

**Board of Selectmen
Minutes of Tuesday, February 13, 2018
Bourne Community Building
Bourne, MA 02532**

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TA Tom Guerino

Selectmen

George Slade, Chairman
Peter Meier, Vice-Chairman
Judith Froman, Clerk
Don Pickard
Michael Blanton - Arrived at 7:03

2018 MAY 23 PM 3:24
TOWN CLERK BOURNE

RECEIVED

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.

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

Documents

7:00 p.m. Chairman call public session to order in open session

Meeting Called to Order

Chm. Slade called the meeting to order at 7:00 pm.

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

Public Comment – Non-Agenda Items

Peter Meier spoke about the Bourne Middle School and High School Science Fair, and read the winners.

High School:

3rd: Developing an Automatic Watering System Using Microprocessing - Mya Cohen and Mary Schmidt

2nd: Rain Activated Light-Up Umbrella -Lily Evans

1st: How Does pH Affect Aquatic Plants? - Lily Traver

Middle School 6-8:

Grade 6-8:

3rd Place: Do you focus when you fidget? Mia DiPaolo

3rd Place: Electricity - Mackenzie Griffin and Isabella Spooner

3rd Place: pH Strips of Drinks - Ryan Lovering and Patrick O'Rourke

2nd Place: How colors effect mood - Emily DeGowin and Kam Gomes

2nd Place: How the human mind works - Wynter Bows, Samantha Gettings and Bailey

Gettings

1st Place: Stem Cells to Repair Kidneys - Eva Fischer

5th Grade:

Honorable Mention: Blow up a Balloon Using Matter - Paige Meda and Sophia Smalley

Honorable Mention: Slime - Caleb Ellis

3rd Place: Density - Lilia Beresteckey, Riley Cameron, Colleen Mahoney

2nd Place: Safe Lava Lamp - Tallula Bean, Haley Butler

1st Place: Stupendous Slime - Marina Johnson

4) Approval of Minutes: Revote 2-6-18

Voted Judy Froman moved and seconded by Peter Meier to approve the minute of February 6, 2018. Vote 5-0

5) Correspondence

Judy Froman brought the Board up to date on the correspondence

- A. Sealer of Weights & Measures Annual Report from 1-1-2017 - 12-31-17
- B. Sealer of Weights & Measures Quarterly Report from 10-1-2017 - 12-31-17
- C. Letter of interest to serve on the Private Roads Acceptance Committee
 - Thomas Barnes
 - Shawn Goulet
 - Paula McConnell
- D. Department of Agriculture Resources submitted notice for public hearing on March 6, 2018 for The Eversource Cape and Islands 2018 - 2022 Vegetation Management Plan
- E. Department of Environmental Protection submitted Notice of Waterways License application W18-5163 to license and maintain a public pier, two stone groins, walkway, ramp and float system at Barlow's Landing Road, Pocasset
- F. Notice from the Cape Cod Commission regarding the Cape Cod Commission Staff Transportation Peer Review; Proposed Scope of Work, Proposed Redevelopment of 4 & 6 MacArthur Blvd, Bourne - Cumberland Farms, Inc.
- G. Letter from KFDA regarding Public Entity Insurance and Risk Management Consulting
- H. Letter from Eversource regarding Eversource Energy Right-of-Way [ROW] Maintenance Activities

Tom Guerino stated an additional submission to the correspondence is a letter from the Buzzards Bay Coalition to Brian Dudley Mass DEP, relating to the wastewater treatment facility for the Buzzards Bay area. Also on correspondence F relating to the Cape Cod

Commission Staff Transportation Peer Review there is going to be an expansion of that scope to include expert testimony.

6) License/Appointments

a. Weary Travelers - Change of Manager from Richard E. Keegan to David C. Peterson

Peter Meier went over the license. Change of Manager, 77 Valley Bars Road, Monument Beach. Change from Richard Keegan to David C. Peterson. There are no outstanding issues.

Voted Peter Meier moved and seconded by Michael Blanton to approve this application contingent upon him sending us a copy of the license for next week's packet.

Don Pickard stated there are no comments from any departments, which is unusual, there is no form of identification for the new manager; it is difficult for the Board to act on a license or any other item before them without the completed paperwork. **Vote:** 5-0.

7) FY 19 Budget discussion

Peter Meier spoke about adding additional money to the budget for the purpose of keeping the community building open 6 days a week during the academic year from September through June 15th.

