Board of Selectmen
Minutes of September 27, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

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TA Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

- None

Meeting called to order
7:00pm

Moment of Silence/Salute the Flag

Public Comment – Non Agenda Items
None.

Approval of Minutes
Sloniecki MOVED and SECONDED by Ford to approve minutes of 7/5/11 as submitted. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to approve minutes of 9/6/11 as submitted. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to approve minutes of 9/20/11 as amended (correction of Chm. and V. Chm.). VOTE 5-0.

Correspondence
Meier read correspondence into the record. A copy of all correspondence is available at the Town Administrator's Office.

Item C – Ford said having a long standing policy with regarding to anonymous letters to the Board and never should have been entertained. Sloniecki for the record said the Selectmen have no intention of shutting down the Food Pantry. He further stated that when he first took office six years ago, and today his contact information [(774) 313-8888; 9: am – 9:00 pm, 7 days/week] for people to discuss issues with him as he and the Board are concerned about the Town issues.

Sloniecki MOVED and SECONDED by Ford to not allow anonymous correspondence be sent to the Selectmen. VOTE 5-0.

Item – Opinion of Atty. Troy in regard to the Board of Trustees setting fees at the Community Building. It is to go through the Selectmen.

Licenses/Appointments

a. Cranberries, LLC- Change of Manager

Jake Jakeman, Pocasset, one of the owners and soon-to-be manager of the Restaurant.

Sloniecki MOVED and SECONDED by Meier to approve the Cranberries, LLC request of Change of Manager per request and per routing slip. VOTE 5-0.

b. Meier MOVED and SECONDED by Sloniecki to approve BBBG request for the 4th Annual Scarecrow Festival on 10/7/11 between 10/30/11 along Main Street, waiving all fees and per routing slip. VOTE 5-0.

c. Buzzards Bay Beautification Group

Ford MOVED and SECONDED by Sloniecki to approve BBBG request for use of Bourne Town Hall Parking Lot for pumpkin carving display and contest on 10/29/11 between 12:00 pm – 5:00 pm, waiving all fees and per routing slip. VOTE 5-0.

d. Bourne Financial Development Group – one day liquor license

Ford MOVED and SECONDED by Sloniecki to approve BFDG request for one day liquor license at Mass. Maritime Academy for all alcohol on 10/12/11 from 4:30 pm – 7:00 pm per routing slip. VOTE 5-0.

e. Rescind license – Striper Festival

Ford MOVED and SECONDED by Baldwin to rescind license on the water for the Striper Festival due to Striper Festival being relocated from Bourne to 35 Technology Drive in E. Falmouth, MA. VOTE 5-0.

f. Election Clerk

Baldwin MOVED and SECONDED by Meier to approve appointment of Loraine Young as Election Clerk for a term to expire 6/30/12 on recommendation of Town Clerk. VOTE 5-0.

Outhaul Discussion and Possible Vote

Ford MOVED and SECONDED by Sloniecki to take Item 10 - Outhaul Discussion out of order. VOTE 5-0.

Chm. Pickard said it has come to the attention of the Board that some residents of Patuisset have three items they are requesting be change in the Waterways Regulations.

John White, Don Tibbets, and Russell Hart, all of Pocasset, here tonight to address the policy of the moorings called outhauls. Mr. White stated that in 2001, Selectmen at the time took away

outhaul right users using town land. Everyone who had an outhaul permit on public property would not be allowed to renew.

Chm. Pickard read into record the three issues with regard to the Waterway Regulations that Mr. White is bringing before the Board:

1. Owners of shorefront property need Bourne's permission to install an outhaul (process takes about five (5) years) – Owners of shore property be allowed to install an outhaul immediately with no wait period;

2. Outhauls do not pass to heirs other than the spouse – Allow outhauls to be passed on to children and grandchildren upon or before death;

3. Bourne has indicated outhauls removed from town-owned land (some outhauls have been there for over 80 years) – Town allows outhauls on town-owned land.

