

**Board of Selectmen - Regular  
Minutes of Tuesday, November 22, 2016  
Bourne Community Building  
Bourne, MA 02532**

**RECEIVED**

2017 JAN 25 PM 3:39

TOWN CLERK BOURNE

**TA Tom Guerino**

**Selectmen**

Don Pickard, Chairman

Peter Meier, Vice Chairman

George Slade, Clerk - Excused from Regular Session.

Stephen Mealy

Michael Blanton

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**

**6:15 p.m. Call to order in open session**

**Executive Session:**

1. Motion for Executive Session to discuss non-union Contract negotiations regarding the Town Administrator's Contract renewal and return to open session at approximately 7:00 P.M

**Roll call Vote** to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7:00 PM.

**Voted** Michael Blanton moved and seconded by Stephen Mealy by roll call vote to go into Executive Session. Mr. Blanton - Yes; Mr. Mealy - Yes; Mr. Pickard - Yes

**Roll call Vote** to reconvene in open session.

**Voted** Stephen Mealy moved and seconded by Michael Blanton by roll call vote to end executive session and return to open session.

Mr. Blanton - Yes; Mr. Mealy - Yes; Mr. Pickard - Yes.

**Meeting Called to Order**

Chm. Pickard called the meeting to order at 7:13 pm.

Board to report on votes taken in Executive session, if any.

Mr. Pickard said the Board met with Attorney Troy. We are going to have another executive session next week with an analysis after that two members of the Board will negotiate with the Town Administrator. We hope to have this wrapped up by the middle or the end of December.

Tom Guerino suggested to have that executive session commence at 5:45. The Sewer Commissioners meeting could be defer until 6:30.

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

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

Jim Mulvey spoke about last week's presentation by Cape Light Compact regarding Eversource's proposal looking for background information to replace all the electric meters systems to collect data that will be collected by Eversource, a tremendous amount of data. Who will use it, what it will be used for, is there a better way to use it, and if there a better way to distribute the power over their network. It seems the large beneficiary of that very expensive project is the utility itself in gathering data. The gathering of that data has to be gathered by special meters put in, entered in and evaluated. That expense goes beyond the installation of the meters. The basic question is, is that large expense to institute the program, but to maintain the program going to be paid for from their own earnings or profits or is it going to end up being a surcharge. There are supposed to be consumer options in that program. Is the underwriting for that program going to be paid for by the user/customer? Is this program going to benefit the utility more than the customer? The cost is going to be borne by the individual user. I am suggesting the Board of Selectmen and the representatives of the people give it some due thought.

Tom Guerino said it does collect a lot of data. There are some areas where peak rates are then installed. What Maggie said last week is also true, when you have that data after a couple of months you can adjust your usage to stay away from the peak load areas? She made a good point on how to utilize that data. Mr. Mulvey also made a good point it is additional data collected on you and your family on usage.

#### **5) Minutes and Correspondents**

- a. Minutes from Meeting(s) dates: 11.1.16 Exec. and 11.1.16 Regular
- b. Correspondence

**Voted** Peter moved and seconded by Michael Blanton to approve the executive session minutes from 11-1-16 and encumber. Vote 4-0.

**Voted** Peter Meier moved and seconded by Michael Blanton to approve the minutes from 11-1-2016 regular session.

Michael Blanton said on page 2, second paragraph Christopulos is miss spelled.  
Vote 4-0.

Stephen Mealy brought the committee up to date on the correspondence.

- A. Letter from Division of Marine Fisheries with opening of shellfish areas

- B. Letter from Mass DOT thanking for participation in meetings regarding South Coast Rail
- C. Board of Appeals meeting notice
- D. Copy of Findings and Decision of Cavanagh Dog Hearing
- E. Notification of Chapter 91 Waterways License Applications 31 Baxendale Road
- F. Request for Proposals - RFP - Reuse of Transfer Station from Kraus & Hummel. LLP
- G. Letter of Resignation from Richard J. White from Charter Compliance Committee

Michael Blanton questioned the Town Administrator in the next correspondence will we also have a copy of the final decision for the other K9 hearing? Tom Guerino said yes.

