

**Board of Selectmen  
Minutes of Tuesday, February 18, 2020  
Bourne Veterans' Memorial Community Center  
Buzzards Bay, MA**

.....

TA Tony Schiavi  
ATA Glenn Cannon

**Selectmen**

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

RECEIVED  
2020 APR -9 AM 9:45  
TOWN CLERK BOURNE

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 for review, discussion and possible vote on the following Executive Session Minutes: 08.28.19; 09.10.19; 10.01.19; 12.17.19.**

**Motion to enter into Executive Session to conduct strategy in regards to negotiations with respect to real property, specifically the Barnstable County Land located at 0 County Road.**

**Motion to enter Executive Session to conduct strategy related to Town of Bourne and Town of Bourne Fire Chiefs Local 1717 International Association of Firefighters.**

**The Chair has declared that an open meeting may have a detrimental effect on the position of the public body with respect to the purposes stated above.**

**As necessary, the Chair will call for votes during the Executive Session and report out any actions taken by the Board.**

**The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.**

**Roll call vote to convene in Executive Session for the purposes stated.**

**Roll call vote to reconvene in public session**

Madam Chair Froman called the meeting to order.

**The Chair will report out any votes taken during the Executive Session**

Chair Froman stated they voted in favor to have the Executive Session Minutes: 08.28.19 to be accepted, disclosed and sent to the Records Access Officer; the vote was 4-0-0.

Voted in favor to have the Executive Session Minutes: 09.10.19 to be accepted, disclosed and sent to the Records Access Officer; the vote was 3-0-1. James Potter abstained.

Voted to have the Executive Session Minutes: 10.01.19 to be accepted, and withheld from disclosure and sent to the Records Access Officer; the vote was 4-0-0.

Voted to have the Executive Session Minutes: 12.17.19 to be accepted, and withheld from disclosure and sent to the Records Access Officer; the vote was 3-0-1. Jared MacDonald abstained.

No other votes were taken during Executive Session.

**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: 10.28.19; 02.10.20 (Joint Meeting with Finance Committee)**

**Voted:** Jared MacDonald moved and seconded by George Slade to approve the minutes from October 28, 2019. Vote: 4-0-0.

**Voted:** Jared MacDonald moved and seconded by James Potter to approve the Joint meeting with the Finance Committee minutes from February 10, 2020. Vote: 4-0-0.

**7) License/Permits/Appointments**

- a. **One Day Entertainment License for Mahoney's on Main, LLC for March 17, 2020**
- b. **Discussion and Possible vote on a Non-Binding Ballot question relative to the Pilgrim Nuclear Power Station.**

Mahoney's on Main, Vincent Mahoney, manager; 57 Main Street Buzzards Bay, MA 02532. Requesting a 1 Day Entertainment License for March 17, 2020; Type: Entertainment – Irish Musician; Hours of operation 3PM – 9PM; Seating Capacity 99. Remarks: Sewer Commissioners – Property connected into sewer system.

Vincent Mahoney, owner Mahoney's on Main, said he is looking for a one-day permit Entertainment License for March 17, 2020, start at noon and entertain until 9PM; 2-person band and Irish step dancers.

**Voted:** Jared MacDonald moved and seconded by James Potter to approve a 1-day entertainment license, food, musician, between the hours of 3PM to 9PM at Mahoney's on Main, LLC for March 17, 2020, occupancy not to exceed 99 people.

Vincent Mahoney questioned the start time, and stated he will start at 3:00 PM.

**Vote:** 4-0-0.

- b. **Discussion and Possible vote on a Non-Binding Ballot question relative to the Pilgrim Nuclear Power Station.**

Judy Froman said the Pilgrim Nuclear Plant wants to know if people want to have an increase in security for the decommissioning and post decommissioning.

Ms. Froman suggested this be put on another agenda to be able to have a discussion with the requestor.

**Workshop**

1. Review, discuss and possible vote the Board of Selectmen Right of First Refusal for 274 Williston Road
2. Review and discussion Police Station and Hoxie School reuse
3. Review and discussion applying Community Preservation Funds to Private Historic Structures
4. Review and discussion the Town Charter and the process of forming a Charter Review Committee
5. Mass DOT exit renumbering project
6. Adjourn

Tony Schiavi said the direction from the last discussion was to reach out to Open Space, Affordable Housing Trust, Bourne Land Conservation Trust, to see if there was any interest in the purchase of the property.