Ford asked Mr. Mullen, DNR Director how this all happened. This all began at Monument Beach with outhauls having been removed which were called the "Senior Section". Mr. Mullen said there is a designated area included in the Shellfish Regulations, but it is not designated "seniors only". Mr. Ford asked if someone had an outhaul where would it be placed. Mr. Mullen said to the right of the boat ramp. Mr. Mullen stated no issues with public land for a period of 10 years. Mr. Ford asked what would be the detriment to the Town to not allow. Mr. Mullen said if you are looking to install where there is a waiting list, require they be on a waiting list like everyone else.

Mr. Mullen said the only issue is going back to the Policy adopted by the Board in 2001 that stated no outhauls are to be permitted on public land. To the best of his knowledge, if had an outhaul on public land or on private land without Bourne's permission, those are the only outhauls that are targeted.

Ford inquired about the difference of the sale of a marina with outhauls included and an outhaul by private citizen. Mr. Mullen said the nature of a boatyard that has 300-500 commercial permits to not allow the transfer. He also said that homeowners can pass down their outhauls to the next homeowner if they are Chapter 91 licensed outhaul (always had an option to go through DEP and record on your deed at the time of the sale).

Sloniecki asked about any safety issues with regard to outhauls. Mr. Mullen said generally there are none.

Sloniecki asked if Mr. Mullen is opposed to the transfer of outhauls to the surviving spouse. Up until 2007 outhauls were not transferred to a surviving spouse (in addition to the property). Most decisions then were made at the discretion of the Harbormaster. Now it falls back on the Policy.

Sloniecki asked Mr. Mullen how many people have lost their outhauls due to the Policy. Mr. Mullen said there have been permits that couldn't be transferred, but he couldn't give an exact number.

Mr. Tibbets answered in the Patchawissit area it has been 8-10 outhauls permits that have been lost due to said Policy. He is asking for the transfer between families.

TA Guerino stated that the Board cannot change Policy tonight. This requires a public hearing, go through the normal course of events to change. Meier would like to get issues on an agenda sooner rather than later. TA Guerino said this is more of a fact finding issue.

Meier requested a public hearing for discussion and possible vote.

Sloniecki MOVED and SECONDED by Meier that the Selectmen hold a public hearing on 11/8/11 at 7:15 pm for the purpose discussion and possible vote on the Policy of outhauls and moorings. VOTE 5-0.

Mr. Agrillo inquired clarification of professional staff. He is in opposition of outhauls.

Mr. Webster asked for clarification of hearing addressing passing of outhauls to children and grandchildren.

Mr. Sherwit asked if a summer resident can vote. Chm. Pickard said non-residents will have the opportunity to speak.

Mr. Cruise, Pocasset, asked if differentiate outhauls on private and public land. He also asked about outhaul hearing, if it is continued, what happens January 1st, 2012. Sloniecki said he could ask for a stay of execution of that particular issue.

Chm. Pickard asked Mr. Mullen if it makes sense to reclassify as outhauls and not moorings. Mr. Mullen said they would be classified the same. A total of 26 outhauls are on town land; 18 are in Hen's Cove.

Sloniecki requested a room that can accommodate seating. Ford suggested digital boxes for people at home can watch.

Ms. Curtis asked if the report be on the website. TA Guerino said hard copies can be produced as well. She also asked about her mooring permit where she and her sister are co-owners. Sister is listed on registered on mooring permit. She would like to use the word "family" can be a sibling. Chm. Pickard said this can be addressed at the public hearing.

Mr. Mulvey suggested to accommodate the meeting, asked if the meeting can go out live on screen in the library to use an as annex for the hearing date. Ford said that was what he was discussing with regard to the digital box.

Chm. Pickard stated public meeting on 11/2/11 for discussion.

Sloniecki MOVED and Meier SECONDED for a brief recess. UNANIMOUS VOTE.

Chm. Pickard called meeting back to order.