Don Pickard questioned Mr. Guerino any insight on the Recycling Solutions protest of the bid. Tom Guerino said the multi-town board that oversees that were meeting last Friday to discuss what options and avenues they should take. I have not heard back yet. When I do I will let the Board know.

#### **6) Shellfish Regulations – Annual approval of Regulations and possible modifications**

Tim Mullen said the only things that were changed are some dates and starting at section 1.14 and 1.15 we have added titles to these sections.

Don Pickard questioned if any member of the Board think these have to be read publically or just note the dates have been changed to reflect the proper dates in the year 2017 and some additional sub titles.

Peter Meier said maybe we should look at a separate agenda item for the beach sticker fee. Stephen Mealy said there is not specification in these regulations about the beach sticker price.

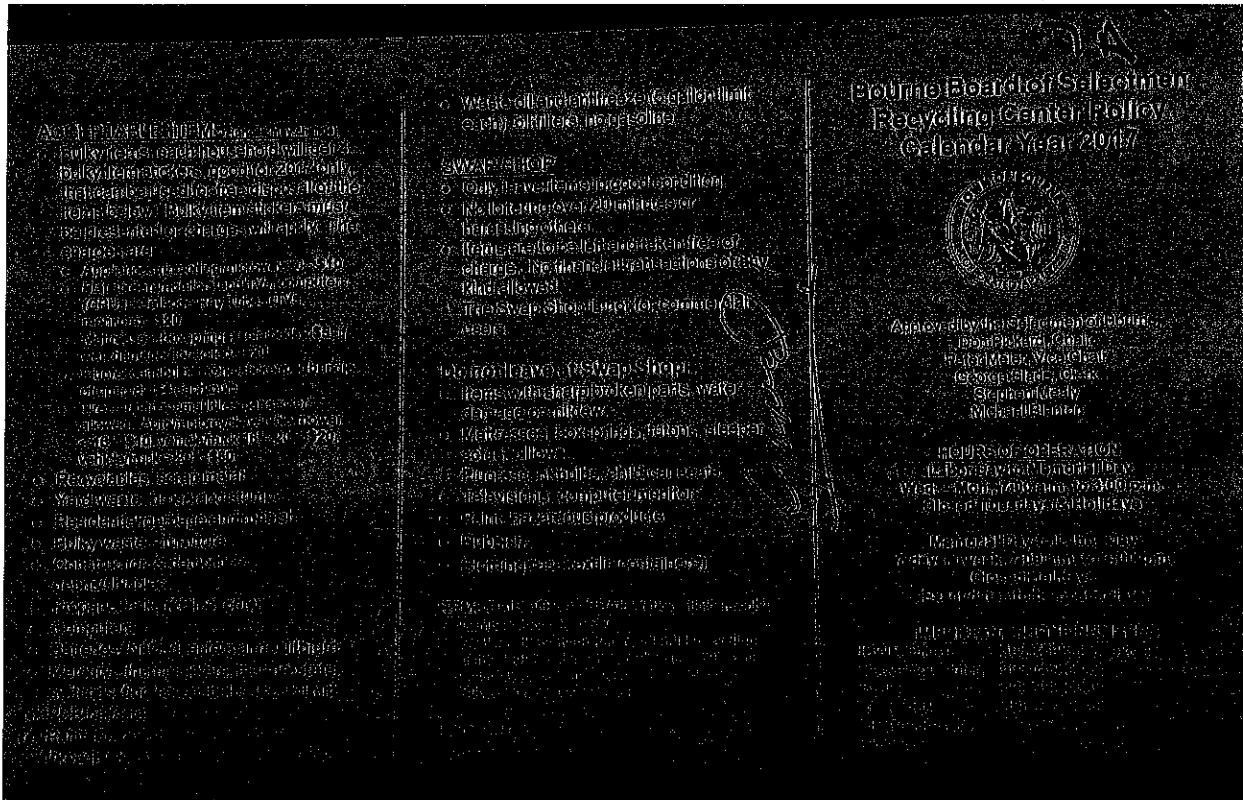
**Voted** Stephen Mealy moved and seconded by Michael Blanton that on the 2017 Shellfish Regulations that have been update by the Shellfish Constable that the Board approve as submitted to the Board. **Vote: 4-0**

