

**Board of Selectmen  
Minutes of Tuesday, June 8, 2020  
Zoom Remote – Public Access**

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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 JUN 17 AM 10:34  
TOWN SELECTMEN BOARD  
TOWN OF BOURNE

Others Present: Teri Guarino, Erica Flemming, Ken Murphy, Coreen Moore, Gary Maloney

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<https://us02web.zoom.us/j/87676043507?pwd=dHdGSg1hUGhEMXN0WVJKS05SQlRhQT09>

If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above, or go to <https://zoom.us/meetings> and look for the Join Meeting button.

Participants wishing to speak should click the "Participants" icon on the lower toolbar and then click "Raise Hand" in the dialog box to notify the Chair. The Chair will recognize participants. For Participants who are calling into the meeting and wishing to speak should press \*9 to notify the Chair. The Chair will recognize participants. Please MUTE your phone/microphone upon entry

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

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

Madam Chair Froman called the meeting to order at 6:30 pm.

Moment of Silence for our Troops and our public safety personnel

**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**

Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.  
None requested.

**6) Selectmen's Business**

- a. **Review and vote on a process to approve outdoor seating and extension of premises for liquor licenses for restaurants under COVID-19 Executive Order #35**
- b. **Covid-19 Update as necessary**
- c. **Vote the list of Essential Articles for Town Meeting**
- d. **Vote to approve and sign a Proclamation for Amity Day —June 14, 2020**
- e. **Town Meeting Preparation Update**

Tony Schiavi said the Governor announced the transition from Phase 1 to Phase 2. There are two steps to Phase 2. We are trying to get the restaurants to be able to perform seated dining on outdoor spaces. The ABCC came out with some guidance about how the licensing authority can allow for extension of premises for those restaurants that don't have their liquor licenses expand outside their physical footprint of the building or if they are looking to expand their outdoor areas for seating, it would require an extension of premises. We needed to find a way to authorize these establishments to utilize their outdoor spaces whether existing or new.

**Preparations and Accommodation for Outdoor Restaurant Dining Service**

Restaurants will be authorized to provide outdoor table service at the commencement of Phase II of the Commonwealth's phased re-opening of workplaces. If the public health data reflects continued positive progression, restaurants will be authorized at a later date and by a subsequent Phase II Order to commence indoor table service. In each case, restaurants will be required to comply with sector-specific COVID-19 workplace safety rules for restaurants,

"Outdoor table service" shall mean service that is provided outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space. Outdoor table service may be provided under awnings or table umbrellas or other cover from the elements, provided, however, that at least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times.

Notwithstanding the provisions of chapter 40A of the general laws, or any special permit, variance or other approval thereunder, or any other general or special law to the contrary,

a city or town may approve requests for expansion of outdoor table service, including in the description of licensed premises as described below. Prior to such approval, the mayor, select board, or chief executive as established by charter or special act, shall establish the process for approving such requests. Such process need not comply with the notice and publication provisions of section 11 of chapter 40A.

Any such approval may be exercised immediately upon filing of notice thereof with the city or town clerk, without complying with any otherwise applicable recording or certification requirements.

In order to provide improved opportunities for outdoor table service, for any type of license that permits the sale of alcoholic beverages for on-premises consumption, a local licensing authority ("LLA") may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service as the LLA may deem reasonable and proper, and issue an amended license to existing license holders, without further review or approval by the Alcoholic Beverages Control Commission ("ABCC") prior to issuance. Upon approval of an amended license, the LLA shall provide notice of the amended license to the ABCC. Nothing in this Order shall prevent the ABCC from exercising its statutory or regulatory enforcement authority over any such amended license issued.

On November 1, 2020 or the date this Order is rescinded, whichever is sooner, any approval issued under this Section, including any amended license issued by an LLA as a result of this Order, shall automatically revert back to its status prior to the approval of the change for expansion of outdoor table service or in the description of a licensed premises.

Terri Guarino went through the process for approving outdoor seating, when someone applies to modify the food operations and how the ViewPoint system works.