Licenses/Permits

b. Energy Advisory Committee
Meier MOVED and SECONDED by Meier to appoint Mr. Frank Kodiz to both the Bylaw Committee for a term to expire 6/30/14; and the Energy Advisory Committee (EAC) for a term to expire 6/30/12. VOTE 5-0.

c. Psychic Fair – discussion
Lisa Laney, VP of the Friends, Carol MacDonald, Pres. of the Friends. Ms. Laney read into record letter request for waiver of fees and Friends asking for compromise for the need of fees.

Sloniecki asked about a fee structure on the Community Building. TA Guerino said there is one for the weekend fee. He's asked if any fees have been waived in this building. TA Guerino said here has never a request. Ford pointed out that there was never a fee charged prior and said having a Council on Aging on the premises there may not be a fee to be charged. The fee was specifically for the SWISH league, but someone not belonging to the Community Building.

Ford MOVED and SECONDED by Sloniecki to approve the Friends of Council on Aging requesting waiver of fees for both the Psychic Fair on 10/8/11 and the Annual Holiday Fair on 11/5/11 with the stipulation to clean up, carry in and carry out, per routing slip. *Baldwin said Town Counsel opinion made in 1946 stated the Selectmen have the right to set fees, however, it would not be fair for other charitable organizations to waive fees where funds will be raised. Meier said without the Friends there would be no Community Building today, but in the future there may be a time when fees will be more structured.* VOTE 4-1 (Baldwin opposed).
TA Guerino said the President, VP of Friends are meeting with him on 10/6/11 to discuss the Kitchen clarification to move forward on fee structure and to present to the Selectmen.

Sign Purchase & Sale – 199 Herring Pond Road Acquisition
Purchase and Sale Agreement as drafted and approved by Town Counsel. No building structures and part of what the Town has been doing with Open Space through the CPC for the Town's benefit.

Sloniecki MOVED and SECONDED Baldwin the sale of the sale and acquisition relative to the property at 199 Herring Pond Road. VOTE 5-0. *BOS to sign document at the end of the meeting*

Open Space Spending Concerns – Richard Conron
Mr. Conron supports the CPC efforts to acquire land and to keep the rural character of the community. He hasn't seen a number of articles acquiring land in a number of years and questioned why taxes are being paid if no action is moving forward.

He referenced his memo, saying the Town is sitting on over $6M in cash for Open Space and asking for the Selectmen's assistance. He said there is no information in Town Reports that can demonstrate the activity that is going on with the pursuit of purchase of land. There is no information in the Town Reports that talk about parcels available, number of parcels investigated, how many owners were contacted, all of which are basic metrics that should be available to the public.

Mr. Conron went to the Open Space and Recreation Report to get these answers. In 2008 talks about goals, objectives, creating property lists, etc. to try to promote acquisition of property.

If the Town is going to sit on the $6M, he suggested the Town put 3% towards a new Police Station. The fact the Town cannot spend the money that is collected from the citizens of Bourne is an issue.

Sloniecki asked Barry Johnson touch base on some of the points raised by Mr. Conron. Mr. Johnson said after presentation hopefully will answer some of the questions.

Joint Meeting of Selectmen/Open Space Committee
Open Space Committee presentation includes:

Current Members – currently have 10 members are re-energized.

Executive Order – 99-01, Open Space Committee shall be made up of a maximum of 13 members. "… shall recommend acquisition and interests in real property." In making recommendations of any acquisition, the committee shall use as a guideline local and regional open space plans, master and local comprehensive plans.

Local Comprehensive Plan Section 8.2 – "promote acquisition and preservation of key parcels of land for protection of groundwater supplies, coastal wetlands, wildlife habitat and other natural resources, and to maintain the appearance of Bourne's rural character"

Parcels available – Section 9.1- color coded status of action items. Red – completed; Green – in progress. Some of the items are dependent are many of other committees in the communities. Mr. Johnson said the OSC is working and will continue to work on projects.

