Board of Selectmen
Minutes of August 7, 2012
Bourne Community Building
Bourne, MA 02532

TA Guerino

John Ford, Chairman
Don Pickard, Vice-Chairman
Peter Meier, Clerk
Earl Baldwin
Linda Zuern

Members of the Press: Diana Barth, Bourne Enterprise and Paul Gately, Bourne Courier

List of documents
- None

Meeting called to order
8:12 pm by Chm. Ford

Note this meeting is being televised and recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such at this time

Moment of Silence/Salute the Flag

Public Comment
None requested.

Approval of minutes – regular: 6/5/12; 7/10/12; 7/24/12; 7/31/12 – Exec: 7/24/12
Pickard MOVED and SECONDED by Meier to approve regular session minutes of 6/5/12 as submitted. VOTE 5-0.

Zuern MOVED and SECONDED by Ford to approve regular session minutes of 7/10/12 as amended per Elinor Ripley, FinCom. VOTE 3-0-2 (Meier and Pickard abstentions).

Pickard MOVED and SECONDED by Baldwin to approve regular session meeting minutes of 7/24/12 as submitted. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve regular session minutes of 7/31/12 with regard to ballot as submitted. VOTE 4-0-1 (Pickard abstention)

Pickard MOVED and SECONDED by Meier to approve executive session minutes of 7/24/12 as submitted. VOTE 5-0.

Correspondence
Meier read correspondence into the record. Copies of correspondence are available at the Town Administrator's office.

Meier – would like to include in tonight's correspondence the function of the Friends of the Council on Aging and the Council on Aging (COA) on a whole. Also, he would like to include letter from Mr. Noyes with regard to the Pilgrim Power Plant (*TA recommends Mr. Noyes come forwad to the board to dicuss letter in more detail on 9/4/12*).

Item E – problematic and Mike Leitzel working to maintain and will continue to work to get them better.

Item A – request to put on board agenda for 8/21/12.

Item B – private way. TA Guerino explained that all private ways are maintained by the town, for year round access for both pedestrian and vehicular traffic.

Item D – letter with regard to live feed in Town Hall. TA Guerino said Mr. Anderson is waiting for the non-profit to get set up and see if live feed can be done. However, the wiring for live feed at Town Hall may not be able to be done.

Zuern – requested to also include into tonight's correspondence letter from Coreen Moore with regard to paving Main Street. (week 8/13/12) to corresondence. TA Guerino said paving to take place the week of 8/13/12 and Ms. Moore is in the process of meeting with business folks. Meier read letter into record. TA Guerino said the project may take up to 4 days in total.

Item H – Meier requested letter, thanking Mr. Tonaszuck for his work in town. TA Guerino said a letter is in file for the board's signature.

Tim Mullen – Backackwards
This will be on the board's agenda for 8/21/12.

Friends of the Hoxie School
Allyson Bizer-Knox introduced the Friends as Scott Morris, Liz Henry, Barbara Fitzmorris, Gene Lanahan, Leona Bonbarce and Jane Dalton present tonight. (NAMES SPELLING).

Ms. Bizer-Knox submitted letter of support from Representative David Vieira to Meier.

Chm. Pickard – read the Friends' Option A and Option B into record. He would like to see an outright purchase and get the town off the "rolls". TA Guerino said the town pays $20,000 per year approximately at minimum heat and electricity.

Ford – studies done and was found the building is not feasible for the town. An RFP was put out as the town couldn't afford the upkeep. He isn't willing to obligate the town for a building the town has declared as surplus.

Friends clarified by explaining their goal by the second year is to be responsible for the utilities.

Chm. Pickard – added that the Friends are looking to the town to provide plowing. TA Guerino said the Fire Chief requires up-to-date renovations be made, as the building is in too much of a danger to provide services. Meier raised the function of the pet clinic, but TA Guerino explained it has a different function.

Chm. Pickard – would like to get a bond if the town sells the building for $1 and it dissolves for assurances.

Zuern –would like to work the issues. TA Guerino said the town will still plow roads, but the fire detail should be absorbed at the owner's cost. This is done to keep the building from being destroyed. He will contact Town Counsel. Meier would also like to know if the options are legal and enforceable.

Ford – asked if the Friends are able to pay for the expenses and upgrading. The Friends explained they are researching what needs to be done to be safer and compliant.

Chm. Pickard – asked if the Friends have seen the Cecil Report; a report on inventory on town-owned buildings. Meier to email a copy to the Friends.

Zuern- asked if Mr. Fitzmorris would be doing some of the actual renovating. He will be volunteering his services as well as other members know people to volunteer.

Mr. James Mulvey – raised concern about the town sells and then buyer "flips" for profit. Meier said in the Purchase and Sales agreement (P&S), the town can write in conditions that the property goes back to the town.

TA Guerino – Mr. Tribou and the DPW keep a watchful eye on the building as the building has had frequent vandalism.

Ford – asked why Hoxie didn't go in the auction. TA – town doesn't need to auction the building. Ford is willing to let the building go, but not in favor of having the town support it.

TA Guerino – the utilities for Hoxie are included in the remainder of this fiscal year to keep building "alive". If another offer for the Hoxie comes in, the board would have to consider.

Ford – suggests if no one buys the property by the end of the fiscal year, to put the land up for sale.

The Friends are planning to submit a grant for CPA funds.

TA Gurerino – recommends the board consider letting the group continue work through March 2013, and during budget process come back in February and at that point the BOS can make a determination for the next fiscal year to keep the building "alive" or not. Ford is looking more of a purchase rather than keeping "alive".

Mr. Fitzmorris – the Friends are open to the idea of purchasing sooner if they can count on the town carrying the utilities through next year.