Restaurant Plan Review for COVID-19

COVID-19 Application for Restaurant License Amendments

What the town will see in their email when an application is submitted

Applications are available and will be accepted online-only through the following web link: <https://bournema.viewpointcloud.com/projectTemplate/3/questionnaire>

James Potter spoke about the establishments with close neighbors, do they have to notify the abutters. Do businesses know about this form or do we have to notify them.

Terri Guarino said we do have a question on the form regarding playing music outside. Ken Murphy, Building Inspector, said businesses have been proactive and calling in, and providing information, and letters from their neighbors. Space heaters are not allowed inside tents.

Gary Maloney questioned how many establishments are going to apply, and what is the turn-around time

James Potter spoke regarding ADA Compliant – recommend we make sure we are not creating any hazards to make this Town Meeting happen, make sure we have handicap access and is safe.

Tony Schiavi said we will also have to approve the Extension of Premises. The Board is allowed to develop the process that would be approved. The liquor licenses would be different.

Teri Guarino said other towns are requiring them to file (for liquor license), and authorize the Town Administrator to approve the request; if an amended license is necessary that is issued. Health Dept will fill out a letter stating the temporary license conditions, and they have to comply with all the current and subsequent orders and workplace standards or advisories issued either state or locally.

Tony Schiavi said there is a clause that these license amendments end on November 1, 2020. Mr. Schiavi suggested in an effort to help the business community, the Board waive the tent permit fee.

Judy Froman questioned the Board Members what their thoughts are on expediting the process and allowing the Town Administrator be the signatory. The Board members agreed to have the Town Administrator sign off on the application requests; and to waive the fees, but a request to use town land should be brought to the Board.

**Voted:** Jared MacDonald moved and seconded by George Slade to approve the process that has been devised by the staff and also giving the Town Administrator the final approval on any outdoor seating be it temporary until the date to rescind the Covid-19 Executive Order.

**Roll Call Vote:** George Slade – Yes, James Potter – Yes, Jared MacDonald – Yes, Peter Meier – Yes, Judy Froman - Yes  
Vote: 5-0-0.

**Voted:** Jared MacDonald moved and seconded by Peter Meier to offer a similar streamline process through ViewPoint for any alcohol permits that need to be issued for licensing and the process be the same and finalized with the Town Administrator's approval.

**Roll Call Vote:** Peter Meier – Yes, Jared MacDonald – Yes, James Potter – Yes, George Slade – Yes, Judy Froman - Yes  
Vote: 5-0-0.

**Voted:** Jared MacDonald moved and seconded by Peter Meier to waive the fees for tent permits for the establishments applying through November 1<sup>st</sup>.

James Potter brought up the establishments that might be looking to apply for outdoor entertainment licenses. Is that a fee the Board wants to waive?

Jared MacDonald withdrew his motion. Peter Meier withdrew his second.

**Voted:** Jared MacDonald moved and seconded by Peter Meier to waive fees for the tents during this COVID term for these temporary permits only, and any outside requests above and beyond for entertainment shall come before the Board before being approved.

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

Vote: 5-0-0.

#### **6.b. Covid-19 Update as necessary**

Tony Schiavi said we are in Phase II Step 1. We are taking a slow approach to opening fields, courts, and establishments. Working on curbside pickup for the library. Currently reviewing some of the rec programs, to make sure they are executed safely and with the guidance that has been approved by the State. Town Hall will stay closed to the public for a while. Working on appointment only for those who can't do online.

Peter Meier questioned putting the handicap blue mats on beaches and have the marina patrons sell beach stickers on the weekends. Tony Schiavi said the mats are supposed to be put out on the beaches, he will check with George Sala. Will talk to staff and Teri Guarino to see if we can sell the beach stickers in person, will have to be done with the right safety standards.

Judy Froman spoke regarding the Parade and the Pucino ride notification in the paper. Ms. Froman said no one interviewed her.

#### **6.c. Vote the list of Essential Articles for Town Meeting**

Tony Schiavi spoke about the essential articles for Town Meeting. For the Special Town Meeting Warrant, recommendation is to go in order. For the Annual Town Meeting the consensus is to have Articles 1-5 and 8 & 9 be the essential articles for the June 29<sup>th</sup> Annual Town Meeting.

