

**Board of Selectmen
Minutes of Tuesday, March 17, 2020
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

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TA Tony Schiavi
ATA Glenn Cannon

Selectmen

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

2020 APR 24 PM 12: 59
TOWN CLERK BOURNE

RECEIVED

Due to the COVID-19 State of Emergency, The Board of Selectmen is CLOSING this meeting to the public. This meeting can be viewed on Bourne TV. Thank you for your understanding.

Note this meeting is being televised and recorded.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

Documents:

6:30 p.m. Call Public Session to order in Open Session

Madam Chair Froman called the meeting to order.

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.

5) Election Warrants: Signing of Senatorial Warrant for the Special Election on March 31, 2020

Tony Schiavi updated the Board on the Election. As of right now all the polling locations in Bourne are closed to the public. Not sure if we have the manpower to perform the election, many of our poll workers are in the category of concern with COVID-19. There is, in the works since you need a court order from a judge, to move the election; all the town clerks that are involved have signed off to agree to move the March 31st election to a future date when it is safe to hold the election.

Barry Johnson said all the town clerks in the district have signed off on postponing the election. Seeking a court order to change/postpone the election date; Falmouth Town Counsel will file that order. Don't know if we'll have enough people to hold an election, asking for a waiver to have a skeleton crew.

Voted: Peter Meier moved and seconded by Jared MacDonald to sign and approve the Warrant for the Special Election for Senator in the General Court for the Plymouth and Barnstable Senatorial District to be held on March 31, 2020. Vote: 5-0-0.

6) 2020 Seasonal Population Increase Estimation for the Alcoholic Beverages Control Commission as of July 10, 2020

Tony Schiavi said every year we need to inform the ABCC what our seasonal population is under M.G.L Chapter 138 Section 17. Our typical population is around 20,000 our seasonal population is around 40,000 people. Recommend the Board vote to send this letter to the ABCC with an estimated population of 40,000 as of July 10, 2020.

Voted: Jared MacDonald moved and seconded by George Slade under the authority contained in M.G.L. Ch. 138 Section 17, as amended, the Board of Selectmen voted at a meeting held on March 17, 2020 to estimate that the seasonal resident population of the Town of Bourne as of July 10, 2020 to be 40,000. Vote: 5-0-0.

7) Renewal of the Seasonal Common Victualer License for the sale of all kinds of All Alcoholic Beverages, Common Victualer Food and Entertainment Licenses for Jarvis, Inc. d/b/a Chart Room

Voted: Peter Meier moved and seconded by Jared MacDonald to approve the renewal of a Seasonal All Alcoholic Common Victualer License for the sale of all kinds of alcoholic beverages for calendar year 2020 to Jarvis Inc. d/b/a Chart Room Shipyard Lane 997 Shore Road, Cataumet. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to approve the renewal of a Sunday and Weekday Seasonal Entertainment License for the calendar year 2020 to Jarvis Inc. d/b/a Chart Room Shipyard. Lane 997 Shore Road, Cataumet. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to approve the renewal of a Seasonal Common Victualer (Food) License for calendar year 2020 to Jarvis, Inc., d/b/a Chart Room, Shipyard Lane, 997 Shore Road, Cataumet. Vote: 5-0-0.

8) Renewal 2020 Seasonal Common Victualer Food Licenses

- a. Somerset Creamery Inc.
- b. Seafood Shanty
- c. Whistle Stop

Voted: Jared MacDonald moved and seconded by James Potter to approve the renewal of the following Season Common Victualer Food Licenses for the calendar year 2020: Somerset Creamery, Inc., d/b/a Somerset Creamery, Jason Berube; Manager, 1268, Route 28 Cataumet; Seafood Shanty, Inc., Tish Economides, Manager; 803 Scenic Highway, Bourne; D & P Myers Enterprise, LLC, d/b/a Whistle Stop Ice Cream Shop. Wanda Myers & Don Myers, Managers, 430 Shore Road, Monument Beach. Vote: 5-0-0.

Workshop

1. **Discussion with Bourne Fire Fighter Union regarding fireworks for use of Town Property on July 5, 2020.**
2. **Discussion and possible vote on a non-binding resolution on Climate Change that would be included in the Town Meeting Articles**
3. **Discussion and possible vote on Annual Town Meeting Articles**
4. **Discussion and possible vote to declare a Declaration of Local Emergency or any other votes relative there to.**
5. **Adjourn**

Judy Froman would like to consider having item number 4 to be the first item to discuss.

Voted George Slade moved and seconded by Jared MacDonald to take item 4 out of order. Vote: 5-0-0

4. **Discussion and possible vote to declare a Declaration of Local Emergency or any other votes relative there to.**

Tony Schiavi said over the past few weeks we have seen a rapid acceleration of different responses as a result of COVID-19 and working to slow the spread of the disease in the United States. The Federal Government declared a national emergency. Followed by the declaration of state of emergency by the Governor. Followed by the declaration of emergency by the Local Barnstable County.

There are a number of different things that have affected our operations of government, primarily surrounding the gatherings of people and social distancing. School have been closed through April 7th.

On Sunday the Governor closed all restaurants and other sit-down establishments that serve food for any on premise dining.

We want to focus on the most important thing, for us right now, which is to keep our government operating. If people start to lose faith in our ability to provide services, it's not

healthy for our community. We want to insulate our employees and staff and public safety as much as we can, to make sure we can keep operating.