Tom Guerino said there would be no additional staff costs for that; we would actually move a staff person schedule around. There would be a maximum request for programming and materials for an amount not exceed \$10,000, some of that would be covered by the fees that we would charge.

George Slade said he is concerned we are in the second week of February and we are already asking to set aside money.

Judy Froman was curious about where we would get the \$10,000 to have the building open another day.

Tom Guerino said the money would come from Free Cash or revenues coming in. We need to find out what programs will be scheduled and what fees will be charged.

Don Pickard spoke about the Budget, the Budget Calendar, and the Charter. He raised a concern that the Board of Selectmen did not approve the budget according to the Charter. The budget has not been voted to move it from the Board of Selectmen to the Finance Committee. The Charter states it should be submitted to them by Feb 1st for their review. We didn't receive it until January 30th.

Also I haven't seen a budget calendar. Would rather not vote to transmit this to the Finance Committ tonight and do it at our next meeting so we have a chance to review it.

Tom Guerino noted that on August 29th you received a budget calendar from the Town Administrator for FY19. The budget was delayed due to the sprinkler system break on January 7th at the Community Building therefore missing the release of the budget to the Board of Selectmen on January 15th. It was given to the Selectmen on January 30th.

George Slade suggested having individual Selectmen look through specific sections of the budget

Don Pickard recommended the Board takes this week to review the budget identify questions each member may have and send them to the Administrator for him to resolve with an explanation so we can vote at our next meeting to transmit the budget to the Finance Committee.

Voted Don Pickard moved and seconded by Peter Meier to table the discussion on the transmittal of the FY19 budget to the Finance Committee until the next Board of Selectmen meeting on February 20, 2018.

Tom Guerino explained how the staff person would change their schedule to cover the Saturdays at the Community Building during the academic year.

Vote 4-1. Michael Blanton opposed.

Voted Peter Meier moved and seconded by Michael Blanton to take the Town Administrators recommendation of adding \$10,000 to the Other Supplies and Miscellaneous line item.

Peter Meier withdrew his motion. Michael Blanton withdrew his second.

8) Selectmen's Business

a. Review of Board of Selectmen Rule of Procedure

Peter Meier handed out to the Board members a marked up draft of the Rules of Procedure.

Judy Froman said she had wished they had this in advance so they had time to go over it and have any questions ready. Don Pickard agreed with Ms. Froman. Mr. Pickard suggested it be tabled another week so we as a Board have time to review it and identify any issues.

Peter Meier said the last update was in 2015. Over the last month board members submitted input to Peter Meier and Michael Blanton and those inputs were incorporated into this draft.

Michael Blanton went over the Rules of Procedure edits.

**BOARD OF SELECTMEN
Rules of Procedure**

I. PROCEDURAL MATTERS

In procedural matters not covered by the Rules or any provisions of the Charter or Town Bylaws, or statute[1], the Board of Selectmen shall be guided by Roberts Rules of Order, as most recently revised. For the sake of clarity, the following definitions of 'policy' and 'procedure' used are provided below:

1. Policy: A high-level overall plan embracing the general goals and acceptable procedures especially of a governmental body[2]. "Policy." Merriam-Webster.com. Merriam-Webster, n.d. Web. 13 Feb. 2018
2. Procedure: a traditional or established way of doing things. "Procedure." Merriam-Webster.com. Merriam-Webster, n.d. Web. 13 Feb. 2018

II. NATURE OF POLICIES AND PROCEDURES

These rules of procedure Rules of Procedure may from time to time be amended or revised by vote[3] of the Board of Selectmen provided the amendment or revision has been placed on the agenda for the meeting wherein it is to be voted upon by the Board of Selectmen provided further that the amendment or revision is approved by at least three (3) members of the Board of Selectmen.

III. PROCEDURE FOR ESTABLISHING POLICIES AND PROCEDURES

Adoption of new policies and/or procedures or changing existing policies and/or procedures regarding general town government is a responsibility of the Board of Selectmen. Policies and/or procedures will be adopted/amended only by the affirmative vote of a majority of members of the Board of Selectmen when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies and/or procedures or amendments to policies and to provide an opportunity for interested parties to react to proposed policies and/or procedures and to provide amendments will be presented as an agenda item to the Board in the following sequence:

1. Information item -- distributed with agenda
2. Discussion item -- first reading of proposed policy or policies
3. Response from the Town Administrator; report from any committee with responsibility in the area addressed by the proposed policy; public discussion; Board discussion and directions for any redrafting
4. Action, which may include further discussion, adoption, rejection, may be taken at the discussion at the second reading, or at a subsequent meeting.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Board so directs.

