

**Board of Selectmen  
Minutes of Tuesday, July 21, 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

Others: Renee Gratis, Dave Pelonzi, Dave Cody, Erica Flemming, Allen Metcalfe and Joe Longo from MMA, Jean Campbell

TOWN CLERK BOURNE

2020 AUG -5 AM 10:21

RECEIVED

Note this Zoom video conference meeting is being recorded by Bourne TV.

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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.

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

If anyone is recording, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

**Documents:** [Correspondence](#), [Kendall Ray Rendering](#), [Kendall Rae Construction Plan](#), [Traffic Rules and Orders](#)

**7:00 p.m. Call Public Session to order in Open Session**  
Madam Chair Froman called the meeting to order at 7:00 pm.

**Moment of Silence for our Troops and our public safety personnel /Salute the Flag**

**Vision:** Bourne is a community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a

durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community, embraces excellent education, and the amenities that it affords and offers to citizens a healthy, active lifestyle.

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

### **Public Comment – Non-Agenda Items**

**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. Public Comment on the workshop items will be taken at this time.**

None requested.

### **6) Selectmen Appointments:**

#### **a. Mass Maritime Academy — Parking lot and pathway improvements presentation**

#### **b. Review request for Road Closure — Wenaumett Bluff Drive**

- The Academy purchased the land across Town Hall
- Approximately 250 parking spaces
- Re-establish the path to the canal
- Resubmitted a plan
- Landscaping along all sides
- Conservation approved stormwater design
- Construction starting in August and finishing in November
- Small bus shelter – for cadets to wait to be bussed back to MMA
- Shifting the curb cut
- Two-rail fence along the town line on the walking path side

### **Suggestions/Comments**

- Put lights in the parking lot on a timer – They will be on a timer.
- Want it to look aesthetically pleasing.
- Electric substation – an eyesore
- Fencing the parking lot
- Making the parking available for the public during the summer.
- Other parking areas that the MMA uses

**Voted:** Peter Meier moved and seconded by Jared MacDonald to direct the Town Administrator to work with Town Counsel on a license agreement for the Massachusetts Maritime Academy relative to the parking lot and path improvements

connecting Perry Avenue to the Army Corps Canal Bike Path memorializing an agreement relative to public parking at the site during the school off-season.

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

**Vote:** 5-0-0.

6.b. This item has been withdrawn

## **7) Town Administrator Updates**

### **a. Personnel Announcements**

### **b. Discuss Fall Town Meeting Date**

- Debbie Judge is concluding a 39-year career, retiring, last day is September 11, 2020.
- Edwin Rivera last day July 10<sup>th</sup> - going to work for Town of Falmouth
- Deputy Chief Dave Pelonzi is going to be Interim Assistant Chief
- Richard Emberg to temporary Deputy Chief
- Joshua Barrette will be temporarily taking Richard Emberg's position as Lt.

### **7.b. Fall Town Meeting Date**

- In communications with the State to see if the state feels there may be any delays to getting Free Cash certified
- In August we will have a table of milestones to present to the Board of Selectmen
- Suggested date for Fall Town Meeting - Monday - November 16<sup>th</sup>
  - Major Primary in September
  - Presidential Election on Nov 3<sup>rd</sup>
  - Town Clerks office will be busy from Aug through beginning of Nov
  - Neither Town Clerk or Moderator have an issue with the November date

Judy Froman requested to move correspondence to the next item on the agenda.

## **9) Correspondence**

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

- A. Upper Cape Cod Regional Technical School District Committee Meeting Minutes of May 14, 2020
- B. Letter from Buzzards Bay Water District Commissioners and District Superintendent identifying their position on its existing state of water supply.
- C. Letter from Clean Harbors regarding hydraulic Oil Release across from 197 Phillips Road.
- D. Letter from Lillian & Julian Harwood regarding the Gardner Bridge on Briarwood Lane, Monument Beach.

Other letters that came in

- E. Letters from Constance Main, Jean Campbell, and Lorraine Schratz, area residents from around the Gardner Bridge contradicting the position in the letter from the Harwoods, and seeking a remedy.
- F. Letter from Kathy Cleary regarding concerns of work being done by Mass DOT on the railroad tie replacement project.
- G. Letter from Susan Baracchini regarding parking to gain access to Mashnee Dike.

Correspondence can be found on the Town of Bourne Website at:

[https://www.townofbourne.com/sites/g/files/vyhlif316/f/agendas/9\\_correspondence\\_07.21.20.pdf](https://www.townofbourne.com/sites/g/files/vyhlif316/f/agendas/9_correspondence_07.21.20.pdf)

Jean Campbell, 12 Briarwood Lane – spoke regarding ownership of the bridge  
State has appropriated money to be used on repairing the bridge – why is it not going forward.

### **Workshop – 7:45**

**8) Board of Selectmen Workshop (The workshop is a discussion amongst the Board of Selectmen, public comment will NOT be taken at this time)**

- a. Discuss Charter Review Committee Charge/Timeline and Milestones**
- b. Discuss Board of Selectmen Retreat — Policy development and goal setting**
- c. Bourne and Sagamore Bridge Replacement Discussion**
- d. Selectmen Policies and Procedures**
  - i. Consultation with Town Counsel Policy**
  - ii. Traffic Rules and Regulations**

### **Want to Discuss:**

- Committee Charge Draft
- Town Counsels Scope he put forward
- Composition of the Committee
- Timeline for the Committee
- Having a final report for the May 2021 or 2022 Town Meeting
  
- Description of the Committee
- Get the recommendation from Town Counsel regarding what the Scope is for the Charter Review Committee.