Heard back from Bourne Land Conservation Trust and they are not interested. The Bourne Affordable Housing Trust said they are also not interested. The Open Space Committee talked about this property twice. They have no objection if the Board of Selectmen allows the land owner to remove the parcel from the Chapter 9 status. We don't have a formal vote from them because the night that they voted they did not have a quorum.

If the Board votes to not exercise its right of first refusal the taxes that would be owed would be approximately \$14,666 as part of the transaction to come out of Chapter 9.

**Voted:** Jared MacDonald moved and seconded by James Potter to wave the Town of Bourne first right of refusal for the property located at 274 Williston Road, Sagamore, and further to authorize the Board of Selectmen to execute a notice of non-exercise or option to purchase this land pursuant to General Laws Chapter 61B Section 9.

Vote: 4-0-0.

## **2. Review and discussion Police Station and Hoxie School reuse**

### **Police Station**

Tony Schiavi handed out the draft facilities assessment from Dude Solutions for the Police Station. The areas exterior envelope, interior architecture, mechanicals, accessibility, and ADA Compliance were rated good, fair, or poor. The majority were fair or poor. There was a cost breakdown that was included.

We need to determine what is the best potential reuse of the facility or do we fold it into a sale to a private developer to take the building down and do something else on that parcel. My recommendation is we do not turn it into parking. Looking at both parcels, the police station parcel and the parcel with the fuel depot. Glenn and I are getting ready to have meetings with some of the state development organizations, to talk about some of the possibilities and get ideas. We would like to develop some ideas and bring those back to the Board.

## APPENDIX A - FACILITIES EVALUATIONS

<b>FACILITY:</b>
Police Department
<b>BUILDING ADDRESS:</b>
<del>85 Cotuit Road</del> 175 Main Street
<b>BUILDING USE:</b>
Police Department
<b>BRIEF DESCRIPTION OF FACILITY</b> <small>(age, additions or alterations, general characteristics)</small>
<p>The Police Station includes a two story brick building with concrete basement and an adjacent parking lot for approximately 30 vehicles.</p> <p>The building was constructed in 1957 as a single story structure including a three bay garage. The second floor was added in 1974.</p> <p>The building's main entrance is ADA accessible, however internal circulation and hallways are inefficient and only public spaces are ADA compliant. The building has no elevator and the second floor is only accessible by a single interior stairway.</p> <p>The east wall of the building leaks during high wind and heavy rain. The basement floods in heavy rain. The building and the entire property is located within the mapped flood plain.</p> <p>Many spaces have been adapted over time to meet the changing needs of the Police Department.</p> <p>The building does not have sufficient storage space. Currently the Police Department relies on an exterior storage container and internal spaces not designed for storage of critical materials.</p> <p>The building does not have a fire suppression system.</p>
<b>SITE AREA:</b>
0.8 Acres
<b>HEIGHT (STORIES):</b>
2 stories and a basement
<b>GROSS BUILDING AREA:</b>
8,188 SF
<b>DATE OF REVIEW:</b>
October 17, 2008
<b>NOTES BY:</b>
Ryan Lawlor

ARCHITECTURE	DESCRIPTION	CONDITION			REPAIRS NEEDED	ESTIMATED REPAIR COST (if available)
		Good	Fair	Poor		
<b>Exterior Envelope</b>						
Materials	Brick			X	Walls leak into detective's office and roll call room	
Doors	Aluminum and wood doors		X			
Windows	Glass and wood with metal screens			X	Interior sills rotted, window's leak, cannot open	
Roof	Flat rubber – main building new in 1998, garage roof new in 2003	X				
<i>Other:</i>						
Fire Escape	New in 2006, estimated cost of \$10,000.	X				
<b>Interior</b>						
<i>First Floor</i>						
Roll Call Room	Poorly suited for use: wall leaks in heavy storms, inadequate size			X	Wall leaks, water damage on ceiling, walls and floor repaired, reconfiguring of space needed	
Detective's Office	Wall leaks in heavy storms, inadequate size 4 detectives share 3 desk in 12.5 x 12.5 room			X	Wall leaks and water damage on ceiling walls and floor repaired, additional space required	
Booking Room	Adequate and appropriate use of space.		X			
Women's Locker-room	At capacity - if any additional female officers join the Police Force, the lockers will be shared.			X		
Holding Cells, Male	Insufficient storage for detainees. Currently personal items are stored in transfer space.			X		
Holding Cell, Female	Inadequate ventilation, insufficient storage for detainees personal items in transfer space			X	Improve air circulation and additional storage space required	
Juvenile Detention Room	Insufficient storage for detainees personal items in transfer space			X	Improve air circulation and additional storage space required	