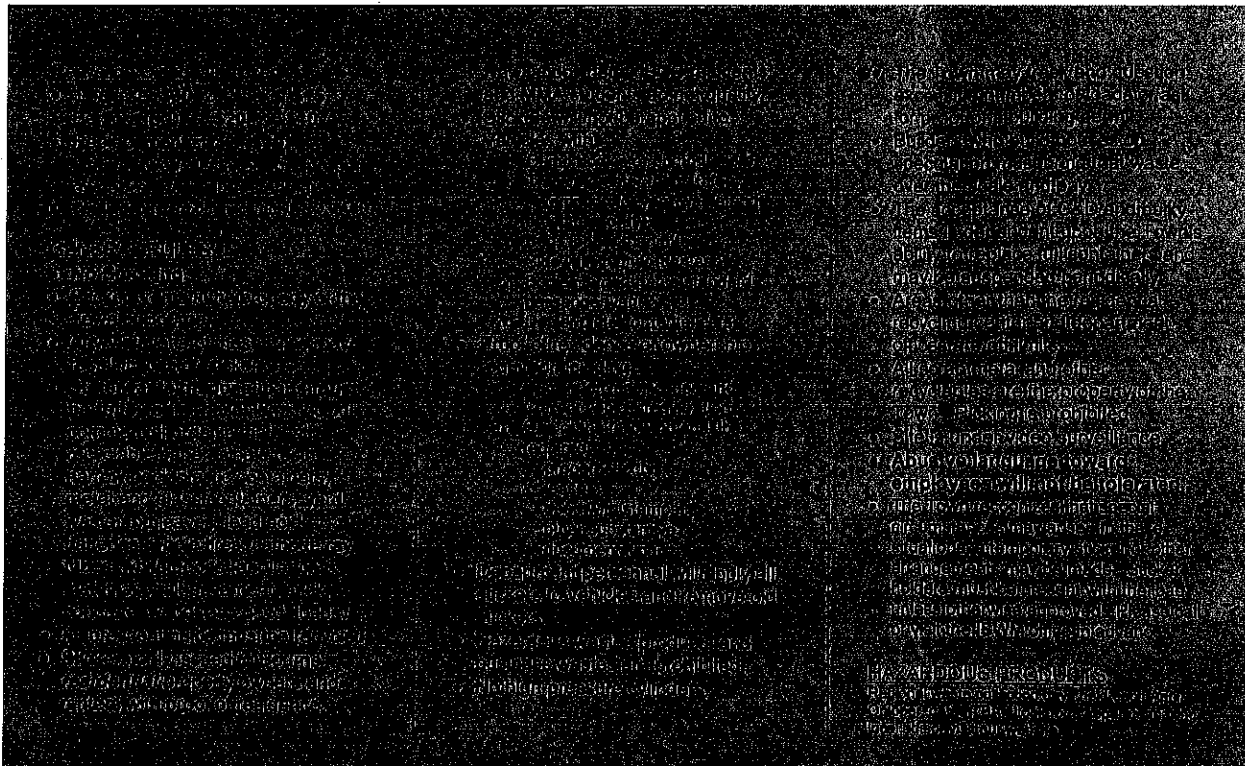
Jim Mulvey said in the approval of shellfish grants, I find the current procedures to be efficient, because the motions that are made to approve a grant are very limited. They generally refer only to the condition the applicant has mentioned. The Board had raised some pertinent questions, and hasn't gotten good answers. The questions are important. The answer should probable be included in the motion. These questions should be answered as part of the granting of the proposal. The thing that counts is what is in the motion.

