

**Board of Selectmen
Minutes of Tuesday, August 6, 2019
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

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TA Tom Guerino
ATA Glenn Cannon

Selectmen

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

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

6:00 p.m. Call Public Session to order in Open Session

Executive Session:

Motion to enter into Executive Session to review and take action on the following Executive Session Minutes for 2019.

- January 16 – Buzzards Bay Park/Playground (litigation); Haven Center (litigation; BFD (litigation)
- February 5 - Buzzards Bay Park/Playground (litigation); Easements (5)
- February 19 - Buzzards Bay Park/Playground (litigation); BFD (DLR)
- February 26 - Buzzards Bay Park/Playground (litigation); BFD (DLR)
- March 5 - Buzzards Bay Park/Playground (litigation); BFD (DLR); Easements (5)
- March 12 - Buzzards Bay Park/Playground (litigation);
- April 2 - Buzzards Bay Park/Playground (litigation); BFD (DLR); Easements (5)
- April 4 - Buzzards Bay Park/Playground (litigation);
- April 24 – Non-Union Personnel contract;
- May 7 - Buzzards Bay Park/Playground (litigation);
- May 8 – Town Administrator Contract
- May 13 – Town Administrator Contract
- May 14 – Town Administrator Contract
- May 14 – Buzzards Bay Park/Playground – Fire
- May 14 - Buzzards Bay Park/Playground (litigation); BFD arbitration (DLR);
- May 20 – Town Administrator Contract

- May 28 – Cumberland Farms (litigation); BFD arbitration (DLR); Easements (5)
- June 11 - Buzzards Bay Park/Playground (litigation);

Motion to enter into Executive Session to discuss strategy related to ongoing litigation relative to Fire Department Local 1717. The Chair has declared that an open meeting may have a detrimental effect on the litigation position of the public body.

Motion to enter into Executive Session to conduct strategy in regards to negotiations with respect to easements on:

Map 35.0 Parcel 143 – 4 Henry Drive Extension,

Map 35.0 Parcel 144 – Henry Drive;

Map 35.0 Parcel 145 – 3 Henry Drive;

Map 51.3 Parcel 62 – 0 Squeteague Harbor Road;

Map 23.0 Parcel 4 – 90 Main Street;

Map 42.0 Parcel 89 – 11 Bassett's Island.

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the easements.

Roll call vote to convene in Executive Session for the purposes stated. The Board of Selectmen will reconvene in opens session at the conclusion of the Executive.

Roll call vote to adjourn the Executive Session and reconvene in public session.

The Chair will report out any actions and call for votes necessary as a result of the Executive Session.

Board to take action as required from a filed Open Meeting Law Complaint.

Chair call public session to order in open session

Meeting Called to Order

Madam Chair Froman called the meeting to order at 7:09pm.

Voted Peter Meier moved and seconded by George Slade to reconvene in open session.
Vote 5-0-0.

Judy Froman read the motions from Executive Session.

Reports on Executive Meeting Motions:

In Executive Session, the Board of Selectmen authorized Town Counsel to transmit the Title Report to the Town's Tax Taking Counsel and request that Attorney Coppola report to the Board of Selectmen his analysis of the Tax Taking Process and Opinion as to Title to the subject parcels to the Town relative to Henry Drive and Henry Drive Extension.

In Executive Session, the Board of Selectmen directed the Town Administrator to report back recommendations that promote public access to Squeteague Harbor.

In Executive Session, the Board of Selectmen authorized the Town Administrator to negotiate a lease for a term of three years for a Parcel of land owned by the Town that borders the Cape Cod Canal contiguous to the Parcel located at 90 Main Street, Buzzards Bay, shown as Parcel 4 on the Assessors Map 23.0.

In Executive Session, the Board of Selectmen authorized the Town Administrator to negotiate an easement over Town property that provides water service to property at 11 Bassett's Island shown on the Assessor Map 42.0 Parcel 89.

Atty. Troy spoke about the Open Meeting Law complaint filed by Thomas Donovan against the town of Bourne Board of Selectmen. Under the open meeting law guidelines upon receipt of the complaint the Chair of the public body distributes copies of the complaint to the members of the public body for their review, I was informed that has been done. They have fourteen business days from the date of the receipt of the complaint to review the complaint allegations. I have reviewed the Open Meeting Law complaint and have determined that there is a reasonable basis to inform the Attorney General that the Board of Selectmen did not violate the Open Meeting Law, and ask the Board of Selectmen to authorize me to file a response with the office of the Attorney General.

Voted Peter Meier moved and seconded by Jared MacDonald that after the review of the open meeting law complaint the Board of Selectmen refer this matter to the Town Counsel, and authorize Town Counsel to file a response that the Board of Selectmen complied with the open meeting law. Vote 5-0-0.

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.

6) Approval of Minutes: June 4, 2019; June 11, 2019; July 9, 2019; July 23, 2019

Voted Peter Meier moved and seconded by Jared MacDonald to approve the minutes from June 4, 2019. Vote 5-0-0.

Voted Peter Meier moved and seconded by Jared MacDonald to approve the minutes from June 11, 2019. Vote 5-0-0.

Voted Peter Meier moved and seconded by Jared MacDonald to approve the minutes from July 9, 2019. Vote 5-0-0.

Voted Peter Meier moved and seconded by Jared MacDonald to approve the minutes from July 23, 2019. Vote 5-0-0.

7) Caroline Smith will read her Mercy Otis Warren Freedom of Expression Winning Essay

Caroline Smith read her essay on Mercy Otis Warren Freedom of Expression. Judy Froman presented Caroline Smith with the award from US Senator Elizabeth Warren.

8) Bruce Cabral – Chief Assessor – Abatement of betterment for 123 Elgin Road

Bruce Cabral presented an abatement application in conjunction with a street betterment for 123 Elgin Road. Mr. Cabral read: On February 14, 2019, a Notice of Betterment or Special Assessment was issued the owner of this property which indicated that the Street Betterment Total Due was \$2,197.50. Upon review of data used to establish the apportioned amount of the betterment for this property, it has been determined by the neighborhood association and the Bourne Engineering Department that an incorrect amount was originally calculated. The street frontage is 125.68 feet, instead of 140.03 feet. This error resulted in \$192.59 overcharged to the property. The correct Total Due is \$2,004.91, according to the Bourne Engineering Department and the neighborhood association.