ARCHITECTURE	DESCRIPTION	CONDITION			REPAIRS NEEDED	ESTIMATED REPAIR COST (if available)
		Good	Fair	Poor		
Dispatch Room with Public Call Window	2 dispatch stations, inadequate space for personnel and computer equipment, inadequate ventilation			X		
Public Waiting Area	Poorly located for use – in hallway at foot of stairs.		X			
Waiting Area Male Restroom	Not ADA compliant – no hand rails in stall			X	Provide hand rails	
Waiting Area Female Restroom	ADA compliant		X			
911 Equipment Room	Former storage closet, needs specific ventilation			X	Provide specific ventilation system for computer equipment	
Library/Interview Room	Table and chairs, bookcase and books		X			
Sergeants' Office	Single common desk, adequate size, storage at capacity			X	Additional space required	
Court Offices	Single common desk, office too small			X	Additional space required	
Long Term Storage (old holding cell)	Inappropriate use of space, dehumidifier required, at capacity as long term storage		X			
3 Bay Garage	Cement floors, CMU walls, unfinished ceiling		X			
Garage Storage Room/ Back-up Generator Room	Houses emergency generator and outdoor equipment (saw horses, etc)			X	Separate space for emergency generator and better organization for storage purposes	
Secretaries Room	Adequate and appropriate use of space. Windows are rotting and cannot open		X			
Office Supply Room	Appropriate use of space - at capacity (cannot over fill, main egress path to fire escape)		X			
Janitor Closet	Exposed electrical wiring and janitorial supplies			X	Cover exposed wires	
Lieutenant's Office #1	Adequate and appropriate use of space.		X			
Lieutenant's Office #2	Adequate and appropriate use of space.		X			

ARCHITECTURE	DESCRIPTION	CONDITION			REPAIRS NEEDED	ESTIMATED REPAIR COST (if available)
		Good	Fair	Poor		
Chief's Office	Large office, but used appropriately to maximize space.		X			
Chief's Secretary's Office	Adequate and appropriate use of space.		X			
<i>Other floors/ basement</i>						
Men's Locker-room	Close to capacity. No visible repairs required.		X			
Restroom	Run down condition			X	Renovation required	
Storage Room	Floods in heavy rains			X	New floor and drainage system	
Firing Range	Used for storage of criminal evidence (drugs, weapons and items of high value)			X	Separate storage for evidence is required	
<b>Accessibility</b>						
Accessible entrances	Main entrance is accessible via ramp		X			
Accessible restrooms	First floor public waiting area restrooms: Female - Yes; Male - No (needs hand bars in stall)				Male restroom requires hand bars in stall to comply with ADA code	
Accessible vertical circulation	None					
<b>Structural System</b>	No visible or reported problems.					
<b>Mechanical System</b>						
HVAC	HVAC System designed for single story building, second floor heat is inconsistent. Heating system discharges soot and mold, officers have covered several vents due to this.			X	Heating system upgrade to improve efficiency and health concerns	



ARCHITECTURE	DESCRIPTION	CONDITION			REPAIRS NEEDED	ESTIMATED REPAIR COST (if available)
		Good	Fair	Poor		
Air Conditioning	AC System designed for a single story building. Second floor is cooled by window units in every room. First floor system is not zoned appropriately for cooling of 911 and dispatch computer equipment.			X	Centralized Air Conditioning is required. Separate zone for 911 equipment and dispatch room due to computer equipment	
Emergency Generator	Emergency generators are approximately 30 years old			X	Has insufficient capacity for current station energy needs	
<b>Electrical System</b>	Panels in fair condition, located in exposed area of Men's Locker-room		X			
<b>Plumbing System</b>	Municipal sewer system tie in. New sewage pump installed in basement in 2007, at an estimated cost of \$10,000.	X				
<b>Fire Protection System</b>	The building does not have a fire protection system. There are two fire extinguishers located on each floor.			X	Fire suppression system for whole building	
<b>Life Safety Systems</b>	One set of defibrillators is located in the building, and each of the five patrol cars has one set of defibrillators.	X				
<b>Site Improvements</b>						
Parking Spaces	The police station has approximately 35 parking spaces in an unsecure adjacent parking and behind the building. The available parking is insufficient for staff when shifts change.		X			
Loading/Service	Garage functions as loading area.		X			
<i>Exterior Features</i>						

