Board of Selectmen
Minutes of September 20, 2011
Bourne Veterans' Building
Buzzards Bay MA 02532

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TA Guerino

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

List of documents:

- House Bill #1775 – Executive Summary – 3 pages

Meeting called to order
7:00pm

Moment of Silence/Salute the Flag

Licenses/Appointments

a. Buzzards Bay Beautification Group

Ford MOVED and SECONDED by Sloniecki to approve the BBBG request to use Buzzards Bay Park for the 4th Polar Express Event and Lighting with DPW on 12/8/11 between 4:00 pm – 9:30 pm, waiving all fees and per routing slip. VOTE 5-0.

b. Scarecrow Festival

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.

House Bill #1775 – Proposed Regulation for Land-based unit projects

All Selectmen received proper documentation (short Executive Summary) from President Murray's office. Sloniecki requested item to be put on the agenda and read into record said Executive Summary. He would like proposed regulation to remain in local control of the Boards in the Town and remain under Bourne's permitting process. The second meeting for said regulation will be held on 10/20/11 at the Cape Cod Community College. Sloniecki read into record the introduction of proposed regulation.

Sloniecki MOVED and SECONDED by Meier to vote in opposition of House Bill #1775 and send notice to Senate President Therese Murray's office and legislature, as well for Sloniecki and Meier to take copy of said vote to the 10/20/11 second hearing at Cape Cod Community College. VOTE 5-0. *TA Guerino said the Town of Bourne is on record on having a long history for as long as this proposed regulation has been around to be in opposition for loss of control.*

Board of Selectmen took brief recess before moving into joint meeting.

Joint Meeting of Selectmen/FinCom/Board of Health/Energy Advisory Committee/ISWM Working Group/Capital Outlay Committee

Michele Ford, Mary Jane Mastrangelo, John Redman – FinCom; Stanley Andrews, Skip Barlow – BOH; Bob Schofield – EAC; Phil Goddard, Dan Barrett – ISWM; Mr. Ware and several members of the Capital Outlay Committee in attendance.

Selectmen meeting reconvened. Chm. Pickard said this joint meeting is to provide update of the progress of the Business Model of the ISWM Working Group and to provide with ISWM Article on the Special Town Meeting of 10/17/11. This was prepared by Phil Goddard and Dan Barrett. Essentially, the ISWM Working Group would like the key stakeholders from each of the committees to know what to expect and to be prepared for any questions from voters prior to Town Meeting.

The Working Group has developed three (3) draft RFPs discussing: land, gassification, leachate evaporation, and equipment. Phil Goddard and Dan Barrett have been working with Commonwealth Resource Management. Town Counsel has reviewed submitted Warrant Articles and has provided a review and has checked compliance with 30B providing comments. RFP language and RFP are being refined. Serious vendors have been giving feedback to Commonwealth Management and Mr. Barrett. Town Counsel strongly urged the Board of Selectmen to seek Town Meeting approval specifically authorizing Selectmen to issue the RFPs and to enter into a 25-year negotiation. ISWM Professional staff has been working closely with the Cape Cod Commission and MEPA in Boston to make sure permitting is clear.

ISWM recently finished their air emissions modeling with a consultant and is about to apply for a major comprehensive air plan approval from the DEP which will take several months. Therefore, the reasons for the issuances of the RFPs have been delayed to late January 2012 with a final selection sometime in May 2012.

The Selection Committee for the successful vendors will be Mr. Schofield (EAC), Mr. Redman and Mr. Were, Dan Barrett, Phil Goddard and Mr. Arson, the consultant. It is important to note that no lease will be signed until the Board of Health has reviewed proposals and issued a decision of the proposals have complies with their finding and other conditions they have imposed.

At the Special Town Meeting, the ISWM Professional Staff will provide a 15-minute presentation to review history of what ISWM does, how they got to where they are, and what the Articles are asking for. There will be two (2) Articles and final wording is being developed by Town Counsel. Chm. Pickard turned the meeting over to Mr. Barrett.

Mr. Barrett said the main goal was to provide information and to get feedback from the people sitting here tonight. He said originally ISWM had hoped to get the RFPs out before the end of this year (2011). Before expanding the landfill further, ISWM needs to go back to all regulatory boards prior to formally submitting permanent approval. Great success with Massachusetts Environment Policy Act Unit (MEPA) and gave break down, they want ISWM to file a Notice of Project Change to consider the landfill footprint first, brings them up to speed of what ISWM has been doing for the past 10 years and gives them a background. Once received, ISWM can be developing the RFPs moving forward. When ISWM gets to a point of a definite vendor, then ISWM can ask MEPA for approval of a Notice of Project Change. In summary, they are speeding up the process.

Mr. Goddard added that one of the terms discussed was "de-risk" for local Boards understand what ISWM is proposing to do, as well as State and local permitting paths, which is almost pre-approving process before moving forward. MEPA macro-manages the issues involved. Since receiving original approval, regional policy has changed. One of those changes is a developmental agreement between entities (Town of Bourne and the Cape Cod Commission) that is good for 12 years to implement plan and provides certainty with the Cape Cod Commission going forward. Cape Cod Commission is comfortable working with ISWM.

Mr. Goddard said the two (2) Articles basically are to authorize the Selectmen to issue the RFPs for the purposes of leasing land and buildings for a period of up to 25 years, and to further authorize the Selectmen entering into negotiations including discussions of payments in lieu of taxes for landfill gasularization or for land, and for vendors to come in and develop their technology.

Sloniecki inquired about the timetable and what happens after May 2012. RFPs issued and then reviewed, moving forward ISWM will begin site lease negotiations.

Mr. Barlow (BOH) commended the paths ISWM is taking for this process to run smoothly.

Chm. Pickard stated the processing would enhance the price for the vendors at which they expect to be at. Mr. Barrett said that all systems are in place (sewer, septic, fire) is all there and a full package. Mr. Goddard said the goal is to have citizens of the Town to want the Selectmen to move forward.

Ms. Ford (FinCom) inquired about the Cape Cod Commission's role. Mr. Barrett said when he and Mr. Goddard approached CCC, they were told "this will happen". Mr. Goddard added that the development agreement will go for 12 years and CCC is well up to speed and a good momentum going.

TA Guerino said that the meeting with Atty. Troy put ISWM in a good position to move forward. Also, Executive Director of CCC has been extremely positive.

Ms. Mastrangelo (FinCom) inquired if ConCom has been involved with process and Mr. Goddard said there are no issues on site for ConCom. She also asked about traffic, which Mr. Barrett said will move forward and have been working with a traffic evaluation in case.

No further questions or comments from the Boards and Committees.

Adjournment
Ford MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 8:00 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.