Requesting the Board to grant or deny the abatement for that amount.

James Potter questioned if the other error was found, because it is calculated on a total borrowed value so if one property is over assessed that number has to be made up from another property on a frontage standpoint.

Judy Froman read the Memo: In accordance with M.G.L c. 80, Section 5, the Bourne Board of Selectmen grants/denies an abatement in the amount of \$192.59 to be issued to Cassi Ward Power, Trustee of Cassi Ward Power Declaration of Trust owner of 123 Elgin Road, Bourne, MA 02532 in relation to a Street Betterment Total Payoff. Because the Board of Selectmen assessed this betterment, M.G.L c. 80, Section 5 indicates that this Board is also responsible for granting or denying an abatement associated with the betterment.

On February 14, 2019, a Notice of Betterment or Special Assessment was issued the owner of this property which indicated that the Street Betterment Total Due was \$2,197.50.

Upon review of data used to establish the apportioned amount of the betterment for this property, it has been determined by the neighborhood association and the Bourne Engineering Department that an incorrect amount was originally calculated. The street frontage is 125.68 feet, instead of 140.03 feet. This error resulted in \$192.59 overcharged to the property. The correct Total Due is \$2,004.91, according to the Bourne Engineering Department and the neighborhood association.

Voted Peter Meier moved and seconded by Jared MacDonald that under M.G.L c. 80, Section 5, the Board of Selectmen grant the abatement in the amount of \$192.59 to be distributed to Cassi Ward Power, Trustee of Cassi Ward Power Declaration of Trust.
Vote: 5-0-0.

9) Update on the October 21, 2019 Special Town Meeting

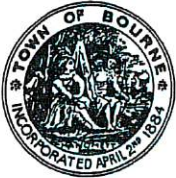
Judy Froman said last month at the meeting there was a question as to the Board of Selectmen being able to set a Special Town Meeting date. The Board did vote to set the Special Town Meeting for October 21, 2019. It is important we double check our information and share it with the public. According to our Town Clerk, Barry Johnson, M.G.L c 39, section 10, governs the setting of a Special Town Meeting. There is a reference to a 45-day lead time in the M.G.L, however it pertains to a special petition. There is also a 25-day window prior to Special Town Meeting when the warrant does need closing. Our recommendation for the schedule is noted as October 1, 2019 the Board of Selectmen sign the warrant, October 5, 2019 post the warrant.

10) Bourne Recreation Authority request for a Mass Works Grant Letter of Support

Barry Johnson, Board on the Governing Board of the Bourne Recreation Authority, is requesting the Board vote to approve a letter of support, of the fact that the Authority is filing for a Mass Works Infrastructure Program Grant, to offset some of the costs, which is estimated at \$7,300,000 total project to upgrade the entire septic system within the Bourne Scenic Park. This is a stand-alone project. This project is designed to treat up to 48,000 gpd within the treatment plant. Then we have a trap program showing the collection system throughout the entire park, which is about 2 miles long with about 430 sites. By doing this our Board is being extremely active to try to bring us into compliance with all federal and state laws governing the campgrounds, also upgrading the water quality within the canal. The park is in a little part of the downtown business district; we are also part of the Local Comprehensive Plan. This is a Recreational Authority Project, and we would like to file for the grant by 8:00 am tomorrow morning. We would like to have a letter of support from the Board of Selectmen.

Mary Jane Mastrangelo spoke about possibly connecting the Scenic Park to the wastewater treatment plant. Part of the cost might be able to be reduced by connecting to the wastewater treatment plant, but there are a lot of sewer lines that will have to be done, and that is a major part of the cost.

Peter Meier said we should support the Recreation Authority on the application. Anything we can do to assist them in keeping the grants down is better for the long term, and it shows our partnership of the town working with the Recreation Authority.



**TOWN OF BOURNE
BOARD OF SELECTMEN**

24 Perry Avenue
Buzzards Bay, MA 02532
Phone 508-759-0600 ext. 1503 – Fax 508-759-0620

August 6, 2019



Executive Office of Housing and Economic Development
ATTN: Mass Works Program
1 Ashburton Place, Suite 2101
BOSTON, MASS. 02108

RE.: Letter of Support of the Bourne Recreation Authority's 2019 Mass Works Infrastructure Program

Dear Sir or Madame:

Please accept this letter of support that is to be part of the Bourne Recreation Authority's (BRA) 2019 Mass Works Infrastructure Program to upgrade the existing Septic System in the Bourne Scenic Park Campground located at 370 Scenic Highway, Bourne, Mass. 02532. The campground was established in 1951; has 438 sites for tenting, RV's, trailers, lodges and cabins; and is located adjacent to the banks of the Cape Cod Canal.

The project proposes that the existing sewage disposal system be upgraded to a wastewater treatment process which will bring their system into regulatory compliance through the receipt of a Mass DEP Groundwater Discharge Permit. When finished, the improved infrastructure improvements will enhance the Cape Cod's Section 208 Area-Wide Water Quality Management Plan as well as the town of Bourne's Local Comprehensive Plan. The treating of the graywater and black water will be treated at a site in the Park that is outside the flood zone; away from the Cape Cod Canal; and other sensitive resource areas. The Park attracts numerous visitors from throughout the country and is a proven economic tourism generator for Bourne and for the other surrounding communities of the Park. Once here, the visitors of the Park definitely take advantage of our local businesses and all of the goods and services they offer. The Park directly supports revitalization efforts and economic development in the Growth Incentive Zone of downtown Buzzards Bay.

We definitely support this application and project and if you have any questions please contact us.
Sincerely,

Judith M. Froman, Chair

James L. Potter, Vice Chair

George G. Slade, Clerk

Peter J. Meier

Jared P. MacDonald

cc. Barry H. Johnson, General Manager, Bourne Recreation Authority

Voted Peter Meier moved and seconded by Jared MacDonald to sign the letter of support for the Bourne Recreation Authority 2019 Mass Works Infrastructure Program.