ARCHITECTURE	DESCRIPTION	CONDITION			REPAIRS NEEDED	ESTIMATED REPAIR COST (if available)
		Good	Fair	Poor		
Fueling Station	New in 2005, estimated cost of \$25,000 split between police, fire and maritime services.	X				
Perimeter Fence	New in 2006, estimated cost of \$8,000.	X				
Exterior Storage Container	Lack of internal storage space requires exterior storage container in the parking area for valuable confiscated public property.		X			
Other Comments						

Suggestion for that lot were maybe a food market, public or private or public/private project, storefront, mixed use, workforce housing.

Ms. Froman briefly read for the audience to understand the rules and regulation for the Public Auction of Land.

### **Hoxie School**

Tony Schiavi spoke about the aerial view of the Hoxie School. The 2008 Assessment had the architectural parts of the building and the ratings which cover the exterior envelope, interior architecture, structural, mechanicals, everything was in the fair to poor category. It has come back to the Town as town owned property.

<b>FACILITY:</b>
Ella F. Hoxie Elementary School
<b>BUILDING ADDRESS:</b>
30 Williston Road
<b>BUILDING USE:</b>
Elementary School
<b>BRIEF DESCRIPTION OF FACILITY</b> <small>(Age, additions or alterations, general characteristics)</small>
<p>The Ella F. Hoxie Elementary School is a single story wood building with an attached gymnasium. The school was built in 1909 and the gymnasium was added in 1945. The building is in fair condition.</p> <p>The facility has an adjacent baseball field, soccer field, and play ground.</p> <p>The building has historical significance within the Town.</p> <p>Only the gym is ADA accessible.</p>
<b>SITE AREA:</b>
4.1 Acres
<b>HEIGHT (STORIES):</b>
1 story and basement
<b>GROSS BUILDING AREA:</b>
23,956 SF
<b>DATE OF REVIEW:</b>
October 27, 2008
<b>NOTES BY:</b>
Ryan Lawlor

ARCHITECTURE	DESCRIPTION	CONDITION			REPAIRS NEEDED	ESTIMATED REPAIR COST (If available)
		Good	Fair	Poor		
<b>Exterior Envelope</b>						
Materials	Wood shingles					
Doors	Metal					
Windows	Wood and Glass				Windows need replacement. Some windows do not open.	
Roof	Asphalt shingles					
Other:						
<b>Interior</b>						
<b>First Floor</b>						
Administrative Offices	Adequate and appropriate use of space.					
8 Classrooms	Adequate and appropriate use of space.					
Gymnasium	Adequate gym and auditorium with stage. Only portion of building which is ADA accessible.					
Nurse's Office	Restricted access to space.					
<b>Second Floor</b>	N/A					
<b>Basement</b>						
Male and Female Restrooms	Not ADA compliant. Built for students.					
Faculty Supply Room	Very small use of space. Inappropriate use of space.					
Cafeteria	Appropriate use of space.					
Custodial Room	Appropriate use of space.					
Storage Crawl Space	Space not designed for use, but best use of space. Occasional leaks.				Repair leaks	
Faculty Room	Appropriate use of space.					

ARCHITECTURE	DESCRIPTION	CONDITION			REPAIRS NEEDED	ESTIMATED REPAIR COST (If available)
		Good	Fair	Poor		
Administrative Office	Appropriate use of space.					
Boiler Room	Furnace is new in last 6 years.	X				
<b>Accessibility</b>	The gymnasium is ADA accessible, but there is no ADA access to the rest of the building.		X			
Accessible entrances	The building has an ADA entrance to the gymnasium. However the main portion of the building does not have accessible entrances.			X		
Accessible restrooms	None					
Accessible vertical circulation	None					
<b>Structural System</b>	The building has a wood frame. There are no visible or reported problems.					
<b>Mechanical System</b>						
HVAC	New furnace installed in approximately 2003 with two zone heating.					
Air Conditioning	None					
<b>Electrical System</b>	Electrical upgrades were made to classrooms to accommodate computers.					
<b>Plumbing System</b>	No hot water in Nurse's Office. Low water pressure throughout the building.				Water pressure and temperature consistency should be repaired.	
<b>Fire Protection System</b>	The building does not have a fire sprinkler system. Fire extinguishers are present throughout the building.					



