Board of Selectmen
Minutes of December 18, 2012
Bourne Community Building
Bourne, MA 02532

TA Guerino

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

Meeting Called to Order
7:00 pm.

Community of Newtown, CT
TA Guerino, on behalf of the Town of Bourne, sends condolences to the Town of Newtown, Connecticut – its officials, the community and the families. The First Selectman in Newtown was presented with set of circumstances and he commended her job on behalf of the citizens. He also thanked Lily-Belle's Florals for the ribbons she put together with no cost.

Moment of Silence for our Troops/Salute the Flag

Public Comment – Non-Agenda Items
None noted.

Citation was read and presented by Zuern to Representative Susan Williams Gifford on behalf of the board and the community. The board thanked Ms. Gifford for her work for the town and will continue to contact her with issues that come up in the future.

Approve Minutes: Regular Session of 12/11/12
Pickard MOVED and SECONDED by Meier to approve minutes of 12/11/12 as submitted.
VOTE 5-0.

Correspondence
Meier read correspondence into record. Hard copies are available at the Town Administrator's office upon request.

TA Guerino – candidates for the Transportation Advisory Committee will be in before the board at their 1/8/13 meeting. In addition, Mr. William Grant will be in relative to the Consortium.

Upper Cape Tech – Super Bowl Champs – Superintendent Dutch
Citation read and presented by Pickard to the UCT football team and coaches for winning the 2012 Super Bowl on behalf of the board and the community. Superintendent Dutch introduced the head and assistant coaches and the team captains (one of which was not able to attend tonight).

Superintendent Dutch thanked the Selectmen, Fire and Police Departments for their support, and the escort ride home. He also said the school is looking at long range planning for all the five communities to provide opportunities for students to stay in the community. The board congratulated the team. Meier informed the group that he will invite them back in after Christmas break for further recognition.

Joint Meeting with Planning Board to fill vacancy
TA Guerino informed the board there was no Planning Board (PB) quorum of five and requested through their administrator, to attend the PB meeting of 1/10/13. Chm. Ford asked for the first opportunity of a PB quorum to put on them on the Selectmen agenda. TA will convey back.

"Falmouth Wants a Y" – Serena Lo Piccolo-Smith
Group of volunteers working to bring the Y to the Upper Cape. Ms. Piccolo-Smith introduced her group. There are currently 50 active volunteers and over 300 supporters. The Falmouth Y would benefit the towns of Mashpee, Sandwich and Bourne. They are here tonight to raise community efforts and give information about the YMCA.

Brief summary of the YMCA; how it began, what is provides and how it continues to serve communities. The Y strengthens the foundation of the community through development, healthy living and social responsibility. The presentation has been made to the Chamber of Commerce, Mashpee and Falmouth.

Ms. Blackburn, one of the volunteers, briefly discussed her personal experiences with the Y.

Chm. Ford – asked about fundraising. There are four areas – annual campaign, capital projects (facilities), endowment (long-term planning) and grants (Federal, State, local and private).

Zuern – asked if the YMCA is associated with the YWCA. It is a different organization which supports battered women only. The group is in the process of a Needs Study and will share the information sometime in January once they finish their research.

Pickard – asked about the timeframe of the eight phases. It depends on the community support. The Martha's Vineyard YMCA took 15 years to get open for example, but said some of the YMCAs have fallen into opportunities quickly.

Meier – shared his own personal, positive experience with his daughter and the Y.

Baldwin – would like to see the Needs Study.

Chm. Ford – shared his personal experience with the Y and would like to see the Y come to Cape Cod. There is a need for the older population as well as the younger population.

No official vote is necessary tonight, as the group is here for informational purposes.

TA Guerino – shared his personal experience with the Y. He asked if there is any thought of coordinating programs between the three different Ys (Barnstable, Wareham and the Falmouth). YMCAs have service areas and do talk with each other.

Meier – suggested the group talk with the Cape Cod Commission to help with making programs affordable.

Five minute recess moved by Pickard and seconded by Meier. Unanimous vote.

Licenses/Appointments

a. **License Renewals – Food – Entertainment – Lodging – Auto Dealers – Junk Yard – Taxi – Public Livery**

Stamped with the board's signature.

Pickard MOVED and SECONDED by Meier to approve Common Victualer licenses for: American Lobster Mart, Beach Plum Bakery, Canal Creamery, Chen's Kitchen, Inc., Clammy's Pantry, Corner Café, The Daily Brew, Dunkin Donuts (five locations at: 24 Meeting House Lane, 278 Main Street, 174 Clay Pond Road, 688 MacArthur Boulevard, 343 Scenic Highway), East Wind Lobster, Friendly's Ice Cream Corp #743, Ginny's Restaurant, Graziella's Pizza & Seafood, Hacienda, Hoagies Diner, Hollyberry's, International House of Pancakes, Krua Thai, Market Basket, McDonalds (two locations: 15 Meeting House Lane and 370 MacArthur Boulevard), Monument Beach Pizza, Mr. G's Pizza & Ice Cream LLC, Nick's Pizza, Prime Time House of Pizza, Sam's Snack Bar, Cream, Starbucks Coffee, Subway (two locations: 282 Main Street and 626 MacArthur Boulevard), Super Sub Deli and Sweet Caroline's Café LLC. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve Lodging license for Noah's Ark. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve Weekday Amusement licenses for: Knights of Columbus and Sweet Caroline's Café LLC. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve Sunday Amusement license for Sweet Caroline's Café LLC. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve Auto Dealers – Class I licenses for: Atlantic Subaru, Battles Buick GMC, Cape Cod Harley-Davidson/GZ Riders, Inc., Falmouth Toyota Scion, New England RV & Marine, Inc. and Nissan of Bourne. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve Auto Dealers – Class II licenses for: Auto Marine Industries, Bay Motors, Buzzards Bay Garage, Canal Auto, Cape Cod Restorations, Inc., Cataumet Auto Sales, Inc., Coastal Motors and Equipment, Diamond Motors, Falmouth Motorcar, Inc., Kent Auto, Madmikes Used Car Sales, Miracle Auto Sales, Ocean Enterprises, LLC, Southeast Truck Center, Inc., T Wheels and Towers Used Cars. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve Auto Dealers – Class III – Junk Yard license for Knowlton's Garage, Inc. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve Tax license for Bourne Taxi [two vehicles]. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve Public Livery licenses for: Any Occasion Limousine [three vehicles], Bourne Taxi, Fantasy Limousine Services, Inc. [three vehicles], Green Shuttle of Cape Cod [four vehicles] and Road Runner. VOTE 5-0.