James Potter said he is concerned there might be a bigger picture, also the regional discussion that this additional gallonage could be part of. For cost savings it would be better to have a single system to treat all this.

Tom Guerino said the long-term regional approach is still about 8-10 years out. They need something to be in compliant with the current CMR and federal and state clean water. That doesn't preclude a discussion further down the road on whether it makes sense to meet with the Sewer Commissioners to see if the town has capacity under its current system to be able to do that. This allows them, if the grant is allowed, to start laying pipe and concurrently negotiating with the Town to have a stand-alone system or to combine them.

Judy Froman suggested to have a master plan that would tie it all together. This is going to be longer term for the bigger picture, in the meantime I would support the letter of support.

Vote: 5-0-0

Barry Johnson said because we are a leasee of the Corps we had to do a phase one environmental contamination study by doing test borings at the park and they came through clean. The application states they will try to make a decision within 6-8 weeks of the application.

17.C. New Hire – Town Clerk

Tom Guerino spoke about how hiring needs to be brought to the Boards attention. At the Town Meeting this year with the recommendation of the Select Board and the Finance Committee authorized funding for an additional 19-hour a week position in the Town Clerks office. After July the position was advertised. Internally we received an application from a person who had been working at the Council on Aging. Mr. Johnson interviewed 8 people, and is prepared to make an offer. Need the Select Boards approval to move on with the recommendation of the person.

Voted Jared MacDonald moved and seconded by Peter Meier to approve this hiring for the Town Clerk's Office. Vote: 5-0-0

Tom Guerino briefly spoke of another position that needs to be filled, the mechanic position.

11) License/Appointments

- a. Verizon License Agreement for 35 Armory Road (New Bourne Police Facility) the right of access, construct, operate, maintain, replace and remove facilities for poles 143/9, 10, 11 & 12**
- b. Cape Cod Canal Day – Request to place street banner across Main Street**
- c. Annual Watershed Ride – October 6, 2019**
- d. Harbor to the Bay Bike Ride – September 14, 2019**

e. Friends of the Bourne Rail Trail – Request for One Day Malt Beverage License and Entertainment License for August 17, 2019

f. Brain Injury Awareness Event at Buzzards Bay Park – September 21, 2019

g. Sagamore Beach Colony Club One Day Liquor All Alcoholic – August 10, 2019

h. Board of Appeals Associate Appointment – James Beyer

- a. **Verizon License Agreement for 35 Armory Road (New Bourne Police Facility) the right of access, construct, operate, maintain, replace and remove facilities for poles 143/9, 10, 11 & 12**

Tom Guerino said this is to bring utilities from the bypass road into the new police and wastewater facility area. An Article was passed relative to all easements that were necessary at property for both facilities.

James Potter said in the future it would be good for the Board to look at, when we are considering licenses, that we bear upon the owners of the utility poles to remove the double polls at the times we are approving new facilities, that should be part of our agreements with the utility companies moving forward.

Voted Jared MacDonald moved and seconded by James Potter to approve this license.
Vote: 5-0-0

b. Cape Cod Canal Day – Request to place street banner across Main Street

Tom Guerino said this cannot go up greater than 21 days prior to the event.

Voted Peter Meier moved and seconded by Jared MacDonald to approve the request.
Vote: 5-0-0

c. Annual Watershed Ride – October 6, 2019

Deborah Hood, Buzzards Bay Coalition, 114 Front Street, New Bedford, MA, 02740; 13th Annual Coalition for Buzzards Bay Watershed Ride Cycling event from Little Compton, RI to Woods Hole; October 6, 2019; Pass through Bourne between 12:00 noon – 2:00 p.m.; Approximately 325 riders; Also requesting permission to post 4-6 18" x 24" signs around town promoting the ride for the month of September only. Will be removed within 48 hours of the event.

Remarks: Department of Public Works – Remove all signage; Police Department – No police details required. Bicyclist travel with traffic.

Route through Bourne: Straight through rotary to stay on Main Street; Right onto Canal St. and parking lot (volunteer); Bear left in parking lot; bear right and head towards path entrance at Recreation building; Right toward Canal Service Rd/Bike Path (volunteer); Left onto Canal Service Road and bike path; Left onto Andy Olivia Drive towards campground (volunteer); straight up hill to say on Andy Olivia; Bear left to stay on Andy Olivia through campground; Left onto Main St/Rt 6: must cross

with light (volunteer); Take right up ramp to Starbucks parking lot; Stay left as you proceed through parking lot cut through; Left to exit parking lot; Right onto Bourne Bridge Approach/Old Bourne Bridge Approach; SLOW DOWN. Tracking Station ahead, call out bib number. Dismount to cross bridge on foot; Water Rest Stop; Keep right to enter Bridge sidewalk: cross bridge on foot; Right at end of the sidewalk through parking lot; Right onto Trowbridge Road; Continue onto Shore Road; Right to Stay on Shore Road; Metal drawbridge ahead: proceed with caution; Railroad tracks: proceed with caution; Right onto Red Brook Harbor Road (volunteer); Right to stay on Squeteague Harbor Road; Right onto Megansett Road.

Judy Froman read the request.

Peter Meier said signage can only be up for 30 days. Tom Guerino suggested Sept 9th – October 8th.

Voted Jared MacDonald moved and seconded by George Slade to approve for September 9th to October 8th. Vote: 5-0-0

d. Harbor to the Bay Bike Ride – September 14, 2019

Harbor to the Bay, Inc.; Jim Morgrage, Director; 17th Annual Aids benefit bike ride from Boston to Provincetown. Bikers will be coming down Route 3A, walk bikes over Sagamore Bridge, follow Cranberry Highway to South Sandwich, Route 6A East through Bourne. Copy of the full route PDF available in Route Slip folder under public share drive. Application on file in the Selectmen's/Town Administrator's office. Saturday, September 14, 2019; Ride begins in Boston at 6:00 a.m. and ends in Provincetown at 6:45 p.m. Will travel through Bourne between 9:30 a.m. and 2:30 p.m. There will be between 200-300 cyclists.