The Board of Selectmen may dispense with the above sequence to meet emergency conditions.

Policies and/or procedures will be effective upon the date set by the Board of Selectmen. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy and/or procedure prior to its implementation. The Board may divert from policy by a 4/5 vote.

IV. AUTHORITY AND ROLE OF THE BOARD OF SELECTMEN

The Board is responsible for executive Town policy development and review. The Board works with the Town Administrator on policy development, and oversees the Town Administrator in his role as supervisor of town departments, as stipulated in the Charter.

No actions representing the Board shall be taken by a member or members of the Board without the prior consent of a majority of the Board made at an open meeting. This shall be modified in the event of an emergency should immediate action be required in which case, the ChairmanChair, Vice ChairmanChair, or any Board members shall call an emergency session of the Board prior to the emergency action.

A Board member wishing an in-depth inquiry into a department's policies, procedures, or operations must make such a request during a regular Board meeting in open session and receive approval by Board vote.

Requests by Board members for written legal opinions must follow the policy for consultation with town counsel[4]. be channeled through the Town Administrator or the ChairmanChair, in the Town Administrator's absence.

V. ORGANIZATION OF THE BOARD AND ELECTION OF OFFICERS

Officers of the Board (ChairmanChair, Vice ChairmanChair[5], and Clerk) shall be elected annually at a meeting of the board to be scheduled for the first regular meeting following the Annual Town Elections. The election of officers is by majority vote. If a vacancy occurs among any of the officers of the Board, the Board shall elect successor at its next regular meeting. Nominations of officers shall require both a nomination and a second. The ChairmanChair shall preside at all meetings and shall have the same privileges as other board members to offer and second motions, to debate motions and vote on them.

The Board may at any time by majority vote remove the ChairmanChair or any of the officers. The ChairmanChair may not serve in the capacity for more than two consecutive years in a given term. In the event that the ChairmanChair is not re-elected, the Vice ChairmanChair shall serve as ChairmanChair Pro Tem until the new officers of the Board are elected. In the Absence of both ChairmanChair and Vice ChairmanChair, the Clerk shall act as ChairmanChair Pro-Tem.

VI. RESPONSIBILITES OF THE OFFICERS OF THE BOARD

The ChairmanChair shall:

➤ Preside at all meetings of the Board at which he/she[6]s/he is present. In doing so,

he/she s/he shall maintain order in the meeting room, recognize speakers, call for votes, and preside over the discussion of agenda items;

- Sign official documents that require the signature of the ChairmanChair, following a vote of the board;
- Call special meetings of the Board in accordance with the Open Meeting Law;
- Prepare meetings agendas with the Town Administrator;
- Represent the Board at meetings, conferences, and other gatherings unless otherwise determined by the Board or delegated by the ChairmanChair;
- Serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the ChairmanChair;
- Arrange for the orientation of new members, unless otherwise noted;

The ChairmanChair shall have the same rights as other members to offer and second motions and resolutions, to discuss questions, and to vote thereon.

The Vice ChairmanChair shall act in the place of the ChairmanChair during his/her absence at Board meetings. Should the ChairmanChair leave office, the Vice ChairmanChair shall assume the duties of ChairmanChair until the Board elects a new ChairmanChair.

Clerk shall sign all official documents requiring the signature of the Clerk, with the authorization of the Board, and shall be responsible for recording minutes of any portion of meetings held in executive session for which the Town Administrator is not present.

VII. MEETINGS OF THE BOARD

A meeting called for any time other than the regular meetings shall be known as "special meetings". The same rules as those established for regular meetings shall apply, unless an unforeseen emergency requires a special meeting to be scheduled on a legal holiday. Special meetings shall be called by the ChairmanChair, in consultation with the Town Administrator, and with the informal consent of a majority of Board members, or whenever at least three (3) members of the Board make such a request in writing to the ChairmanChair or the Town Administrator, either whom shall give notice of such meeting.

The Board shall conduct working sessions on a monthly basis or as it deems necessary. This requirement does not apply to budget preparation and review. Such meetings will be posted in accordance with Open Meeting Law. A synopsis of transactions of informal meetings shall be made a part of the record of meeting minutes.