We are working on how to take the next step, how to interact with the public in a safe manner for people that need to pick up documents, people that need to file documents, issuing permits, doing inspections. We want to keep the economy going as best as we can in a safe manner.

As it relates to Boards and Committees we have closed these meetings to the public.

We may get to a point where we will need to send nonessential personnel home and telework, so we can still make decisions and actions on behalf of the town.

Public Safety is still on duty

The Governor filed legislation that is going through the process right now, to provide municipalities flexibility so we can continue to make good decisions.

As we look at an extended period of time, in this type of setting, is how do we allow those essential Boards and Committees to being able to accomplish the governmental necessity part of business, how do we establish procedures and protocols for them. Asking the Boards and Committees, for at least the next few weeks, unless there's some governmental necessity to meet, is to postpone those meetings so we have time to put those procedures and protocols in place. Ex. Public hearing require public input.

Recommendation is for the Board to declare a local emergency. If we are declared a state of emergency, our next discussion will be Town Meeting and what is the best and proper way to prepare for a Town Meeting.

Judy Froman read the declaration.

Town of Bourne Massachusetts Board of Selectmen Declaration of Emergency

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and the Commonwealth significantly affect the life and health of our people, as well as the economy, and is a disaster that impacts the health, security, and safety of the public; and

WHEREAS, the Governor of the Commonwealth of Massachusetts has issued a Declaration of Emergency on March 10, 2020, and determined that the immediate public action is needed to prevent, minimize, or mitigate damage to public health, safety, or general welfare of the people of commonwealth and/or property which may otherwise result from the above described emergency; and

WHEREAS, the Governor of the Commonwealth of Massachusetts has recommended that a State of Emergency be declared in local communities; and

WHEREAS, the people of the community of Bourne should be able to depend upon guidance from their Chief Municipal Officials;

NOW THEREFORE, We, the Board of Selectmen of the Town of Bourne, Massachusetts, hereby declare that immediately, and effective as of Tuesday, March 17, 2020, a State of Emergency is declared to exist in Bourne. This Declaration of Emergency shall remain in effect until notice is given, pursuant to our judgment that the State of Emergency no longer exists.

Voted: Jared MacDonald moved and seconded by Peter Meier to declare a Declaration of Local Emergency effective March 17, 2020. Vote: 5-0-0

Judy Froman suggested to take item 3, Discussion and possible vote on Annual Town Meeting Articles as the next item to discuss.

Voted: James Potter moved and seconded by Jared MacDonald to take item 3 as the next item to discuss. Vote: 5-0-0

3 Discussion and possible vote on Annual Town Meeting Articles

Tony Schiavi said the Annual Town meeting warrant closed on Friday. The Special Town Meeting warrant is set to close on the 24th. The Governor is setting the stage to provide additional relief from what's in the current statute Chapter 39 Section 10 as related to the moderator's ability to declare and recess Town Meeting to a date in the future. Currently it is set at 30 days. It is based on an issued warrant one that has been published, and right now we don't have a published warrant.

My suggestion is since the Board hasn't issued a warrant yet, and based on the declaration of local emergency, that the Board also decide to delay the issuing of the warrant until such time as the emergency abates and we are allowed to set a date for Town Meeting with some assurance that it will actually be able be conducted.

It will provide a relief for us so we can focus on the emergency at hand (COVID-19) and keeping local government working.

Barry Johnson recommended, if possible, the earliest would be June 1st and 2nd. The following week there are staffing issues. Mr. Johnson spoke about electronic voting; our time slot is set for May 4th & 5th. There is a concern with the use of the electronic devices and sanitation issues. Maybe we can forgo using the devices for this Town Meeting. Need a decision because I have to put out an RFP to get the proper electronic voting in place.

Tony Schiavi said if the Board decides to take this approach we would draft a statement from the Board to the Community that states based on the declaration of local emergency and the impact that it has on the directed day for Town Meeting the Board is delaying issuing the warrant because of that emergency to a date to which it know it can be conducted safely and with the maximum participation as possible once the emergency is lifted.

Barry Johnson spoke about the process for local nominations/elections.

Voted: Peter Meier moved and seconded by Jared MacDonald to delay the issuance of the Annual Town Meeting Warrant based on the declaration of emergency until such time as the state of emergency no longer exists and the warrant can be issued with an orderly transition to Town Meeting; and direct the Town Administrator to develop a statement to be reviewed by the Chair and Town Counsel for issuance. Vote: 5-0-0

Judy Froman suggested to let the Staff and Board Members go home and address the other two topics at another time, because these two items are not urgent as of today.

2. Discussion and possible vote on a non-binding resolution on Climate Change that would be included in the Town Meeting Articles

George Slade said we should be acting as a group within the County of Barnstable. We have a significant amount of coastline. By standing with our fellow towns to show there is some degree of solidarity.

Be it resolved that the Town of Bourne, which respects the environment, especially it's 50+ miles of coastline, recognizes that the climate emergency, driven at least partially by human activity including energy consumption.

There are two issues, whether this is a man driven event or is it an interglacial pause. We do have an issue and would like to move forward on this to the greatest extent possible.

Jared MacDonald said it is a strong point being made. There are clearly issues with our environment and climate. Bringing it to the forefront is important to do in the near future. We can review this and have a discussion at another time. Do not want to overlook this. It is a very important issue nation-wide and globally.

Judy would like to have more time to discuss this, would support a resolution.

Peter Meier said it is important to go to Town Meeting, at least sponsor this and put it on the warrant, where we can have more discussion with more people.

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

Respectfully submitted – Carole Ellis, secretary.