Michael Blanton questioned if they will be available on Town website. Mr. Guerino said yes they will be available on the Town website.

#### **7. Dan Barrett – To report and request assistance on the following:**

- Dan Barrett, General Manager of ISWM Facility, said we are presenting tonight the proposed rules for 2017 for the residential recycling area. Mr. Barrett went over some of the rules that were changed.

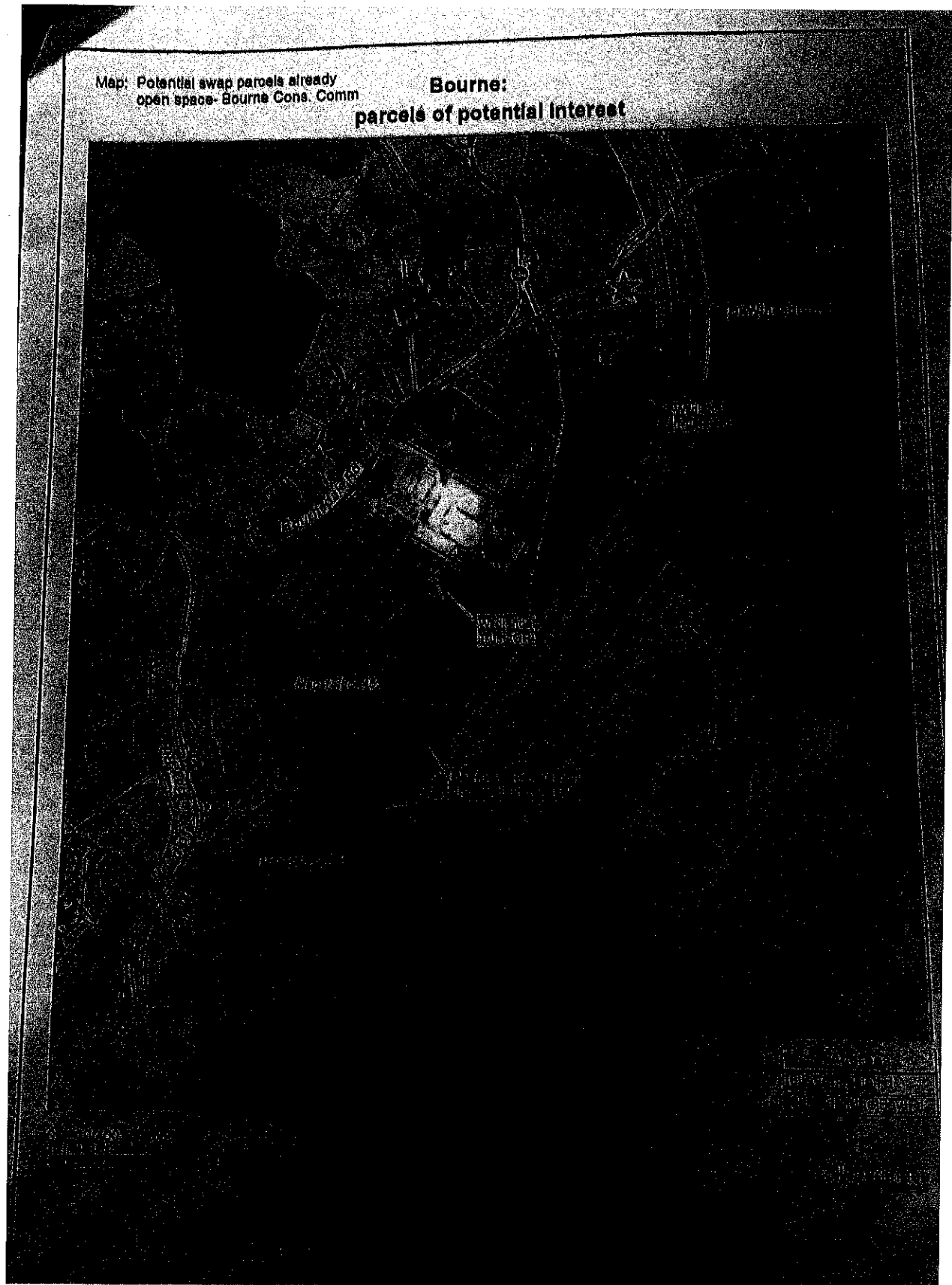




**Voted** Peter Meier moved and seconded by Michael Blanton to approve the Recycling Center Policy as presented by Mr. Barrett for Calendar year 2017. **Vote: 4-0**

Dan Barrett said the new stickers came in today. We'll be selling the new stickers in the middle of December.

**7b.** Dan Barrett went over the Conservation Restriction dealing with the easement that will allow us to connect with the Joint Base Cape Cod sewage plant effluent line. The land that we are talking about entering we will be about 50ft on Base property. That is the upper cape water supply reserve, which is protected by Article 97 of Commonwealth's constitution. One of the requirements of Article 97 is for us to enter that land in no net loss of Article 97 land. The Town Administrator and I met with the Commissioner of Fish and Game. There is no change of ownership, the town owns the land, it had to be approved by the Conservation Commission, which it was. This restriction adds another layer of control over the land.



Tom Guerino said this is a net zero loss for the town because the land is already under conservation restrictions. It borders farmland and rural area of the town. We have been through all the assignments that are necessary and hope the Board will sign off.

Don Pickard said Representative Vieira was very helpful. Once we are able to dispose of our process leach aid, we will save a considerable amount of money from the bottom line of our ISWM expense. Dan Barrett said we went out for a request for expressions of interest, since the technology has changed drastically since we put out the original requests for proposals in 2012. As the regulatory environment changes we also have to adjust what it is we are looking to do.