Remarks: Department of Public Works – Remove all signage after event. Police Department – Police details may be requested, but not required for this event. As in previous years, the event coordinator should contact the Police Department Administration three weeks prior to the event to arrange for details.

Judy Froman read the request for the Harbor to the Bay Bike Ride. Ms. Froman said she is concerned with the number of these events that happen and the amount of traffic that Bourne has. Would like to discuss this at a later date and find ways to minimize the amount of bottleneck traffic.

James Potter suggested having the event organizers come before the Board to present the event. The event organizers need to listen to our concerns and discuss how they might be able to help alleviate some of that.

Voted: Peter Meier moved and seconded by Jared MacDonald to approve subject to the condition on the route slip. Vote: 5-0-0

e. Friends of the Bourne Rail Trail – Request for One Day Malt Beverage License and Entertainment License for August 17, 2019

Robert McFarlane/Russell J. Salamone, Jr, Person in charge Friends of the Bourne Rail Trail. Location: Aptuxet Trading Post, 6 Aptuxet Road, Bourne; One Day Malt Beverage Only (limit to the sale of 3 – 12 oz. beers per person) in a designated fenced in area as show on the plan on file from 2:30 – 5:00 p.m.; Community outreach event for the Friends of the Bourne Rail Trail. Date of Event: August 17, 2019. Expected number of participants is 250. Requesting a license for One Day Entertainment for Acoustic Folk Music – same hours.

Remarks: Board of Health – Food vendors need to file for temporary permits.

Judy Froman read the request.

Russell Salamone, Bourne, treasure of the Friends of the Bourne Rail Trail, spoke about the request. Partnered with Naukabout Brewery from Mashpee, MA. Will have detailed Bourne police officers present during the event.

Voted Jared MacDonald moved and seconded by Peter Meier to approve subject to the condition on the route slip. Vote: 5-0-0

f. Brain Injury Awareness Event at Buzzards Bay Park – September 21, 2019

Chesa Conrad, 30 Lyman Street, Suite 10, Westborough, MA 01581; Location: Buzzards Bay Park; September 21, 2019 at 9:00 a.m. – 2:00 p.m.; Brain Injury Awareness Event – Walk & 5K (along Cape Cod Canal). Would like to host food trucks (will check with Town Planner & Board of Health to see if allowed). Estimated attendance: 500; Food will be served; Police/Fire detail required; Electricity needed.

Remarks: Planning Department – Food trucks for one day event - Special Permit not required. Permission may be needed from State and/or Army Corp of Engineer to use their property. Furnish Planning Office with a copy of State approval letter and a Site Plan. Street banners require Selectmen approval per §2866. Board of Health – Food vendors require to have food permits. Department of Public Works – Remove all trash. Police Department – Still not enough information to explain whatever this request is supposed to be. Based on a 5K on canal nothing from police needed. No police details should be needed.

Judy Froman read the request.

James Potter questioned the fee. Tom Guerino said they are requesting the waiver of the fees. Judy Froman said \$40 hr. for electric \$20 for water use. Glenn Cannon said non-refundable application fee of \$75 due within 14 days of this preliminary scheduled approval.

James Potter questioned if we have a summation of the fee on the form?
Tom Guerino said we can add that.

Voted Peter Meier moved and seconded by Jared MacDonald to approve subject to the conditions on the route slip.

Tom Guerino said there hasn't been a request for a waiver of the application fee.

Vote: 5-0-0

g. Sagamore Beach Colony Club One Day Liquor All Alcoholic – August 10, 2019

Sagamore Beach Colony Club; Deanna Waldron, Treasure; Location: Fisher Tennis Court, Robinson Road, Sagamore Beach, MA 02562; August 10, 2019 from 6:00 – 11:00 p.m. Fundraising event #2; Dancing through the decades; Outside venue – 100 guests – parking lot, tennis courts and surrounding area as allowed. One Day Liquor – All Alcoholic Beverages.

Remarks: Police Department – Liquor service must conform to all state and local laws. No alcohol to be allowed off property at any time. This is a request for all alcohol beverages, so they must be a non-profit organization, which I believe they are, or were. Care and security must be taken to ensure no underage possession of alcohol and persons are not overserved. Parking to conform with all current Town regulations.

Judy Froman read the request.

Peter Meier suggested to make sure that Tim Lydon saw the request.

Voted Peter Meier moved and seconded by Jared MacDonald to approve subject to the conditions on the route slip.

James Potter said going forward if there is a question about the organization, if they are a non-profit, that information should be part of the application.

Vote: 5-0-0

h. Board of Appeals Associate Appointment – James Beyer

James Beyer, Pocasset, briefly spoke about why he would like to be appointed to the Board of Appeals.

Voted Peter Meier moved and seconded by Jared MacDonald to appoint James Beyer to the Zoning Board of Appeals as an Associate member, term to expire June 30, 2020.

Vote: 5-0-0.

12) Bill Nelson: Hampton Inn and Train Platform

William Nelson, Bourne, spoke regarding to the removal of vegetation at the Hampton Inn. The developer has made some proclamations as to having canal use at the hotel. Don't think that applies to automatic granting of unrestricted business. Vegetation removal should be kept to a minimum. Where it is appropriate there should be some form of alternate vegetation as a replacement. My understanding is there is a process going on between the Board and the developer to determine what that position is going to be. A recommendation would come from that process and go to the Conservation Commission, which would accept or reject it, make comments, and return the final product to the Board for enactment with the developer to proceed. Mr. Nelson questioned if that activity is open to the public, are the meetings open. Judy Froman said the conservation meetings are open to the public. James Potter said the ultimate decision would go before Town Meeting, so the entire town would have the opportunity speak. Mr. Nelson confirmed, so the property sits as is until Town Meeting approval.