A Friends member explained the town can lease the building while keeping the land. They are hoping to get the town and Selectmen more supportive so the Friends can get into the Hoxie Building. They need a "green light" to move forward.

Zuern – asked about a non-profit status. Friends are in the process of doing so.

Ford – town doesn't want another building and the only hang up for the non-profit would be to maintain the building.

TA – will speak with Counsel on the purchase and sale, the bond, get in building to do things, bring "to code" before the Friends next step.

Member of the Friends asked for clarification on once the school is abandoned, it cannot be utilized as a school again.

Chm. Pickard – the board is looking at a modified version of Option 2 which starts after they have Town Counsel opinion on what can be done.

Licenses/Appointments

a. Hot Rods for Heros

Pickard MOVED and SECONDED by Zuern to approve Fraternal Order of Eagles request for Hot Rods for Heros second annual car show on 8/26/12 from 12:00 pm – 5:00 pm to block off Cohasset Avenue from St. Margaret's Street to Wallace Avenue per routing slip. VOTE 5-0.

b. One Day Liquor – MMA (9/2/12)

Pickard MOVED and SECONDED by Meier to approve MMA request for one day liquor license on 9/2/12 from 4:30 pm – 10:00 pm at the Beachmoor as requested. VOTE 5-0.

c. One Day Liquor – Chartwells at MMA (9/14/12)

Pickard MOVED and SECONDED by Meier to approve Chartwells at MMA request for one day Beer and Wine liquor license on 9/14/12 from 5:00 pm – 12:00 am per routing slip. VOTE 5-0.

d. Re-appointment – Recreation Committee

Pickard MOVED and SECONDED by Meier to re-appoint Priscilla R. Koleshis to the Recreation Committee for a term to expire 6/30/15. VOTE 5-0.

e. Appoint Custodian for Tax Title Auction – Nancy Sundman

Ford MOVED and SECONDED by Meier to appoint Nancy Sundman as Custodian for Tax Title Auction. VOTE 5-0.

f. Election Workers

Pickard MOVED and SECONDED by Meier to approve Clerks, Officers and Wardens as presented by Town Clerk. VOTE 5-0.

Continuation of Second reading – Town Personnel Policies

No other issues tonight from the board. TA Guerino recommends forwarding to the next meeting; if changes proposed at the last meeting have been incorporated and if the board is in concurrence, then at the next meeting the board can incorporate said changes and adopt at third reading for adoption.

Ford – interested in Chief Woodward's piece as it relates to employees getting permission to work a second job. TA Guerino said it is in their contact and that would supercede this Personnel Policies.

Ford – asked if department policies are incorporated into the Personnel Policies. He is referring to Page 26 and would like it to be brought up with Chief Woodwad. Also, Page 10, #6 – any process of setting up committee to hire someone. TA Guerino said they will try to use people (and go outside if necessary) and generally sets up a committee to do reviews, but it is not in Policies as far as hiring goes as it is under the Administrator, but can set as policy. Ford concerned about consistency.

Zuern – Page 12 under Health Insurance questioned the blue cross outs. HR Director explained due to the new healthcare reform, they have to take that piece out. TA Guerino, for clarification, said Town Meeting established percentages and only Town Meeting can take them out.

Adopt Order of Assessment of Betterments for the Repair and Resurfacing of Club House Drive, Vesper Drive and Fairway Circle
TA Guerino explained this was approved by the board and at Town Meeting.

Meier MOVED and SECONDED by Pickard that the Board of Selectmen of the Town of Bourne, by our execution of this document at an open public meeting of the Board of Selectmen on 8/7/12, hereby order and assess betterments in the amount of $580,000.000, pursuant to the authority of the Bourne Special Town Meeting under Article 4 of the 10/17/11 Special Town Meeting and pursuant to authority set for in MGL, Chapter 80 and pursuant to the authority in Section 3.1.28 of the Town of Bourne Bylaws, to the property owners listed herein in the estimated amounts set forth on the attached Exhibit "A".

The area to be benefited is shown on the following plans of land recorded with the Barnstable County Registry of Deeds Land Court Department:

> Land Court Plan No. 31246B, prepared by Tibbetts Engineering Corp., Surveyors, dated 8/17/67;
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> Land Court Plan No. 31246C, prepared by Holmes and McGrath, Inc., Surveyors, dated 3/27/80;
>
> Land Court Plan No. 12861V, prepared by Doyle Engineering Associates, Inc., Surveyors, dated 12/27/88;
>
> Land Court Plan No. 33728B, prepared by Yale Survey, Inc., Surveyors, dated 7/22/74;
>
> Land Court Plan No. 33728C, prepared by Allen D. Quintin, Surveyor, dated 7/23/81; and
>
> Land Court Plan No. 33728D, prepared by Flaherty Associates, Inc., Surveyors, dated 9/10/94.

At a duly posted open meeting of the Board of Selectmen, this aforesaid Order of Bettermens was voted and executed. VOTE 5-0.

Town Administrator's business
Will discuss the article in the paper relative to the gaming compact might affect court.

Ford – is interested on how this might affect court. TA Guerino said Mr. Mullen has a copy and was asked to look into to see what towns can do to protect conservation areas.

Selectmen's business
Meier – thanked Police and Fire Departments for the PanMASS challenge.

Ford – notified the public of the 8/13/12 service for Thomas Kelson (NAME SPELLING) at the National Cemetery at 11:30 am.

TA Guerino reminded the board that next Tuesday's meeting is a workshop with the Finance Committee.

Adjournment
Pickard MOVED and SECONDED by Meier to adjourn meeting. Meeting adjourned at 9:27 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.