VIII. MEETING PROCEDURES

Board meetings shall be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of said procedure may be on a relatively informal basis.

A quorum shall consist of three members of the Board. As a practical courtesy, action on critical or environmental matters, the adoption of policy, or appointments shall be taken, whenever practicable, with the full Board in attendance. Actions and decisions shall be by motion, second, and vote. Split votes will be identified by name in the meeting minutes.

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator shall attend in order to keep the board informed and advised, and to recommend in all matters that fall within the jurisdiction of his/her office. He/sheS/he shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction.

IX. BOARD MEETINGS: EXECUTIVE SESSIONS

Where practicable, executive sessions shall be scheduled at the beginning of the open meeting of the Board. Should an executive session be required, it may commence prior to the regularly scheduled meeting time of 7:00 P.M. as previously described. Only items clearly allowed under the Open Meeting Law shall be included in executive session. Prior to calling for a motion to adjourn into executive sessions, the ChairmanChair shall state the reasons for which an executive session is sought.

The ChairmanChair shall also state whether or not the Board will reconvene in open session. A majority of the members present and voting must vote to enter executive session by roll call vote.

Minutes of Executive Sessions shall be available to the board in written form within 7 days of the session. Unlike the case with open session, there is no right to tape record or videotape executive sessions. These minutes will then be voted on to approve their content at the next Board of Selectmen Open meeting. The Board will then vote to release or encumber the minutes depending on whether or not the reason for them being kept secret still exists. If they are released they will be filed in the Town Clerk's office. If the minutes are encumbered they will be kept in a confidential file in the Selectmen's Office entitled "Encumbered Board of Selectmen Executive Minutes." The Clerk of the Board of Selectmen is responsible for this file and to bring all encumbered minutes before the Board of Selectmen for review once in every six months to determine if any of the encumbered minutes should be released. This policy will help insure that closed session minutes are kept secret only as long as needed.

X. AGENDA PROCEDURES

The Town Administrator bears primary responsibility for coordinating and planning the agenda for regular meetings of the Board. The Town Administrator, in consultation with the ChairmanChair, shall approve the agenda and schedule a realistic time period for each appointment, interview, conference, or other scheduled item of business. In order for items to be considered for the agenda, they must be submitted to the Town Administrator by 12:00 noon on the Thursday preceding the meeting. Items added to the agenda after this time will be considered out of necessity or due to being routing in nature and exceptions may be made due to emergencies or other cause satisfactory to the Town Administrators and ChairmanChair of the Board of Selectmen.

Agenda items may include:

- Call to Order
- Moment of Silence for Our Troops and Pledge of Allegiance
- Public Comment
- Acceptance of Meeting Minutes (as required)

- Correspondence
- Scheduled Appointments (as required)
- Hearings (as required)
- Committee Reports
- Report of the Town Administrator
- Other Selectmen Business (action as required)
- Reports of Members of the Board
- Adjournment

Each agenda item may state the action anticipated of the Board, as appropriate. Any member of the Board of Selectmen may request an item be put on the agenda for a future meeting. Requests are to be presented at a public Board of Selectmen's meeting or be presented in writing with copies to all Board of Selectmen members and the Town Administrator.

Members of the Board, staff, the Town Administrator, or others who prepare background materials for the meeting should have such material available for Board members by Friday evening. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting, which were not included in the Board's meeting packet, any Board member may request that the relevant item be tabled to allow Board members time for careful study of the material.

The agenda shall be available to the public and the press at the Selectmen's Office at the time of posting and shall be posted on the Town bulletin board inside Town Hall that same day. It shall also be posted on the Town-maintained World Wide Web page by close of business on Friday. Copies of the minutes of previous meetings and all-important correspondence, reports and other pertinent background materials shall be held in the Selectmen's Office for collection by or distribution to Board members.

All correspondence read by the Clerk must be submitted to the Town Administrator, and copies of the correspondence are to be distributed to all members of the Board before the meeting. Matters brought before the board by correspondence received at a meeting or during a public comment period shall be treated as information. Any required action of the board shall be taken up no earlier than the next scheduled meeting. It shall be the policy of the board to take no formal policy vote of the Board of Selectmen. Items of correspondence that are exempt from public disclosure pursuant to the Public Records Law (Chapter 4, Section 7 of the Massachusetts General Laws), or relate to subject matters that qualify for an executive session under the Open Meeting Laws (Chapter 39, Section 23B of the Massachusetts General Laws), will be marked as "Confidential Correspondence" and will not be subject to review in public session. Public comment shall be limited to non-agenda items and discussion be no longer than 2-3 minutes. Non-agenda items that require subsidiary discussion should be placed as a regular item at the request of the proponent.