Judy Froman read:

In Executive session the Board of Selectmen authorized the Town Administrator to negotiate a lease for a term of 3 years for a Parcel of land owned by the Town that borders the Cape Cod Canal contiguous to the Parcel located at 90 Main Street, Buzzards Bay, as show as Parcel 4 on the Assessor's Map 23.0.

Mr. Nelson spoke about the railroad platform. Did the Board know before they came that they were going to build that platform? Tom Guerino said there was no formal notification, but it was noted at a public Regional Transit Authority session. Peter Meier said but this Board was not publicly notified.

Mr. Nelson said it operates 15 weekends, 6 trains a weekend, that's 90 trains. Time at the platform averages about 1 minutes to 4 minutes. Taking a 3-minute average is about 4 ½ hours per year. The platform does a marvelous job of what it is supposed to do and should stay that way. There are ways it could be improved or complimented with another platform. Concerned that in 2014 there was a 2.3 million-dollar station to go in that location. Would hate to see that platform become an entry way for a 2.3 million-dollar station. If that is a commuter rail station, we shouldn't build it because we don't have a commuter rail. There was discussion if that was the right place, time, and size. If that happens again those discussions should happen in the open.

13) Recycling Committee – events in celebration of the committee's 30th birthday

Heather DiPaolo, Pocasset, Chair Recycling Committee

Amy Sharpe, on the committee since 2015

Jean Hills, Pocasset, member of the recycling committee

Heather DiPaolo said we work closely with ISWM and DPW.

Judy Froman read the letter from Phil Goddard: To the Bourne Board of Selectmen and the Bourne Community. In the summer of 1989, I read an article in a local paper about a new committee that was being formed to study recycling and composting and that the town was looking for volunteers. I looked into it and joined the committee that summer becoming one of its founding members. Little did I know how profound a decision that would turn out to be for both my career and my life.

That decision led to a career in solid waste management while I was researching options for how to manage solid waste from Bourne, including becoming a consultant to the Board of Selectmen during the inception of the ISWM Department. That work eventually led to the position I now have with the Town at ISWM where I get to work with our dedicated Recycling Committee and enjoy the support of General Manager, Dan Barrett and Town Administrator, Tom Guerino to be a part of a profession that I love.

On the occasion of the 30th anniversary of the founding of the Recycling Committee and the modern era of solid waste management in Bourne, I am writing to express my deepest gratitude to the leadership of the town and to the residents who have consistently supported recycling, composting and other initiatives in Bourne to improve our environment. I'd also like to thank Recycling Committee founder Pam Olson who pressed the Town to take action and the late Louis Pellegrini, the Highway Surveyor at DPW, who supported our efforts in the early days.

The Town of Bourne has been a leader in the state and it has been a privilege to be a volunteer, consultant and employee in a community that not only cares about how we manage our waste, but one that is also willing to take bold action to directly make a difference in our community and on Cape Cod by investing in real-world solutions and vital infrastructure. I am proud to live in and work for the town of Bourne. Sincerely Phil Goddard, Monument Beach.

Heather DiPaolo spoke about how the Recycling Committee started. If you don't recycle, you're in violation of the Bylaw. They were able to distribute cards door to door regarding recycling. The goal was to, and still is, to live by the 3 Rs, Recycle, Reduce, Reuse, and also to keep the life of the landfill as long as possible.

Amy Sharpe spoke about what has been done in the past 4 years; to work with ISWM and the DPW on the implementation of single stream recycling; worked on outreach and education, we handed out materials, recycling came close to doubling within six months. The other big initiative was getting the bylaw for the plastic bag reduction. We have also done some beach cleanups.

Jean Hills spoke about bagging recyclables. Want to let the public know to not bag recyclables, do not put them in plastic bags. We are going to celebrate our 30 years by having an open house on August 24th at residential recycling from 9:00 - 12:00. We will have educational materials, goodies, handout materials, showing videos; we will also have film night at the Jonathan Bourne Library on the 22nd at 6:00, we will be showing a

recycling movie. We are going to be replaying our 25th anniversary video on channel 13 & 14 during the month.

14) Shark Sighting Protocol

Chris Southwood, National Resources Director, spoke about the shark protocols and shark sightings on the Cape. 2-3 weeks ago, there was a confirmed sighting of a white shark at Scusset Beach and we realized we weren't getting notifications and we didn't have anything in place where we could notify anybody. We are going to start focusing on this. Would like to let the Select Board know where we are at, what we are doing, and the direction we plan on going. Mr. Southwood spoke about the draft of the protocol. There have been confirmed 150 sightings. We are trying to create a document that covers 4 categories; shark sighting that are unconfirmed, shark sighting confirmed, predication, and shark attack. Regarding unconfirmed sightings it will be closing of the beach for approximately an hour or for the time the shark is sighted, and to notify neighboring towns. We will be on notification from Scusset and they are on ours. For predication, we would close the beach until the next day. For shark attacks, whatever resources we have we will deal with it. We are going to developing/put up signage. A sign that is 18 x 24, putting a location on the sign – where you are at, a police non-emergency number and 911. We are also looking at flagage to warn people, colored flags that other towns are using. When we get a report, when staff arrives we will try to find the reporting person to see if they can identify what they saw, and we decide if it a confirmed sight. If it is a confirmed sighting, we can report it. We will be notifying Sandwich. We are going to focus on Education, post on our DNR FaceBook page, safety tips what you should do; if there is a confirmed/unconfirmed sighting we can post that on social media. The Fire Department has done stop the bleed training. We will get stop the bleed kits for town vehicles.

15) Joint Base Cape Cod Wastewater Report Executive Summary Presentation

Tom Guerino gave a little background on the project. Started with a coalition of the upper Cape towns and a Community Compact Grant to look at the potential of utilizing the wastewater treatment facility on Joint Base Cape Cod. The Military Bases are looking to do what they can to divest from cost issues from them. Falmouth has been the lead community for this. The town of Bourne has a small piece of this. There has also been a look at what the long-term possible needs may be.

Ed Leonard, Project Manager with Wright-Pierce, went over the PowerPoint project for the Shared Wastewater Management Study, which included Presentation Overview, Regional Context, Shared Wastewater Management Study, 2017/2019 SWMS Capacity Request; JBCC Wastewater System, Effluent Disposal Setting, Candidate Plan, Cost Effectiveness, Implementation Timeline and Action Items.