b. Try Auto Group – Class II Auto Dealer

Pickard MOVED and SECONDED by Meier to approve Try Auto Group at 10 Millennium Drive – Unit One – Cataumet request for Class II Auto Dealer. VOTE 5-0.

c. Robert Gowen – waiver

Chm. Ford - Mr. Gowen has already paid $560 in fees to the town to obtain permit and was unaware of taxes owed by the owners.

TA Guerino – issues that put the prior owner of the business (underground fuel), but there is a mitigation issue to open the business there. Mr. Gowen has paid his fees and said there will not be a rental.

Mr. Gowen – briefly discussed his thoughts of starting a hot dog stand.

Pickard – asked should Mr. Gowen be denied tonight, could the Planning Board vote put the fees toward another location. Meier said it would be up to the Planning Board.

Mr. James Mulvey – if the business is linked to the property and property is sold, what would happen to the permit. TA Guerino said the permit is only to run the business. If a new owner came in and chose vendor not to be there, there is no lease between the town and the lender.

Meier – asked if the town can create a municipal lien on the property. TA Guerino said due to litigation of this property (not in tax title) and other properties, it may be discussed under Executive Session and not in public session.

Chm. Ford – doesn't see any incentive for the owner to pay his taxes and would be opposed to the waiver.

Meier – would like to see a system set up so another person is not put in this position.

TA Guerino – the Office Administrative Coordinator was clear that one should be careful going before the Planning Board before the routing slip comes back.

Chm. Ford – feels Town Counsel should look into a similar property that he discussed with TA Guerino (other property was personal property taxes). He sees this property tonight as being similar.

Zuern MOVED and SECONDED by Meier to approve Robert Gowen's request of a waiver for a special permit to sell hot dogs at 1025 Sandwich Road, Sagamore. VOTE 2-3 (Pickard, Ford and Baldwin oppose). Vote does not carry.

d. Pledge of License Beecy, Inc.

Pickard MOVED and SECONDED by Meier to approve Pledge of Liquor License request of Beecy, Inc. at 310 Main Street, Buzzards Bay per routing slip. VOTE 5-0.

Town Administrator's Report

Wished Happy Holidays to the board and behalf of the town employees appreciate the morning off of Christmas Eve.

Selectmen's Business

a. Vote to sell or convey 1999 Ecovan to Bourne Community TV

Meier MOVED and SECONDED by Pickard to approve to sell or convey 1999 Ecovan to the Bourne Community TV for $1. VOTE 5-0.

b. Letter regarding Thanking Employees

Meier – sent a holiday letter to thank employees. Pickard would like the board to give TA Guerino the authority to thank employees through either letter or email on behalf of the Selectmen. The consensus of the board was favorable.

c. MMA – Discuss Mr. Meier's request

Chm. Ford – the Admiral coming before the board on the MMA in the future for the public. He didn't think it was necessary but put on the agenda for discussion. The consensus of the board is that the Admiral has a five year plan and it is on their website.

Meier – the college has a positive image on the town, but as far as expansion projects, growth is a discussion we need to have at one point. TA Guerino said the public institutions comment is something that may be brought forward in a broader discussion. The issue of taking homes off the Point, is not in the five-year plan or anything the Admiral has conveyed to anyone. Meier's

points are well taken, but TA Guerino states the board should engage in a broader discussion of long-term planning in a forum setting.

Chm. Ford – asked Meier to direct the letter writer prompting discussion to go to the MMA's website. He added if the EPA could get expansion plans from entities to clean the water up and grandfather them for discharge to the water would help communities to develop a wastewater plant. This is not in the MMA's plans.

Mr. James Mulvey – with MMA's growing enrollment, the concern is the land taken by eminent domain and the other issue is parking.

Zuern – appreciated the appreciativeness of town employees with regard to the closing of Town Hall on Christmas Eve. TA Guerino will let employees know.

Pickard – attended the Transit Graduation at Faneuil Hall. He was notified by Kevin Murphy that the town of Falmouth agreed in principle to bring solid waste 12,000 tons/year to Bourne in 2015 when contract with Covanta expires. It was an amicable discussion.

The board wishes the community Happy Holidays.

Adjournment
Pickard MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 9:00 pm.

Respectfully submitted - Lisa Groezinger, sec.