XI. MEETING MINUTES

The Town Administrator shall ensure that open meetings of the Board are recorded. The Town Administrator shall ensure that minutes are drafted and made available to Board members in a timely manner, generally not to exceed 14 days.

XII. BOARD APPOINTMENTS

As part of the annual appointment process, the Town Administrator will ask incumbents whose terms will expire on June 30 about their availability for reappointment. The Town Administrator will ensure that the Selectmen receive by June 15 a list of appointment vacancies to be filled by the Board.

The Board of Selectmen shall request each appointed Committee Chairperson to submit a report and written record of attendance for each member of his or her Committee for the period of May 1 to April 30 of each year. Any absences excused by the Committee for good cause shall be noted in said record and report, along with any other information that might be helpful to the Board of Selectmen in making decisions concerning the appointment or reappointment of members to said Committee. The Board of Selectmen shall enforce Section 2.4.4 of the Town Bylaws concerning termination of membership due to absence at meetings.

When the bylaw states or when the Selectmen/Sewer Commissioners or Administrator requests a designee of another Board or Committee, the Board or Committee making the designation will vote the appointment of their representative and notify the Town Administrator of the vote including the name of their representative and the date of the vote. One or more names may be submitted. The Town Administrator will bring the names(s) of the representative(s) to the next available Board of Selectmen/Sewer Commissioner meeting for the appointment to be authorized by the Board of Selectmen/Sewer Commissioners or Administrator. The Selectmen/Sewer Commissioners or Administrator may appoint from the designated Committee any other Committee member, who submits a written request to the Board of Selectmen/Sewer Commissioners.

Upon an appointment to a board or committee, et al, authorized by a vote of the Board of Selectmen/Sewer Commissioners or by the Town Administrator, as authorized by the Town of Bourne Charter, as amended, the appointee shall receive a Certificate of Appointment signed by a majority of the members of the Board of Selectmen or Town Administrator (for those committees authorized by the Town Administrator or Charter). Each appointee must present the signed appointment slip to the Town Clerk or his/her authorized designee to be sworn in. The appointee shall have the Town Clerk sign and date the appointment slip. The appointee shall then deliver a copy of said slip to the office of the Selectmen for filing. Further, this protocol must be completed before the appointee is authorized to cast a vote at a meeting of the board or committee to which she/he is appointed.

All appointments shall be staggered as provided by Section 2.4.3 of the Town Bylaws. Said appointments shall run from July 1 to June 30 of each year.

Committees in which members of the Board of Selectmen are seated either as Ex-Officio, committee as required by statute or as requested by outside governmental and non-governmental agencies shall not be greater than one (1) year and shall not extend beyond an individual's term of office unless otherwise specified.

XIII VOTING PROCESS FOR MULTI MEMBER BOARDS

All candidates' names are automatically placed in nomination. No formal nomination or second is required.

Each Board member may vote the number of times equal to the number of vacancies on the multi-member board. For example, if there is one vacancy, each member can only vote for one candidate. If there are three vacancies, each member can vote a maximum of three candidates.

When it's time for voting, the ChairmanChair reads each Selectmen's name and Board members declare their vote.

After all Selectmen have voted, a count of votes is made.

Candidates who receive a majority of votes are appointed. If the vacancies are not all filled, the process is repeated with remaining candidates.

XIV. Board of Selectmen New Committee Procedures

The Board of Selectmen will choose one of its members to attend the first meeting of a newly established committee.

At the first meeting the designated Selectman will read the charge by the Board of Selectmen and answer any questions by committee members so that each member is clear what as to the scope of the committee. Committee Meeting Procedures will also be given to each member and discussed. The members of the committee will establish a regular meeting schedule and determine the date of the next meeting.

The designated Selectman shall conduct the election of officers of the committee. The committee may decide to hold the election of officers at the beginning of their second meeting; however, at no time shall a committee created by the Selectmen be without officers after the conclusion of its third session. No substantive business will be conducted before the election of officers. By majority vote of the members who constitute the make-up of the committee, they shall elect a ChairmanChair, Vice ChairmanChair and Clerk. Officers of the committee shall be chosen at the committee's first meeting after the start of each fiscal year.