**Voted** Peter Meier moved and seconded by Michael Blanton for the Board of Selectmen to approve/endorse and sign the land agreement with the Department Fish and Wildlife which would provide a conservation restriction on previously restricted land and allow the town to access wastewater treatment lines on Joint Base Cape Cod by crossing Department Fish and Wildlife property. Vote 4-0

#### **8) License and Appointments**

##### **a. Annual Liquor Renewals**

##### **b. Committee Appointments - Election workers - Charles Noyes - Susan Noyes**

##### **c. Robert G. Burt - 37th Winter Fun Run - January 8, 2017**

##### **d. Ragnar Events - May 12th-13th, 2017**

##### **e. South Shore Race Management - May 21, 2017**

##### **f. National MS Society - 33rd Annual MS Cape Cod Getaway - June 24-25, 2017**

Tom Guerino said he recommends all licenses be renewed. No license will be issued until they are signed off by the various departments. They have until January 1. With your permission I can bring them in for your signature or I can use the selectman stamp.

**Voted** Peter Meier moved and seconded by Michael Blanton to allow the Town Administrator use the Selectmen's stamp for these applications.

Peter Meier went over the annual Liquor Renewals.

#### **Club - All Alcoholic**

**Voted** Peter Meier moved and seconded by Michael Blanton to approve: Club - All Alcoholic: d/b/a Aptuxet Post #5988 for Liquor, Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement, and Coin operated Amusement. d/b/a Buzzards Bay Eagles for Liquor, Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement, and Coin operated Amusement. d/b/a Marconi Club for Liquor and Common Victualer/Food Vendor. Monument Beach Sportsmen's Club, Inc. for Liquor, Common Victualer/Food Vendor, Weekday Amusement, and Sunday Amusement. Pocasset Golf Club, Inc. for Liquor, Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement. Weary Travelers Club, Inc. for Liquor,

Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement. **Vote: 4-0**

#### **Common Victualer - All Alcoholic**

**Voted** Michael Blanton moved and seconded by Peter Meier to approve: Common Victualer - All Alcoholic: d/b/a Brookside Club for Liquor, Common Victualer/Food Vendor, Weekday Amusement, and Sunday Amusement. d/b/a Buzzards Bay Tavern for Liquor, Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement, and Coin operated Amusement. d/b/a Courtyard Restaurant for Liquor and Common Victualer/Food Vendor, Weekday Amusement, and Sunday Amusement. d/b/a The Bog Pub for Liquor, Common Victualer/Food Vendor, Weekday Amusement, and Sunday Amusement. d/b/a/ Eastwind Seafood, for Liquor, Common Victualer/Food Vendor. d/b/a Flynn's Irish Pub for Liquor, Common Victualer/Food Vendor, Weekday Amusement, and Sunday Amusement. Leos Seafood Restaurant, Inc. for Liquor, Common Victualer/Food Vendor. d/b/a the Lobster Trap Fish Market and Restaurant for Liquor, Common Victualer/Food Vendor, Weekday Amusement, and Sunday Amusement. d/b/a/ Lost Dog Canal Café: for Liquor, Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement. d/b/a Mezza Luna Restaurant, Inc. for Liquor, Common Victualer/Food Vendor, Weekday Amusement. d/b/a/ The Parrot Bar & Grille for Liquor, Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement. d/b/a/ Sandy's Famous Seafood Restaurant: Liquor and Common Victualer/Food Vendor. d/b/a Stir Crazy Restaurant for Liquor and Common Victualer/Food Vendor; d/b/a Stomping Grounds Grille for Liquor and Common Victualer/Food Vendor; T.J.'s Grill & Bar, LLC for Liquor, Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement. Trading Post Lounge, Inc. for Liquor, Common Victualer/Food Vendor, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement. d/b/a Trowbridge Tavern & Ale House for Liquor, Common Victualer/Food Vendor, Weekday Amusement, and Sunday Amusement. d/b/a Wayho Restaurant for Liquor and Common Victualer/Food Vendor. d/b/a Whaleback Restaurant for Liquor, Common Victualer/Food Vendor, Weekday Amusement, and Coin Operated Amusement.

**Vote: 4-0**

#### **Common Victualer - Wine & Malt**

**Voted** Michael Blanton moved and seconded by Peter Meier to approve: Common Victualer - Wine & Malt: d/b/a Buzzards Bay House of Pizza for Liquor and Common Victualer/Food Vendor. d/b/a East Wind Lobster & Grille for Liquor and Common Victualer/Food Vendor. d/b/a Golden Place Restaurant for Liquor and Common Victualer/Food Vendor. d/b/a Graziella's for Liquor and Common Victualer/Food Vendor. d/b/a Pizza by Evan for Liquor and Common Victualer/Food Vendor.

**Vote: 4-0**

#### **General on Premise - Wine & Malt**

**Voted** Peter Meier moved and seconded by Michael Blanton to approve: General on Premise - Wine & Malt: d/b/a Ryan Family Amusement for Liquor, Common



Victualer/Food Vendor, Sunday Amusement, Coin Operated Amusement, and General License. **Vote: 4-0**

**Package Store - All Alcoholic**

**Voted** Peter Meier moved and seconded by Michael Blanton to approve: Package Store - All Alcoholic: d/b/a Bourne Bridge Liquor for Liquor. d/b/a Grey Gables Market for Liquor and Common Victualer/Food Vendor. d/b/a Liberty Warehouse Liquors for Liquor. d/b/a The Liquor Barn for Liquor. d/b/a Luke's Liquor 'N More for Liquor. Portside Liquors, Inc. for Liquor. d/b/a One Stop Convenience Store for Liquor. d/b/a Sea Side Wine and Spirit for Liquor. d/b/a Ye Olde Spirit Shoppe for Liquor and Common Victualer/Food Vendor. **Vote: 4-0**