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SHARED WASTEWATER MANAGEMENT STUDY
Towns of Bourne, Falmouth, Mashpee, Sandwich and Joint Base Cape Cod
Executive Summary

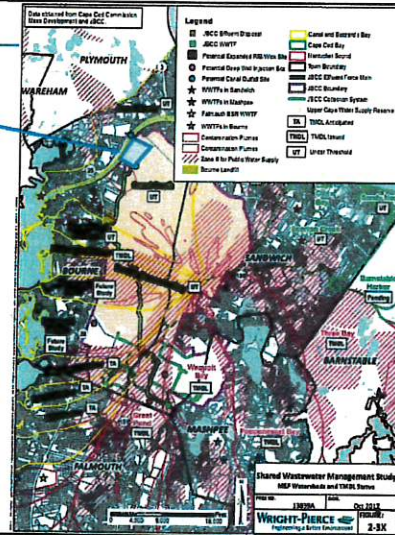
The Towns of Bourne, Falmouth, Mashpee and Sandwich were awarded two Community Compact Cabinet's Efficiency and Regionalization Grants for a Shared Wastewater Management Study. Subsequent to the second grant award, the Town of Barnstable expressed interest in the Shared Wastewater Management Study and separately funded the necessary study activities to "catch up" to the other four towns and to incorporate that content into this revised report. MassDevelopment also participated in the planning efforts. The purpose of the study is to prepare an engineering assessment for a potential partnership for shared wastewater management options among the towns to utilize and expand the Joint Base Cape Cod (JBCC) collection, treatment, transport and effluent disposal systems for regional use.

The following items represent an executive summary of the key issues that need to be understood and resolved by participants, regulatory agencies and stakeholders.

- The four Upper Cape towns (Bourne, Falmouth, Mashpee and Sandwich) and Barnstable all have significant wastewater treatment and disposal needs in order to meet the water quality requirements issued in DEP Total Maximum Daily Load (TMDL) Reports and to meet other town wastewater management objectives. One potential way to address some or all of these needs is through a significant expansion of JBCC wastewater treatment and disposal infrastructure to serve as a regional facility.
- As a part of this study, the Upper Cape towns provided estimates of wastewater management needs that could be addressed by a potential regional facility. As a part of a parallel study, Barnstable provided similar estimates. The total of the wastewater management needs provided by the five towns is 4,550,000 gallons per day (annual average basis) of sewage treatment and/or effluent disposal capacity. Refer to Sections 1.6 and 2.2 for additional information.
- The existing JBCC treatment and disposal system has approximately 75,000 to 100,000 gallons per day (annual average flow basis) of available capacity. The available capacity at the existing JBCC treatment and disposal system addresses only 2% of the identified need. To serve the needs of the Upper Cape and Barnstable, a new significantly larger WWTF and effluent

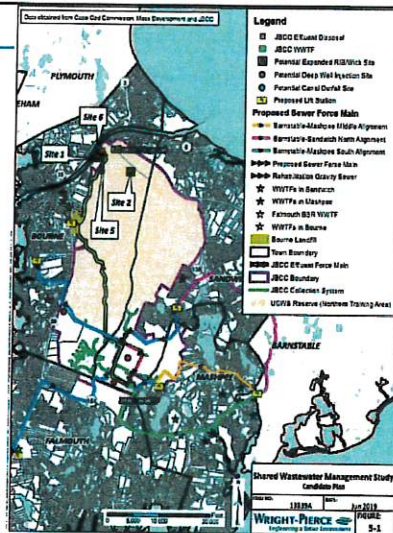
Effluent Disposal Setting

- There is very limited land available for conventional land-based disposal.
- Four effluent disposal options were found to be technically feasible and allowed under MGL (rapid infiltration; wicks; deep well injection; Cape Cod Canal discharge).
- Continue to plan for rapid infiltration, wicks and/or Cape Cod Canal discharge. Consider effluent reuse where practicable.
- Defer consideration of deep well injection disposal into the future.
- JBCC SWMS Effluent Disposal Workshop held in May 2019 which was attended by regulators and interested stakeholders
- DEP indicated their support in a letter issued in May 2019



- Completed an alternatives analysis in 2017 and updated the analysis in 2019.

- o Construct conveyances from each participating town to JBCC SWMS
- o Construct a new WWTF on JBCC
- o Construct additional transport-to-disposal piping
- o Continue effluent disposal at the existing RIB site
- o Construct new effluent disposal at a combination of Site 1, 2, 5 and/or 6.
- o Estimated capital costs in April 2019 dollars:
 - \$154M for the Upper Cape towns
 - \$229M for the Upper Cape towns plus Barnstable
 - Excludes local collection system costs (at JBCC and within individual towns)



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Cost-Effectiveness

- A key factor in evaluating a regional facility is determining whether the regional facility is cost-effective when compared to the other options a community may have.
- To facilitate this assessment, a conceptual cost allocation model was developed for the JBCC SWMS Candidate Plan. A broad assessment of cost-effectiveness was conducted for the Upper Cape towns. At the scale identified in the 2019 Report, the conclusions are:
 - The JBCC SWMS approach appears to be more cost-effective than individual town facilities
 - The JBCC SWMS approach provides sufficient advantages to warrant continued planning.
- Each participant will need to conduct its own detailed assessment of cost-effectiveness and then determine its desired level of participation.
 - It is important to note that if one participant changes its participation level (i.e., whether an increase or decrease), that change impacts the cost-effectiveness for all of the participants (i.e., better or worse). It may take several iterations in order to arrive at the final participation levels.

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Implementation Timeline and Action Items

- If a regional JBCC wastewater system is to come to fruition, it will require a concerted and multi-track effort from Federal, State and local government officials focused on the implementation action items.
 - Planning, permitting, design and construction of the JBCC SWMS could take 8 to 10 years.
- The recommended action items are to:
 - Confirm effluent disposal capacity
 - Confirm cost-effectiveness and commitment level on a town-by-town basis
 - Confirm desired implementation timeline as a group
 - Secure additional funding for planning activities
 - Facilitate a transition from the "existing condition" to the "JBCC SWMS"
- If the towns desire to continue collaborative planning efforts for this opportunity, an inter-municipal agreement would be beneficial and should be considered.