Potential Open Space Acquisitions in the Town map which began in 2004/2005 and has come forward and has been updated. Ms. Moore, Town Planner, has offered to coordinate and track for the OSC. Have a possible acquisition in the very near future which will be brought to the

next Town Meeting. This listing is currently is 42 possible acquisitions to be considered, some were purchased, so OSC are currently reviewing.

Parcels purchased - In Cape Cod Land Bank Summary from 1998-2007, up through 2007, Bourne ranked 6th out of 15 towns acquiring parcels and the rate of acreage (Bourne's rate/acre was $17,133). Bourne was shown as 1 of 5 towns that were "winners" as able to negotiate prices and keeping them reasonable.

Current OSC Activities - The OSC had a large advertisement in the Bourne Enterprise last week seeking nominations for parcels.

Mr. Johnson said the figure Mr. Conron raised in his letter and presentation tonight is not the $6M, but actually is $3,025,548,000. The Town Meeting Article of $3.2M is there and authorization is still there to acquire parcels out in the Mashnee Island which should not be included in the $6M figure. Financial Director Linda Marzelli has confirmed.

Mr. Johnson said Penny Meyers who is on the OSC is looking to serve on the Community Preservation Committee (CPC), who will be the 4th member of the OSC to serve on the CPC.

Mr. Johnson turning presentation over to Mr. Andy Cooney of the CPC to discuss Little Buttermilk Bay Woods (Henshaw property) which was acquired in 2007:

Little Buttermilk Bay Woods

- Public trails
- Parking lot
- Maps
- Boy Scouts
- Signs
- Eastern Mountain Sports volunteer work

Once access from Head of the Bay Road by Jack MacDonald as project manager; developed trails on parcel by Red Reinhardt as project manager; and Penny Meyers as project manager for signage identifying trails to enjoy the property.

Eagle Scout candidate Tim Kennedy of Troop 49 and Troup 79 was offered to develop his project of taking an old boathouse and converting to an observation deck. Local builders Mr. Wing and Mr. Bilodeau; Funds from CPA to purchase materials to build observation deck; Tim Mullen, DNR, found resources to coordinate to have Scouts bring materials over; and Mr. Mulvey allowing access from his property to get the job done. Deck is expected to be complete in two weeks.

Current OSC Activities:

- Three-Mile Look

- Canal Crossways - planned improvements in coordination with Cape Cod Centennial Celebration in 2014
- Great Herring Pond – access improvements and construct deck overlooking pond
- Monk's Park – signage and trails
- Open Space advertisement – seeking potential parcels in accordance with LCP and the OPS/Recreation Plan

The OSC currently has 6/7 parcels in the works and some things have to remain in Executive Session.

Mr. Johnson said when the Cape Cod Land Bank was converted by all 15 towns that adopted the CPA; the earliest communities can vote to get out of the Land Bank is the year 2020. The four things CPC money can be used for (Historic, Open Space, Recreation, and Community Housing) are frozen as far as recreation due to a court case. Legislation making its way called the Act of Sustained Community Preservation – OSC and CPC has voiced full support to said Act.

Joan DeLapp, Gray Gables, is appreciative of the OSC/CPC presentation tonight. She suggested going towards more on the commercial side, a lot abutting Gray Gables Beach would be well worth money into.

Mr. Majewski, Monument Beach, asked about real activity over the last couple of years, as this is a great opportunity to generate interest in these economic times.

Mr. Johnson said the Town signed P&S at the Herring Run in Bourne which was just voted at this past Town Meeting.

Meier MOVED and SECONDED by Sloniecki to take Item 12A out of order. UNANIMOUS VOTE.

Town Administrator's Report

Clinic at the Fire Station in the past, and has a conflict to have this portion at the Fire Station. The whole idea of the clinic was to provide a place to go to afford a vet. There have been some concerns by the Fire Department relative to animal waste and urine.

TA Guerino was notified on 9/16/11 of a health issue found by Chief Green. On 9/20/11 TA Guerino spoke with vet who admitted no custodian cleaned that week and the previous week. His concern is the health and safety of the Fire Departments or Scouts. While the clinic is providing a good service to the Town, he believes the clinic can be moved to the Hoxie School.