**Voted** Peter Meier moved and seconded by Michael Blanton to appoint Charles Noyes and Susan Noyes as Election Workers, to expire June 30, 2017. **Vote: 4-0**

Peter Meier went over the application from Robert G. Burt for the 37<sup>th</sup> Winter Fun Run on January 8, 2017 at 10:30 a.m. Starts at the Weary Traveler's Club to Clay Pond Road, Beach Street, Shore Road, Midway Road, Hardwood Drive, Valley Bars Road, County Road and Clay Pond Road back to the Weary Traveler's Club. The conditions are: Police said Event organizers to contact the Police Department to go over route and details three weeks prior to the event. Fire Department said Full inspection of facility prior the day of race. Department of Public Works said Please remove all signs after the event.

**Voted** Peter Meier moved and seconded by Michael Blanton to approve with the conditions. **Vote: 4-0**

Peter Meier went over the Ragnar Events for May 12 & 13, 2017 from 2:00 p.m. on May 12<sup>th</sup> to 2 a.m. on May 13<sup>th</sup>. Estimated attendance is 2,500. Turn by turn directions for leg 12. Right turn off of Onset Avenue onto Cranberry Highway, runners staying on the right sidewalk. Follow, continuing on Main Street, follow to cross walk at Bourne Rotary, have police detail help runners cross. Cross the Cape Cod Canal using the Bourne Bridge. Turn right at the rotary onto Freeman St. Bear right on Veteran's Way. Turn right on Sandwich Road. Turn left on Cape Cod Canal Trail access under the Bourne Bridge. Turn right to enter Cape Cod Canal Trail. Arrive at Exchange 12 - Gallo Ice Arena.

**Voted** Peter Meier moved and seconded by Michael Blanton to approve with the conditions. **Vote 4-0**

Peter Meier went over the South Shore Race Management, Scusset Beach and Williston Roads. Looking to do a Charity race/walk for Rett Syndrome Foundation of Mass. on May 21, 2017 from 7:00 a.m. to 11:00 a.m. Estimated attendance is 100.

**Voted** Peter Meier moved and seconded by Michael Blanton to approve subject to the conditions listed on the slip. **Vote: 4-0**

Peter Meier went over the National MS Society, 33<sup>rd</sup> annual MS Cape Cod Getaway for the use of Town roads for June 24<sup>th</sup> and June 25, 2017. Copy of the route is available on Public Share Drive - PDF. Will hire Bourne police officers to work details where needed. Estimated attendance is 2100 cyclists.

**Voted** Peter Meier moved and seconded by Michael Blanton to approve item 2 on the request for the National MS Society - Greater New England Chapter. **Vote 4-0.**

**Voted** Peter Meier moved and seconded by Michael Blanton to approve the One Day Wine and Malt Beverage License for June 24, 2017 from 11 a.m. to 6 p.m. on the campus of Mass Maritime Academy. **Vote 4-0.**

#### **9) Sign December 6th Election Warrant**

**Voted** Peter Meier moved and seconded by Michael Blanton to sign the Election Warrant for the Debt Exclusions dated for December 6, 2016. **Vote 4-0.**

Tom Guerino said also needing your signature are the shellfish aquaculture license card that you approved at the last meeting. There are 5 copies of the shellfish regulations.

Michael Blanton wanted to clarify the vote we just took is for the ballot the public will be voting on December 6<sup>th</sup> to cast votes for both the Police Station project and the Peebles School Project.

#### **10) Selectmen's Business -**

- a. Discussion on upcoming workshop scheduled for November 29, 2016**
- b. FY 18 Budget Discussion - Begin to scope out priorities**

Don Pickard said the discussion on the upcoming workshop scheduled for November 29<sup>th</sup> will be held next Tuesday.