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Peter Meier said Joint Base Cape Cod has a discharge into the canal, Mass Maritime has a discharge into the canal; I am opposed to any expansion where the discharge is going into the canal. If it is that clean why not look at discharging it someplace else.

Mr. Leonard said the process that is being reviewed is to get what is already going into Buzzards Bay out of a not well tidally flushed embayment and putting it into a waterbody that tidally flushed dramatically more. The EPA has a long checklist process. You can't impact the existing uses, which is fisheries, commercial fisheries and recreational fisheries.

Glenn Cannon said this is the end of their grant. Barnstable came in, the four towns are moving ahead in the process. The next step is to take a look at the Comprehensive Wastewater Management Plan. Joint Base Cape Cod is another option we could look at through that plan to see what is available for us to consider in the future.

Tom Guerino questioned from a cost-effective perspective does it make sense for a larger regional plan or a smaller sub-regional plan. Mr. Leonard said you have to compare the economy of scale associated with the size of the treatment and disposal location vs. getting the collective flow to wherever you are going to treat it. If you're TMBL removals are less than 50%/40%-removal range you can probably get away with onsite systems as opposed to sewerage. Each town is going to have to look at what is cost effectiveness for them.

James Potter said possibly this year our Board is going to be looking at studying the south side and sewerage, we can take this into account to decide what is best for Bourne.

Jim Mulvey said he is concerned with turning the canal into a receptacle for a regional outfall. What goes into the treatment plant has to go out. The question is how many millions of gallons of treated effluent would go into the canal within a 24-hour period within one mile. There is going to be millions of gallons going into a limited marine environment.

Mr. Leonard said the report will be finalized hopefully by the end of the week, and we can send it out to the Town Managers to post on the website.

Judy Froman suggested, because the lateness of the hour, postponing the discussion of the Community Engagement Committee to a future meeting. The members agreed.

16) Selectmen's Business

a. Town Administrator Search Committee Charge (Charter)

b. Community Engagement Committee Charge

c. Adopt Overarching Goals for 2019-2020

Judy Froman read from section 4-1 Appointment, Qualification, Term:

The Board of Selectmen shall appoint a Town Administrator Search Committee of not fewer than 5 and not more than 9 residents of the community to assist the Board of Selectmen in the recruitment and selection of the Town Administrator. The Charge is a draft version.

Peter Meier questioned why there is a Chair person and a Clerk and no Vice Chair? Judy Froman said it is a good idea to also have a Vice Chair.

James Potter spoke about the time frame when it will be completed.

Judy Froman suggested to have the Board agree upon the Charge then look into the size make-up of the Committee and whether it should be called a screening committee or a search committee. Only change is to add the Vice chair

Voted Peter Meier moved and seconded by Jared MacDonald to approve the committee charge with the one amendment, add the Vice Chair. Vote: 5-0-0.

Judy Froman said the recommendation is to have 5-7 people on the committee. Some towns have citizen's at large, people from the School Department, variation on Finance/Treasurer. Would like to get a sense on what people the Board would like to have on the Committee and the number of people on the Committee

James Potter suggested 2 Board of Selectmen members, representative from the School Committee, and 4 citizens.

Peter Meier suggested the Board of Selectmen shouldn't be on the committee, because we are creating the committee. I think you will get more people to serve if no Board member is on the committee, would like it to be a true reflection of the community. Want people from the public. This is an opportunity to bring in people who normally don't get involved.

Judy Froman said she would like to honor the process of having a search committee that doesn't necessarily have a Board of Selectmen members. It is a good opportunity to engage people from the public. We have a say who is on the committee and the committee would narrow down to candidates we would consider. If we feel they are not the right match for the job then we have a right to have them redo the search.

Jared MacDonald said a Select Board member could be on the board as a liaison. If we don't like the candidates that are brought forward we can send it back to the committee. The committee should be made up of a person from the School Committee, Finance Committee, a department head, business person from the community, and two open seats for citizens.

George Slade agrees the Board of Selectmen should not be on the committee. We can be part of the decision making when the candidates are brought to the Board.

James Potter said he is concerned with a committee that isn't familiar with what a Town Administrator's responsibilities are. It would be good to have a Board of Selectmen member on the committee for experience for what the Town Administrator's responsibilities are. The committee should be a majority of citizens.

Peter Meier said there may be people that have served, in the past, as Board of Selectmen members on the committee; so some people may have the background and knowledge of what the responsibilities are for the Town Administrator.

Judy Froman said the discussion should be what are some of the skillsets/backgrounds that people should have that are going to be considered for the committee. Someone who has town government experience, someone who has business experience, someone who has finance experience specifically in-town, a school representative, someone who has knowledge on what the regulation are and what the state laws are, government focused. That is 5 types of people. We could go out and solicit people to put in a letter of interest to serve on the committee.

George Slade said we could solicit people but we shouldn't pick specific people; we should have it as independent as possible. Peter Meier said he would like to see who applies. Judy Froman said we can look at who steps forward and has an interest in being on the committee. Ms. Froman questioned should it be a committee of 5 or 7. The Board members agreed that 7 members is a good number for the screening committee

Voted Peter Meier moved and seconded by Jared MacDonald to have 7 members to serve on the search committee. Vote 5-0-0.

Judy Froman said we need to get the word out about the charge, and the process. Tom Guerino said letters of interest should go to the Health Agent. Mr. Guerino suggested if the applications are due in by the 28th, the letters be in by the close of business on the 19th. The Select Board will have 24 hours to review them.

Judy Froman said we can reach out to people that have shown interest and send them the Charge for the committee. It will be posted on the website. Suggested it be put in the papers.

16.C. Adopt Overarching Goals for 2019-2020

Judy Froman said we need to put something together as the overarching goals. The following goals are overarching goals for the Board and the Town. Town staff and the Board members are identifying tasks and timelines to be reviewed in September 2019.