Sloniecki said he was opposed to the clinic being moved to the school, and now hearing upon this latest incident, he concurs with TA Guerino.

Ford and Meier are in favor of the move of the clinic to Hoxie. Meier hopes to get some revenue stream with the proposed moved. TA Guerino said a fee has not been charged because of the sliding scale. If the Board will entertain a fee, he will do so. The clinic has grown

since it first began. Clinic prepared to move to the Hoxie on 10/12/11. Ford and Baldwin concur with Meier on imposing a fee.

Chief Green commented on vet being the victim of his success. The few times TA Guerino met with the vet, Chief Green followed up with visits. His concern with wear and tear of the furniture being used as the waiting room.

Sloniecki is concerned with where the clinic will be set up at the Hoxie and the potential damage. If the clinic is that busy, maybe the vet should come before the board to discuss. TA Guerino said the area is tiled area, no upholstered chairs and set up for heavy traffic. He believes a fee schedule can be set up.

Sloniecki requested from the vet how much his annual salary is from the clinic; how he will set up the clinic, Board of Health concerns. Meier would also like the vet to come before the Board to determine a fee schedule.

Ford would like a plan from the vet to keep the area clean and is in favor of a fee schedule.

Sloniecki raised issue of moving issue from one building to another building. Chm. Pickard raised supervision 24/7 at the Fire Station and will not have at the Hoxie School and asked if the Selectmen are doing an injustice to the other veterinarians who pay for their business.

Meier MOVED and SECONDED by Baldwin to not allow the clinic move to the Hoxie as scheduled until the vet come before the Board to speak on the privilege of using the Hoxie School. *Sloniecki had concerns with people using the clinic who deserve to be there and suggests to move in and then bring before the Board*. *Chief Green envisioned the clinic a short-term basis and his concerns are the clinic being in limbo before Selectmen discussion. Ford said there is a meeting 10/5/11 scheduled which will be before the move to the Hoxie (10/12/11). Ford also said that the vet can guarantee to the Board to keep the place clean and pay fee, the BOS may be agreeable to the move.*

Mr. Majewski, Monument Beach, raised concerns about safety, costs and liability to the Town. TA Guerino said there is a Certificate of Insurance from the clinic. VOTE 5-0.

Sloniecki MOVED and SECONDED by Baldwin that applicant fill out and submit a routing slip. VOTE 5-0.

Review and Sign Special Town Meeting Warrant
This is a 21 Article Special Town Meeting.

Sloniecki MOVED and SECONDED by Baldwin to take Article #14 out of order. UNANIMOUS VOTE.

<u>Article 14</u> – Utilize $15 beach parking permit on designated beaches to fund lifeguards

Selectmen need to make a determination whether to increase beach sticker rate.

Meier suggested looking at traffic enforcement.

Ford believes the fee could go up to $20. He asked TA Guerino to report back many parking spots are available, but believes monies should come out of the General Fund for the purpose of lifeguards.

Sloniecki MOVED and SECONDED by Ford to pull Article 14 out of the Special Town Meeting Warrant. VOTE 4-1 (Meier - opposing).

Ms. Bobby Dwyer expressed concerns of being able to have public discussion on Article 14.

Mr. Majewski said parking fees allocated to fund lifeguards is insurance of a commitment to add lifeguards and suggested increases from non-residents for paying for a portion. Chm. Pickard said that if the fee was doubled, people may only one beach sticker.

A citizen (name inaudible) asked clarification on vote and increasing of beach sticker fees timeline.

Article 1 - $2,000 to get a professional into the building 36 County Road. CPC would like opportunity to do an appraisal on ceiling.

Article 2 – Provide $1,000 to Treasure and Collector for salary as recognition of being certified by the Commonwealth. Ford asked if these positions will still move forward if they are not certified and if they will lose $1,000 if not certified – TA Guerino will get clarification.