Mr. Potter read from the Charter Review Committee:

The Charter Review Committee cannot recommend changing the basic form of government, only a formal Charter Commission can do that. The Charter Review Committee also cannot change the basic form of the School Committee, Board of Health, or any other board that operates under State statute.

- Charter Review Committee cannot change the executive town government but they could make recommendations, number of members or whether they are appointed or elected. Speak to Town Counsel about these.
- Suggested to use the Governess Committee to assist the Charter Review Committee

**SCOPE:**

- Letter from Bob Troy dated Sept 26, 2005
- Committee vs. Commission – It's a Committee and not a Commission

**Draft:**

- Charter Review Committee Charge
- If you were appointed to this Committee would you know what you are supposed to do?
- Timeline Milestones
- Finalize by August 4th
- Advertising for the Charter Review Committee members

**Composition of the Committee –**

- No elected members that are on a separately elected Board
- People who aren't on any other elected/appointed board. And who have not served on the Charter Review Committee before
- Have alternates on the Committee
- Whether to have Town employees on the Committee
- Other input
  - Input from Town Employees
  - Should take input from Public
  - Should interview Board and Committees
  - Get input from Mass Municipal Association
- Put FAQ together for explanation. For the charter Review Committee recruitment
  - Difference between Charter and Bylaw
  - Difference between Committee and Commission

**Timeline:**

Come to BOS with Plan on how to move forward to meet milestones/Update BOS

Suggested - Not changing Charter sections change Bylaws if necessary

**Charge**

- Would help – State in the Charge anything to help people understand what they are expected to do.
- Come back to the Board of Selectmen to present their framework on how to move forward
- Identify committee needs - interview other Boards and Committees
- Give framework
- Explain difference between Charter, Commission, and Bylaw

- May extend beyond May 2021

### **Committee Membership**

- 7 Members
- 1, 2 or 3 Alternates
- Encourage Alternates to attend meetings to stay up-to-date
- Specify how many members/alternates for the advertisement
- Alternates come from the members with the lesser amounts of votes or are alternates going to be a separate application process
- People with school age children and young adults who would be interested in joining the committee, but don't know how much time they have to commit. Important part of the demographic.

**Voted:** Jared MacDonald moved and seconded by James Potter to identify 7 Charter Review Committee members plus 2 Alternates.

**Voted:** Jared MacDonald moved and seconded by George Slade to amend the motion to read 7 Charter Review Committee Members plus 3 Alternate Members.

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

**Vote:** 5-0-0.

### **8.b. Discuss Board of Selectmen Retreat — Policy development and goal setting**

- To discuss Goal Setting & Policy Development
- 4-5 Hour Guided Discussion with a well-defined agenda
- Facilitated
- Being able to work on finer details.
- Comply with Open Meeting Law
- Meeting in person or meeting online – prefer to meet in person.
- Possibly in September

### **8.c. Bourne and Sagamore Bridge Replacement Discussion**

Recommend to write a letter to State Representative and Mass DOT to make sure they include us in the discussions.

What to put in the letter

Criteria we would like to have.

- Need to state we need a seat at the meetings because it impacts our town.
- Signs for Town of Bourne

- Discuss a lane just for the Town of Bourne / Our town is divided with the bridges by a highway / Have to get on a highway to get from one end of town to the other.
- Town Administration draft a letter from the Board of Selectmen
- Discuss mitigation options for new fire station – Commonwealth help subsidize
- Already have a number of people involved with Mass DOT – Glenn Cannon and Tony Schiavi's background
- Ask for a specific meeting – to discuss how it affects the Town of Bourne
- We need a direct link to the planners and designers
- Who is our contact for questions or concerns
- They can use us as an additional resource

**Voted:** George Slade moved and seconded by James Potter to have the Town Administrator draft a letter, with help from the Board of Selectmen, to Mass DOT formally requesting to be included in the design process for the Bourne and Sagamore Bridge Replacement Project.

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

**Vote:** 5-0-0.

#### **8.d. Selectmen Policies and Procedures**

##### **i. Consultation with Town Counsel Policy**

##### **ii. Traffic Rules and Regulations**

- Need a consistent policy to use Town Counsel
- Draft a rewrite for the Board to take a look at
- Make sure employees/Committees/people who interact with Counsel, are aware of the policy for Town Counsel
- Send it to staff employees, committees, elected and appointed officials, Chairs of committees

**Voted:** Jared MacDonald moved and seconded by James Potter to adopt the legal services request form.

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

**Vote:** 5-0-0.

#### **Traffic Rules and Regulations**

- Policy on what the process is
- Have a Committee/Routing slip
- BOS are part of the committee or routing slip
- Have input from staff departments
- Identify parking/no parking, beach stickers
- Be prepared for next season

- Enforcement – enforcing the rules – different system to enforce the rules procedures/process regarding parking/no-parking, beaches, stop signs, roadways, traffic safety

#### **10) Adjourn**

**Voted:** Jared MacDonald moved and seconded by Peter Meier to adjourn. Meeting adjourned at 9:25 pm.

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

**Vote:** 5-0-0.

Respectfully submitted – Carole Ellis, secretary.