In all procedural matters, the committee shall conduct its meeting in accordance with the latest revised edition of Robert's Rules of Order. In the absence of the ChairmanChair, the Vice ChairmanChair shall conduct the meeting.

In accordance with the state Open Meeting Law, the Clerk of the committee or the recording secretary shall keep accurate minutes of the proceedings of the committee including Executive Session minutes. Per the Attorney General's Open Meeting Law Guide dated March 12, 2013. "The minutes must be created and approved in a timely manner, must state the date, time and place of the meeting, a list of members present or absent, and the decisions made and actions taken including a record of all votes. The law requires that existing minutes be made available to the public within 10 days upon request, whether they have been approved or remain in draft form. Materials or other exhibits used by the committee in an open meeting must also be made available to the public within 10 days upon request." Minutes should be approved at the next meeting of the committee and must be submitted to the Clerk's office no more than two (2) weeks after they have

been approved. The minutes may also be included in the Selectmen's meeting packets so they may be apprised of the actions of the committee.

Any board, committee or commission appointed by the board of selectmen shall be responsible to the board of selectmen.

Upon request, the Committee shall send a written update of its actions/recommendations that were taken by a majority vote of the committee members to the Selectmen. The Selectmen also reserve the right to request that the committee present this report in person at a Selectmen's meeting.

NOTE: per the Attorney General's Open Meeting Guide dated March 12, 2013: "Members of a public body may attend a meeting of another public body provided that they communicate only by open participation; however, they cannot deliberate at such gatherings." deliberate at such gatherings."

Individual members of the committee may also ask that a member of the Board be present at a particular meeting as a member of the audience. A formal request for a selectman to attend a meeting must be made by a vote of the majority of the committee.

The Chairman/Chair shall prepare the agenda on behalf of the committee. Any committee member may insert an agenda item for any meeting. The Chairman/Chair or designee will post the agenda at Town Hall according to the state Open Meeting law.

SPECIAL PERMIT RULES AND PROCEDURES

These rules and procedures have been prepared and adopted by the Bourne Board of Selectmen in compliance with General Laws Chapter 40A, Section 9 as amended by Chapter 808 of the Acts of 1975. They may be amended or rescinded from time to time by majority vote of the Board. Said rules and procedures to become effective at such times as may be specified therein and upon filing a copy thereof with the Town Clerk.

Applications:

- A. All applications for special permits authorized by the Zoning Bylaw to be issued by the Board of Selectmen shall be made in writing on such form or forms adopted by the Board of Selectmen and available at the offices of the Building Inspector, Board of Selectmen, Town Clerk or Engineering.
- B. Said form shall be filed in quadruplicate with the Board of Selectmen and a copy shall be filed with the Town Clerk. All of said copies shall bear the signature of the applicant or his duly authorized agent or attorney.
- C. The applicant shall attach to his application a list of all parties in interest and their addresses as appear on the most recent tax list. "Parties in interest" as defined in General Laws Chapter 40A, Section 11, as amended, shall mean the applicant, owner of land for which the permit is sought (if different than the applicant), abutters, owners of land directly opposite on any public or private street or way and abutters to abutters within 300 feet

of the property line, the Bourne Planning Board, and the Planning Boards of Falmouth, Wareham, Sandwich and Plymouth.

- D. Applications shall state the section of the Zoning Bylaw for which the Special Permit is sought.
- E. All applications at the time of filing shall be accompanied by:
 - 1) FOUR (4) prints of the latest recorded plan of the land which will be affected, or in cases where no such plan exists, FIVE (5) prints of a plan of the land endorsed by a registered engineer or land surveyor.
 - 2) FOUR (4) prints of the plot showing the exact location of existing and proposed buildings, signs, and other structures.
 - 3) Such additional information and plans as may be required under the Site Plan Review provisions of the Zoning Bylaw, or any other applicable provisions of the Zoning Bylaw.
 - 4) A filing fee payable to the Town of Bourne in the amount of \$250.00 for advertising and mailing costs.

The Board, in its discretion, may dismiss (without prejudice) an application, which fails to comply with the foregoing requirements.

NOTICE OF HEARING

Notice of hearing will be given by the Board of Selectmen in accordance with General Laws Chapter 40A, Section 11, as amended, by mailing and publication.