Sloniecki MOVED and SECONDED by Meier to approve Article 2 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Article 3 – Easement for septic system on Circuit Avenue
Ford MOVED and SECONDED by Sloniecki to approve Article 3 in the Special Town Meeting Warrant on 10/17/11. VOTE 5-0.

Article 4 – Road Betterment
Private owners will pay the Town back with interest.

Ford MOVED and SECONDED by Sloniecki to approve Article 4 in the Special Town Meeting Warrant on 10/17/11. VOTE 5-0.

Article 5 – To reinstate Article that anything take in access of $450,000 from Landfill host community fee put in the capital expenditure stabilization fund.

Ford MOVED and SECONDED by Sloniecki to approve Article 5 in the Special Town Meeting Warrant on 10/17/11. VOTE 5-0.

Article 6 – Authorize Revolving Fund for the Council on Aging
New Revolving Fund for Council on Aging for Council related activities.

Sloniecki MOVED and SECONDED by Meier to approve Article 6 in the Special Town Meeting Warrant on 10/17/11. VOTE 5-0.

Article 7 - Supplemental Budget
Human Resources Expenses - $26,000. $6,000 – training supplement for LIUNA contract. Some examples: wastewater treatment certification, training for George Tribou for future retirement replacement. $20,000 – wage and classification and job description and quantitive methodology for upgrade of position; RFP to be put together by Human Resource Director to have written policy and system developed. 2007 found starting wages low ending wages okay. In these economic times we need to evaluate and re-align wages, steps, etc.

Discussion on putting the additional $20,000 off to the Annual Town Meeting.

Sloniecki MOVED and SECONDED by Ford to keep the $6,000 for the Human Resources Expense Fund and not fund the additional $20,000 for the consultant. VOTE 5-0.

Selectmen Expenses for controlled services - $3,000.
Town Administrator Expenses for contracted services to pay for - $2,000 (interim working on succession planning).

Community Building Expenses - $17,500 (no overtime). $15,000 – majority related to supplies and drugs which were replaced by hospitals but now need to be purchased. Some of the cost will be collected through fees. $2,500 – when power went out servers/wireless. This provides use of mifi wireless in emergency (One time $2,000 equipment cost - $40/month line charge. $2,500 each for DPW, Fire Department, Police Department).

Fire Department wages - $6,000 to cover absence of administrative secretary.

Meier with regard to the FD $6,000 disclosed that his mother is an employee of the Town of Bourne as Administrator Assistant in the FD and has 58 days in the books and was told she needs to spend. This line item is to perform to do that task.

Sloniecki MOVED and SECONDED by Ford to approve line item Fire Department wages of $6,000 as outlined. VOTE 4-0-1 (abstention-Meier).

Emergency Preparedness Wages - $7,000 for EMS Director who must attend monthly meetings. Increase from $5,000 to $12,000.

Lifeguard Wages - $10,000 to get up and running for June (lifeguards in June 2012).

Police Expenses - $2,500 (same as Fire Department for emergency wireless)

DPW Expenses - $2,500 (same as Fire Department for emergency wireless).

Human Services Org. - $5,395.00 to correct error in request for budget this year that was missed. Gosnald - $4,545; Site loss - $300; Youth Council - $550.

Fuel and Gas - $5,500 to supplement budget due to cost.

Ford MOVED and SECONDED by Sloniecki to approve Article 7 as amended without the $20,000 Human Service Expense. VOTE 5-0.

Article 8
TA Guerino recommended pulling article.

Sloniecki MOVED and SECONDED by Ford to pull Article 8 from the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Article 9
Capital Outlay Expenditures. TA Guerino explained that ISWM gas extraction wells ($375,000 transfer from closing fees). Library furnace $20,000 - $16,000 for installation small charge for furnace and contingency.

Article 10
Planning Board next week.

Article 11
Planning Board next week.