ARCHITECTURE	DESCRIPTION	CONDITION			REPAIRS NEEDED	ESTIMATED REPAIR COST (If available)
		Good	Fair	Poor		
<b>Life Safety Systems</b>	Two defibrillators and several first aid kits are located within the building.	X				
<b>Site Improvements</b>						
Parking Spaces	Approximately 25 parking spaces.					
Loading/Service	Deliveries are brought through the side door. Most deliveries are small packages.					
<b>Exterior Features</b>						
Playground						
Soccer Field						
Baseball Field						
Basketball Court						
<b>Other Comments</b>						

Barry Johnson gave a brief overview of the history of the building and how the town ended up with the building again. There was a reverted clause in the agreement so that is how the town ended up with the building again.

There is a line item total of \$244,424.64 as far as an overall balance available for funding of the Hoxie School type project. Those funds were dedicated to a certain project, less than a year ago there was some discussion of putting out a request for proposals to dispose of the property; under Chapter 30B Section 16 Disposition or acquisition of real property. If the Board is going to take a position that they want to dispose of it, we cannot use those funds to do that. The only charges that have been coming out of that article is a heating bill to keep a little heat in the building to stop mold.

The CPC is revisiting the status of all the projects, and this is one of those projects. If these funds are not going to be used they need to go back, by vote of Town Meeting, into the source of the funds of which it came; that would be the historical line item. Will be putting an article in the Annual Town Meeting, stating the project, give the balance, and where it should go back to, the CPC fund. The Board has to decide if they want a project sponsored by the town, or will it go back out on the street for possible disposition.

James Potter said the Board would not use the funds for CPC, because that was for a specific project. The Board members agreed the money can go back to the CPC.

James Potter said that is a great candidate for a public private partnership. If no one wants the building, it does have a lot of good types of materials that could go into a lot of historical projects in New England.

Questioned whether to keep the ballfield separate or combining the ballfield lot with the Hoxie lot, and what could be done with the ballfield.

### **3. Review and discussion applying Community Preservation Funds to Private Historic Structures**

Barry Johnson said in the packet of the CPC application there is a basic contract of how much you want that outlines the projects.

Placing restrictions on historic resources is a voluntary legal agreement that protects the significant archaeological and cultural resource. The Town can decide if they want a Bylaw. The renovations must require properties to comply with secretary of the interior standards rehab. In the covenants you would spell out activities such as the demolition of the building, describe the review process required for any exterior alterations, and baseline documentation that illustrates the properties historic significance to the town. Have examples of historic restrictions.

The Bylaw could be generated by the Historic commission, and could be assisted by the Cape Cod Commission.

#### **4. Review and discussion the Town Charter and the process of forming a Charter Review Committee**

Tony Schiavi read an excerpt from Charter Section 8.1 Charter Changes, under B. At least once every 5 years a special committee shall be appointed by the board of selectmen to review the charter and make a report to the town meeting concerning any proposed amendments or revisions which the committee deems necessary. The committee shall be appointed immediately following an annual town meeting and shall make its report at the next annual town meeting.

It doesn't dictate the size. The Charge is important, regarding what the Board wants the committee to look at. They should report back to the Board. We can give parameters to the committee. It should be put out for people to apply. We can frame the tasks and the charge, then after Town Meeting we can appoint members.

Between now and our next meeting we need to make sure we re-review the Charter and if you think there is something that is urgent that needs to happen right away you need to bring it forward, if not it can be combined with the five-year review.

James Potter suggested the Charter review be every 10 years.

Audience member questioned the difference between the Charter Review Committee and the Charter Commission.

#### **5. Mass DOT exit renumbering project**

They are having a meeting on Feb 25<sup>th</sup>.  
Whether we want to make any suggestions on changes.  
Renumbering project for route 6

James Potter said it would be worth having a discussion whether to send a letter to Mass DOT, stating we would like to have input on the signs. Suggest we have Bourne with the village underneath it on the signs.

Draft a letter and have the Town Administrator send it to Mass DOT.  
Would like better representation of the Town of Bourne on the signs.

#### **6. Adjourn**

**Voted** Jared MacDonald moved and seconded by James Potter to adjourn. Vote 4-0-0.

Respectfully submitted – Carole Ellis, secretary.  
From thumb drive.