Tom Guerino said we will try to look at current hiring's, current vacancies, supplemental requests, and a broad look at what the budget looks like by department. None of them have a Town Administrators recommendation yet. We are starting to meet to review the budgets. The Board will have an opinion on what is available to be used of free cash. One-time revenues should not be used for reoccurring expenses. We will look at some of those supplemental requests. I am going to ask the Board to give me some broad priorities as we move forward. Then set up another meeting to start to finalize before the budget message is due in January.

#### **11) Old Business - Recurring matters pending before the Board**

- a. Goals**
- b. Budget**
- c. Development**

Michael Blanton said he is getting different job descriptions for Assistant Town Administrator, hoping to be able to present to the Board in a week or two.

Tom Guerino said he will have several; Littleton, Lexington, Sandwich. The Selectmen need to make a determination; there has been talk about Economic Development Officers, and Assistant Town Administrator. We have to be cognoscente of what we bring forward to the voters; I need the Selectmen to give me direction on that.

### **12) Town Administrator's Report**

Tom Guerino said on budgets I have met with the Police Chief. Working on the software implementation, I will probably need a committee to help with that. Starting to look at grant funding that may be able to help with the technical pieces; looking at ways we do business and become more automated. Stephen Mealy said if the Board and the Town Administrator decide this is what we want to do; no one person can do this. We will need to get a committee to do this. Tom Guerino said I am starting to look at what is out there, who can help us, what other towns have done. We will have to have a committee and we will have to get some expertise to assist. Community Compact with the other towns is in. I am working on the Document Management Piece, working with the University of Lowell

We have some discussions over the next couple of weeks on a number of positions; we are having some roll over. The Board may want to take a look next week at what they are, where they are at, and maybe combine some of these positions or change their focus. We will be putting a matrix together. Effective next Wednesday, default phone messages will not be going to the Selectmen's Office they will be going to the new Administrative support staff person.

Peter Meier questioned have you decided on a recommendation for the Fire Grant. We know the grant will not be renewed for a third time. We are going to have to decide what we are going to do with those 5 men. Don Pickard questioned should we not discuss that at this point, given the state of negotiations? Tom Guerino said it may be wise to defer this discussion until we are done with JMLC.

### **13) Selectmen's Reports**

Peter Meier said my justification for bringing up the beach stickers for a future agenda item is because last summer we were having issues. Don Pickard said your point is well taken and we will make it an agenda item. Tom Guerino said we will have it on the Dec 8<sup>th</sup> meeting. Mr. Meier said there will be another Peeble's School open house December 3<sup>rd</sup>. It will be the last one before the debt exclusion on December 6<sup>th</sup>.

Michael Blanton said the police have been having a rolling open house for people to tour the building, between now and December 6<sup>th</sup>.

Stephen Mealy said I would like to bring up the amount of money we approved and the purchase of a new payroll system. Mr. Mealy wanted Mr. Guerino to update the Board on

the status of that. Tom Guerino said there is difficulty with it. I could provide you an update and perhaps bring in the expertise of the Finance Director and the Treasurer. Stephen Mealy wanted to say a reminder about the food pantry also asked to remind everyone on the Saturday morning after Thanksgiving the Trowbridge Tavern is having a Packaging for our Troops, care packaging. It starts at 10 a.m. and they are looking for volunteers.

Peter Meier said December 7<sup>th</sup> is Homeless for the holidays, Wednesday through Sunday the 11<sup>th</sup>. They are looking for anyone that has firewood or kindling they could donate and bring it to the Bay Motor Lodge.

Don Pickard spoke about the curling event. The name of the team is the Election Sweepers; they raised \$19,000 for the service center of Falmouth.

The next Bourne Selectmen meeting will be on Tuesday, November 29<sup>th</sup> at 7:00 P.M.

#### **14) Adjourn**

**Voted** Peter Meier moved and seconded by Michael Blanton to adjourn. Meeting adjourned at 8:20 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.