HEARINGS

- A. An open public hearing will be held at the time and place specified in the notice of the hearing.
- B. The hearing will proceed as follows:
 - 1) The Chairman Chair of the Board of Selectmen will call the meeting to order and read the notice of hearing as published.
 - 2) The Chairman Chair shall inform those present at the hearing of the time requirements under Chapter 40A, Section 17, as amended, for appealing of the decision of the Board.
 - 3) The applicant or his representative shall present the case to the Board.
 - 4) Parties of Interest at the hearing shall be heard.
 - 5) Town representatives may be heard.
 - 6) The hearing shall be closed and no further evidence shall be heard.

DECISIONS

- A. All decisions of the Board of Selectmen shall be made in writing and shall contain, but not limited to, the following:
 - 1) Date decision rendered.
 - 2) Number of Special Permit
 - 3) Name and address of applicant.
 - 4) The place, time and date of the public hearing.

- 5) Findings of facts.
 - 6) Statement of applicable law.
 - 7) Decision of the Board of Selectmen
 - 8) Roll-call vote setting forth the vote of each member of the Board of Selectmen
 - 9) A statement of right of appeal pursuant to General Laws, Chapter 40A, Section 17, as amended.
- B. A copy of the decision shall be filed with the Town Clerk.
- C. A decision granting a special permit shall be effective after the appeal period has expired and an appropriate notice has been filed by the Town Clerk with the Registry of Deeds. A fee for the Registry of Deeds filing shall be paid to the Town Clerk by the applicant.
- D. Duplicate copies of the decision shall be mailed or delivered to the applicant or his agent or attorney, the owner of the property, the Building Inspector, Planning Board, Board of Health, and all parties in interest who at the time of the hearing request a copy.

RECORDS OR PROCEEDINGS

- A. The Board shall cause to be made a detailed record of its proceedings, indicating the vote of each member upon each question, or if absent or failing to vote, indicating such fact.
- B. Original summary account shall be kept with the case record in the office of the Board of Selectmen, a copy to be filed with the Town Clerk.
- C. All summary accounts shall be signed by the Clerk of the Board of Selectmen who shall be the keeper of the records of said Board.

BOARD OF SELECTMEN

Peter J. Meier
Donald J. Pickard
Linda M. Zuern
Donald E. Ellis
Stephen F. Mealy

Adopted on August 28, 2001

Amended November 12, 2002 by adding section 2.4.2

Amended July 13, 2004 -Special Permit Rules & Procedure added

Revised: May 16, 2006

Revised: November 21, 2006

Revised: May 1, 2007

Revised: April 29, 2008

Revised: December 17, 2013

Revised: February 24, 2015

Don Pickard suggested the title read Board of Selectmen, Rules of Procedure for Conducting/Managing Board Meetings.

Michael Blanton said under roman numeral IV last paragraph should read Request by Board member for written legal opinion must follow the protocol for consultation with Town Counsel.

George Slade said under roman numeral VIII where it states the Town Administrator is expected to be in attendance at all meetings of the Board. Will there be an Assistant Town Administrator present in the absence of the Town Administrator.

More Ideas/suggestions by Board members were discussed.

Change World Wide Web to Town Website

Add and Public Safety Personnel with Moment of Silence for our troops

keep public comment to less than 3 minutes

Identify which ones are Policy and which ones are Procedures

Add a section on decorum

Change Chairman to Chair and change Vice Chairman to Vice Chair

Change he/she to s/he

What happens to Correspondence, who responds, should be handled more definitively, or should be a separate policy

Communication with the Board should go through the Chair.

Clerk's responsibility during executive session meetings

To unencumber or encumber executive session minutes

should there be a time limit per meeting

Michael Blanton suggested to stop the discussion at roman numeral VII, will take the notes and suggestions that have been given by the Board thus far, make changes to the document and email it to the members and continue the discussion at a later date, possibly for the meeting on the 27th

9) Selectmen's Reports

a. Selectmen Goals

No selectmen goals to discuss this week

10) Town Administrator Report

a. Assistant Town Administrator Recruitment update

b. Community Building Progress update

c. Priority Based Budget update

Tom Guerino updated the Board as it relates to the recruitment process of the Assistant Town Administrator and where they are in the process.

ATA working group,
consisting of Ms.
Froman, Ms.
Mastrangelo, and Mr.
Slade agree on job
scope and funding
needs.

Special Town Meeting
approves funding

Position is advertised
in multiple
publications (MMA,
VLCT, ICMA, MaineMA,
NHMA, ELGL INDEED,
Bourne Web site).
Protocols put in place
to keep resumes
confidential.