1. To hire a Town Administrator by September 30, 2019.
2. To improve the user-ability, organizational structure, and timely posting on the town website. This is an ongoing goal due to its dynamic nature. Monthly goals to be identified and met.
3. To develop a town-wide unified economic growth plan with a five-year implementation plan.
4. To establish a multi-year financial and strategic plan involving a priority-based process by May 2020.
5. To prioritize town policies identifying those needing to be written as well as ones to be reviewed establishing quarterly goals.
6. To implement recommendations from financial audit regarding IT process and security to be completed by May 2020.
7. To improve Town infrastructure with quarterly accomplishments.
8. To develop a unified Board Social Media Presence by January 2020.
9. To implement environmental benefits and improvements with quarterly goals.

Tom Guerino suggested under goal 3 to change the wording to make it a 5-year implementation program, and also said 9 goals is a lot.

James Potter said the Board talked about having a facilities person as a goal. Judy Froman said that falls under to improve town infrastructure; suggested to change it to - To improve town infrastructure and facilities operations with quarterly accomplishments. This also has to do with Town staff and what their ideas are for attaining these goals and benchmarks related to the goals. Ms. Froman said this will come back to the Board at one of our workshops so we have a benchmark plan for each of the goals: identify action steps, personal responsible, timeline, communication, risk management, resources needed and the status update. This will be posted on the town website

Voted Jared MacDonald moved and seconded by Peter Meier to approve with the changes.

George Slade said this relates to infrastructure.

George Slade handed this to the Board members.

Goal - To create a balanced approach to making tax burden more equitable in FY 2020 for condominium (>4) citizens' groups and private road abutters. For little or no financial impact on

the town budget, the DPW would offer a) snow removal, b) trash / recycling and c) road repair services.

The cost of providing these services will be offset by payments from condominium (>4) citizens' groups and private road abutters. This will be feasible only in cases where the cost of hiring private contractors exceeds the cost of having the town resources which are already mobilized. It will have the benefit of improving the overall appearance of town in the form of the conditions of roads, improved access for all residents during snow/ice events and consistency in trash/recycling collection services.

Action Steps	Person(s) Responsible	Timeline	Communication	Risk Management	Resources Needed	Status Update
1. Identify a working group consisting of finance and DPW staff. Can anticipated value be determined?	Finance and DPW staff	9.30.19	Solicit assistance from groups with info about condominium services and unaccepted roads	Make sure participants are dedicated and aligned to end product	Select prototype from neighboring towns or situations from town of Bourne.	
2. Working group identifies generally what works, what could be improved from existing situation in Bourne.		10.31.19	Develop standards that will be recorded for future use when implemented. Determine that cost of providing above services will have sufficient value	Becoming unfocused; be sure end product is determined	Consider engaging a consultant for guidance	
3. Require residents to form liaison with town finance and DPW		1.31.20	Determine needs for: <ul style="list-style-type: none"> • Billing Structure • Ground rules • Expected deliverables 	Periodic checks and tests to avoid unintended error(s)	Use Scraggy Neck snow removal as a template	
4. Update BoS on findings and recommendations. Hold discussion.		4.30.20	Will there be an impact on budget or staff resources?	Project will not have a monitor		
5. Assign equitable pricing		5.31.20	Are ground rules in place? Expected deliverables can be provided?	Ongoing resources – budget item	Long term maintenance plan. Who will take ownership?	

6. Plan roll out for FY21		6.30.20	Seek feedback to ensure improvements are noticeable and have value	Possible failure to meet goals	Roll out increments or at end	
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Vote: 5-0-0.

17) Town Administrators Report

a. Town Department Organizational Chart

b. National Marine Life Center update

c. New Hire – Town Clerk

Tom Guerino said 17.a. can be discussed at the next meeting.

Tom Guerino said relative to the Marine Life Center; had an initial meeting with the Executive Director to set the framework for further discussions, next week the Chair and I will meet with the Director, her Chair, and one other member of their Board to start putting together a plan; come back to this full Board for review and discussion.

18) Correspondence

George Slade brought the Board and the public up to date on the correspondence

- A. Lois Carr submitted letter of retirement as Council on Aging Coordinator effective November 15, 2019
- B. Katherine Kiritsis submitted letter of resignation from the Bourne Recycling Committee effective July 12, 2019
- C. Beverly Armando submitted letter of interest to serve on the Board of Council on Aging.
- D. Stephen Mealy submitted letter of interest to serve on the Town Administrator Search Committee.
- E. Division of Marine Fisheries
 - Shellfish Transplant Closure – Barlow's Landing
 - Seasonal Status Change – Open to Shellfishing: Wychunas Avenue
- F. Cape Cod Commission Hearing Notice to take testimony on whether to amend the Cape Cod Commission Local Comprehensive Plan Regulations – July 25, 2019.
- G. Letter from Randy & Amy Butt regarding deplorable water quality of Hen's Cove and Barlow's Landing in Pocasset.
- H. Executive Office of Housing & Economic Development regret to inform the town of Bourne's Pocasset River and Little Bay Maintenance and Improvement Dredging Project was not selected for funding in the 2019 Grant Round.
- I. Independence House, Inc. – Quarterly Statistics April – June 2019.
- J. Letter from Massachusetts Historical Commission regarding Aptuxet Trading Post, Bourne, MA.
- K. Gosnold submitted FY 2019 Final Report for period covered July 1, 2018 – June 30, 2019.

- L. Letter from Richard Gurnon requesting a "No Right Turn" be installed on Perry Avenue at the road existing new hotel.

Tom Guerino wanted to acknowledge the work that Lois Carr has done. Mr. Guerino said regarding Admiral Gurnon's letter relative to the No Right Hand Turn, I have already asked the Chief of Police to look into that.

Peter Meier spoke about having another National Night Out, it has been a few years since we have done that.

19) Adjourn

Voted Peter Meier moved and seconded by Jared MacDonald to adjourn. Meeting adjourned at 10:11 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.