owner to redeem 17 Harrison Ave provided the check clears.

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

8.b Board to discuss and consider action on the following regarding the Gardner Bridge: The Board of Selectmen support the Commonwealth in the eminent domain taking of the Briarwood Bridge and urge the Great and General Court to take action necessary to achieve the taking.

Tom Guerino said this is asking our local legislators to file legislation for this. Even if it happens there is no guarantee that something from MassDOT will occur, this is one step in a process. This is a recommendation that came with discussion with some of our legislators last Friday.

Voted Jared MacDonald moved and seconded by Judy Froman to authorize the Board of Selectmen to write a letter of support asking our legislators to file an eminent domain on behalf of the residents of Briarwood Lane.

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

9) Correspondence

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

- A. Letter from Local 1717 is hereby presenting this Vote of No Confidence against Chief Sylvester.
- B. Letter from TEC Associates regarding Massachusetts Coastal Railroad 2019 Vegetation Control Program [Copy of the Yearly Operational Plan 2019 on file in the Town Administrator's Office]
- C. Notice from Department of Agricultural Resources on Yearly Operational Plan that has been submitted for: Massachusetts Coastal Railroad
- D. Letter from Mary Jane Mastrangelo regarding ongoing concern of the Board of Selectmen related to the different dates for Capital Outlay Reports between the Charter and the Bylaws.

- E. E-mail from Thomas Shields, South Coast Shellfish Project Leader regarding Requested Adjustment to B-120 2019 Work Plan.
- F. Notice from Eversource on planned and scheduled vegetation maintenance work on the transmission right-of-way this year at 0 Winston Avenue, Sagamore.
- G. Town of Barnstable Weights and Measures Program submitted quarterly report from January 1, 2019 to March 31, 2019 and Memorandums of Understanding – Weights and Measures Administrative Costs.
- H. Cape Cod Commission Hearing Notice – Development of Regional Impact, Canal Street Crossing, 21 Hunters Brook Road, Sagamore Beach to be held May 9, 2019.
- I. Draft copy of the Advisory Board Budget Committee CCRTA Fiscal Year 2020 Budget [Copy of full report on file in the Town Administrator's Office].
- J. Letter from FEMA requesting them to determine if a property located at 80 Rocky Point Road, Bourne is located within an identified Special Flood Hazard Area.

Judy Froman said regarding letter H is the town voted for an overlay district on Hunters Brook Road. There is a hearing coming forward from Cape Cod Commission. There is an initial hearing on May 9th but the public hearing is on May 15th.

Peter Meier said he will be available on Friday from 10:00 am-12:00 pm to have conversations with any residents at the Pocasset Village Association. From 1:00 pm to 3:00 pm he will be at the Sagamore Fire station in their meeting room.

10) Adjourn

Voted Judy Froman moved and seconded by Jared MacDonald to adjourn. Meeting adjourned at 9:24 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.