**Voted:** Peter Meier moved and seconded by George Slade to consider essential for the Annual Town Meeting Articles 1-5, 8 & 9.

James Potter said Article 11 is also essential, that is a fund for the PEG access that we are required to have.

#### **Amended Motion:**

**Voted:** Peter Meier moved and seconded by George Slade that Articles 1-5, 8, 9 & 11 are considered essential for the purposes of this Annual Town Meeting.

**Roll Call Vote:** Peter Meier - Yes, Jared MacDonald - Yes, George Slade - Yes, James Potter - Yes, Judy Froman - Yes

Vote: 5-0-0.

#### **6.d. Vote to approve and sign a Proclamation for Amity Day —June 14, 2020**

Judy Froman read the proclamation for June 14th





**TOWN OF BOURNE  
24 Perry Avenue  
Buzzards Bay, MA 02532**

**A Proclamation**

Whereas: Bourne supports the Great Seal of the United States of America which bears the inscription, E Pluribus Unum, which translates from Latin as "Out of many, one"; and

Whereas: The greatest asset of the Town of Bourne is its people; and

Whereas: The Town of Bourne is comprised of multicultural, multiethnic, and multiracial citizens; and

Whereas: Friendship, collegiality, civility, respect, and kindness are commonly shared ideals of the collective citizenry of the Town of Bourne; and

Whereas: The National Center for Race Amity has invited communities across the United States of America to join in introspection and reflection on the beauty and richness of the diverse peoples of this great nation while reaching out with a spirit of amity toward one another annually on the second Sunday in June; and

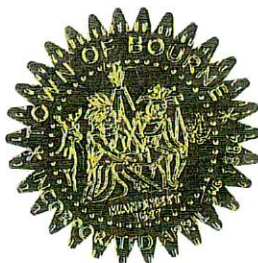
Whereas: H 2745, Chapter 163 of Acts of 2015 of the Commonwealth of Massachusetts establishes the Second Sunday in June Annually as Race Amity Day,

**Now, Therefore, Be It Resolved** that the Bourne Board of Selectmen do hereby proclaim the second Sunday in June to be,

**RACE AMITY DAY**

And urge all the citizens of the Town of Bourne to take cognizance of this event & participate fittingly in its observance.

IN WITNESS THEREFORE, We the Bourne Board of Selectmen have hereunto set our hands and caused the OFFICIAL Seal of the Town of Bourne to be affixed this 8th day of June, 2020.



**Bourne Board of Selectmen  
Judith MacLeod Froman, Chair  
James L. Potter, Vice Chair  
George G. Slade, Jr., Clerk  
Peter J. Meier  
Jared P. MacDonald**

**Voted:** Jared MacDonald moved and seconded by Peter Meier to designate June 14, 2020 as Amity Day and to use the Selectmen signature stamps for the Amity Day Proclamation.

**Roll Call Vote:** Peter Meier – Yes, Jared MacDonald – Yes, George Slade – Yes, James Potter – Yes, Judy Froman - Yes  
Vote 5-0-0.

#### **6.e. Town Meeting Preparation Update**

Tony Schiavi said an outdoor Town Meeting is the best solution at this point. We are trying to make sure we have a successful event on June 29<sup>th</sup> at 7:00 p.m. We are doing the best we can to make sure the business part goes on for the government and making sure we are taking care of those who come to Town Meeting to voice their votes for their government. There is a Town Meeting button on the website, which has both the warrants and we will put more information there including Tips for Outdoor Town Meeting Guide. Mr. Schiavi also spoke about parking and tent set-up. There will be a check-in tent, non-voters will be directed to the bleacher area, voters will be directed to the check-in tent, they will be issued a colored voting card. We will have a pre-town meeting on Thursday.

#### **11) Adjourn**

**Voted:** Jared MacDonald moved and seconded by George Slade to adjourn. Meeting adjourned at 7:53 pm.

**Roll Call Vote:** Peter Meier – Yes, George Slade – Yes, James Potter – Yes, Jared MacDonald – Yes, Judy Froman - Yes  
Vote: 5-0-0.

Respectfully submitted – Carole Ellis, secretary.