Article 12
To transfer tax title property to ConCom. Some tax title property to be soled, some goes to Housing Authority. These parcels will go to ConCom. Most are too small to be buildable or are drainage areas.

Article 13
Estimated cost is about $600,000. Town would have to match $125,000. If money is available from USDA, we would need to match, need to be shovel-ready to get the funds from USDA. If funding from USDA is not available, funds would be returned. To be funded from Free Cash or Stabilization.

Ford MOVED and SECONDED by Sloniecki to approve Article 13 of the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Article 15
TA Guerino said Article needs to read to the "Bourne Housing Authority" not "Affordable Housing Trust". Meier said this is a deed change.

Article 16
Energy Coordinator (EC) position. TA Guerino said Selectmen will sponsor for Energy Committee. Request for $15,000 article for 10-15 hours/week to continue Energy Coordinator after grant expires. TA Guerino said this contract has expired (funded by grant money) and is carrying EC on his budget until 10/17/11. Ford said CE brings in more money to the Town than the cost. Extension is for the purpose of the CE to finish up work on the Library.

Ford MOVED and SECONDED by Meier to approve Article 16 of the Special Town Meeting Warrant of 10/17/11. *Sloniecki asked if someone else could do this work if given the opportunity and was told yes. Chm. Pickard asked when the funding ceased and was told 2 weeks ago. Ford said EC does a fantastic job. TA Guerino said this is on as the Town was not adding any more employees, but little money for the work*. VOTE 4-1 (opposed-Sloniecki; *for the opportunity of other candidates to apply and not for the work that has been done*.)

Article 17 and Article 18
TA Guerino said the sale of property, surplus, on Cody School towards down payment on DPW facility.

Meier asked when the next meeting would be regarding the DPW facility and the names of members serving on the Committee. TA Guerino to put on a future agenda item.

Ford MOVED and SECONDED by Sloniecki to approve Article 17 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Ford MOVE and SECONDED by Sloniecki to approve Article 18 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Article 19 and 20
Chm. Pickard said these are ISWM articles for RFP's. For Article 19 to lease parcel for alternative integrated. For Article 20 to lease portion of property at ISWM for landfill gas utilization facility. TA Guerino explained that the ISWM Future Working Group has done an excellent job and has worked hard over the last year.

Ford MOVED and SECONDED by Sloniecki to sponsor and approve Article 19 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Ford MOVED and SECONDED by Meier to approve Article 20 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Chm. Pickard asked how many articles are designated as necessary to conduct the Town's business. TA Guerino said the Supplement Budget Article, Articles 19 and 20, and one other.

Article 21 – replenishment of Article; buy outs when employees retire so it doesn't come out of the Department budgets. TA Guerino said there is and was on the Warrant and disappeared.

Meier MOVED and SECONDED by Sloniecki to approve Article 21 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Mr. Mulvey asked the Selectmen to look at Article 6 (Council on Aging) for intent and its implementation. He will discuss later with TA Guerino for his own clarification.

Town Administrator Report – continued
Memorandum dated 9/23/11 voted by the Cape Cod Commission (CCC) with regard to the Metropolitan Planning Organization in which Peter Meier indicated seeking this post. Each Selectman in the four towns received a ballot. The Town of Falmouth chose to vote by Committee by the Board (one vote of the Town). Bourne protested to both the Executive Director of Commission and the Town of Falmouth has questioned whether vote by ballot was a violation of the Open Meeting Law. The Committee has set up a new voting procedure where there will be nominations and a vote taken on 10/17/11 at a place to be determined (County Complex). Anyone interested, need to be present at nomination and vote on that particular day. TA Guerino will make the Board aware as he gets more information.

Selectmen Business
Due to the late hour, it was the consensus of the Board to pass on comments under Selectmen Business.

Mr. Mulvey suggested the Selectmen request from Comcast to provide and install digital boxes to activate for the TVs in the Community Building for the public hearing regarding outhauls. TA Guerino said the boxes have been ordered.

Adjournment
Baldwin MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:45 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.