Initial Screening Group
consisting of Sandwich
Town Manager George
Dunham, Bourne
Conservation
Commission Chair
Robert Gray, Bourne
Finance Director Linda
Marzelli and the TA
independently screen
applicants

Initial screening
identifies 12
applicants of the 89
received for first
round interviews.
Screening Committee
expanded to include
BOS Chair as voted by
the full BOS. Dates are
established.

Interview questions are developed via outreach to other communities that have hired ATA and adapted in-house to reflect some of Bourne's unique characteristics. Questions are distributed to Search Committee and the ATA Working Group for review, additions and input. Matrix established.

First Round of interviews held during Week of February 12. Candidate pool expected to be trimmed to 4 -7 semi-final applicants

Second round of interviews undertaken during the week of February 19/26 with expanded Committee. Reference and basic Background checks.

3-5 agreed candidates who can undertake the duties of the position. Candidates will meet with Departmental leaders in an informal session who will be working together to gain familiarity. Final candidates meet with the TA and a third party for final review.

Town Administrator appoints ATA and presents to the Selectmen. (probably) Request of time waiver by TA. So the selected candidate can give notice to current employer and start as quickly as possible in Bourne.

New ATA to start during month of March

Mr. Guerino updated the Board on the Community Building; the repairs are progressing. Bids are starting to come in. Places around town have stepped up to help with the programs that usually run at the Community building.

Mr. Guerino went over the Priority Based Budget, and handed out a status memo to the Board members. The next onsite meeting should be the middle of March.

Priority Based Budget Status Memo

Back in November Phil McEwen and myself started to establish a platform for the Town's priority based budget system. We started compiling data, creating spreadsheets and having weekly conference calls to ensure we stay within our deadline. I am writing this memo to fill you all in on the process so far and keep you up-to-date on the Town's progress.

The first thing we did was agree to use the most recent budgeted numbers as our starting point, we obviously pulled fiscal 2018. We used every appropriated amount for the entire general government, landfill and sewer budgets. Phil was able to upload these figures into the Town's inventory and cost spreadsheet. Overall the upload went well; however, it did require some attention to categorize some costs that did not pull in to the correct function. Once we established the Inventory and Cost spreadsheet, the goal was to identify personnel and non-personnel costs and calculate each department's overall total. We also added some non-departmental budgeted accounts to departments we felt were closely related. For example, audit services has its own line but we determined it was best to include that under the finance department. There were many others like this and the reason is that each expense needs to be tied to a department. This will not change how we do our regular line item budgeting but in order for it to be classified in the PBB system, we needed to group them with departments.

Next we broke down all of the Personnel costs for each department in all three budgets. The program costing needs to be worked sequentially with both personnel and non-personnel costs. We listed every salary, accounted for each employee within the lines and identified them by position and employee identification number. We did not want to use names for this purpose but we did need something other than a title to categorize each individual employee. After discussing this with the Finance Director, we felt the ID number was best. This exercise was very similar to full time equivalency spreadsheets you have probably seen in the past. The goal was to identify each employee and get an exact total on how many employees we have.

It should be noted that we did not alter the amounts even if the appropriation was for an employee who retired or resigned. We wanted to be able to balance to the budget report exactly as we get this project off the ground. Once the system is up and running, we will have the opportunity to change amounts as needed but for the first phase we felt it was best to be in balance with the total budget.

The next phase will be the program scoring and peer review, which ultimately establishes the foundation for Priority Based Budget system as a whole. This step is where we will tie in the program inventory, program costing and score the results. This step is right around the corner and I am currently participating in webinars to obtain a better understanding of this process. This will be one of the final stages in the implementation phase and we will

Hopefully be rolling out a near finished module sometime within the next couple of months. Chris Fabian and Tom are also working to schedule another on-site visit. Nothing is etched in stone yet but potential dates would be the weeks of March 19 or March 26.

11) Future Agenda

- a. Massachusetts Maritime Academy to give formal update to the Board of Selectmen meeting and to answer questions - February**
- b. Stop and Shop Rotary and Clay Pond Road update**
- c. Board of Selectmen discussion on term limits**
- d. Cable TV Contract - opt out and renewal preliminary discussion**
- e. A member of the legislative delegation to give BOS an update on situation regarding Comcast by Representative Hunt**

12) Adjourn

Voted Peter Meier moved and seconded by Judy Froman to adjourn. Meeting adjourned. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.