Board of Selectmen
Minutes of December 17, 2013
Bourne Community Building
Bourne, MA 02532

TA Guerino

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

Documents
- None

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

Michael Rausch, Bourne Enterprise is recording meeting tonight.

Call to order
By Chm. Earl Baldwin at 6:30 pm.

Motion by Peter Meier and seconded by Linda Zuern to move into Executive Session regarding Contracts – Real Estate and recommends reconvening in open session. Roll call: Pickard – yes; Zuern – yes; Meier – yes; Ellis- yes; Baldwin – yes.

Meeting reconvened at 7:17 pm.

Moment of Silence for our Troops /Salute the Flag

Public Comment – Non-Agenda Items
None.

Minutes: 12/3/13
Zuern MOVED and SECONDED by Ellis to approve minutes of 12/3/13 as submitted.
VOTE 4-0-1 (abstention from Meier).

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

Mr. Jon Nelson said currently Weston and Sampson, the Town's designer on the project, has provided 90% of the drawings. The project is currently scheduled to go to bid in February, giving the team a month to make corrections and changes.

The site work is ongoing. The site clearing and back filling operations have been completed. Excess material removal is scheduled to begin next. Members of the ISWM and the DPW have labored tirelessly to complete a major portion of the site work prior to the cold. Mr. Nelson publicly recognized and thanked all involved. TA Guerino also thanked Mr. Nelson.

Kurt Felix, Wellfleet – shellfish farm Power Point presentation – nitrogen reduction
Slide 1 - Water Quality Indicators reviewed.
Slide 2 - Wellfleet Green Infrastructure Goals reviewed. One example is to protect the Wellfleet Harbor ecosystem now – think 1600s function.
Slide 3 - Program Elements were reviewed.
Slide 4 - Feasibility discussed. Similar projects have been on-going in TX, NC, FL, and Chesapeake Bay for over 15 years.
Slide 5 - Results in Maryland were reviewed.
Slide 6 -Outreach effort reviewed.
Slide 7 - Results – Oyster Efforts briefly reviewed. One example of 4 million new oysters in study area and 20% nitrogen reduction.
Slide 8 - Program Costs and Number of Human Nitrogen Equivalents Removed per Year reviewed in a little more detail.
Various slides with pictures shown and discussed.

Zuern asked if the shellfish take out the nitrogen completely. Mr. Felix said not completely. She also asked where would the reefs be placed. Mr. Felix suggested asking the Shellfish Constable as it will be local knowledge.

Ellis asked if there were any local active programs. Mr. Felix said there are in Falmouth and Barnstable for example. Oysters will do well all over the Cape. The Wellfleet 208 website has documentation that Mr. Felix will be happy to forward to TA Guerino to distribute to the board.

TA Guerino stated when looking at wastewater treatment, there is also chemical discharge and antibiotics discharge (non-related waste issues). He asked if the issue of wastewater in the broader sense be solved beyond nitrogen loading. Mr. Felix said that nobody knows for sure and there is a lot of debate in that area.

TA Guerino said the next step is to have Mr. Mullen be in touch with Mr. Felix.

Mr. Mulvey suggested inviting the commercial fishermen when TA Guerino and the Selectmen meet to discuss further. Mr. Mulvey asked Mr. Felix what that costs would be. Mr. Felix said they would be substantially lower than building another wastewater treatment system.

Licenses/Appointments

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

Meier MOVED and SECONDED by Zuern to approve Common Victualer licenses for:

- American Lobster Mart at 2 MacArthur Blvd., Bourne, Manager Thomas F. Colbert;
- Beach Plum Bakery at 1337 County Road, Cataumet, Manager James McCague;
- Beachmoor at MMA at 101 Academy Drive, Buzzards Bay; Manager Capt. Francis X. McDonald;
- Canal Creamery at 89 Main Street, Buzzards Bay;
- Chen's Kitchen Inc. at 41 Meetinghouse Lane, Sagamore, Manager Neng Zhone Chen;
- Clammy's Pantry at 260 MacArthur Blvd., Bourne, Manager Christine Ricci;
- The Corner Café at 369 Barlows Landing Road, Pocasset, Manager Helen Borman;
- The Daily Brew at 1370 Route 28A, Cataumet, Manager Kathryn A. Hickey;
- Dunkin Donuts at 24 Meeting House Lane, Sagamore, Manager Jose Couto;
- Dunkin Donuts at 278 Main Street, Buzzards Bay, Manager Jose Couto;
- Dunkin Donuts at 174 Clay Pond Road, Monument Beach, Manager Jose Couto;
- Dunkin Donuts at 688 MacArthur Blvd., Pocasset, Manager Jose Couto;
- Dunkin Donuts at 343 Scenic Highway, Buzzards Bay, Manager Jose Couto;
- East Wind Lobster at 2 Main Street, Buzzards Bay;
- Friendly's Ice Cream Corp. at 10 Canal Road, Sagamore, Manager Robert Arruda;
- Ginny's Restaurant at 226 Cranberry Highway, Sagamore, Manager Virginia Briggs;
- Hacienda at 4 Barlows Landing Road, Pocasset;
- Hollyberry's at 254 Shore Road, Monument Beach;
- International House of Pancakes at 2 Bourne Rotary, Bourne, Manager Karl W. Bueller;
- Jake's Pizza Company at 91 Main Street, Buzzards Bay;
- Krua Thai at 100 Main Street, Buzzards Bay;
- Market Basket at 1 Factory Outlet Way, Sagamore, Manager Paul R. Quigley;
- McDonalds Corp. at 15 Meetinghouse Lane, Sagamore Beach, Manager Paul R. Quigley;
- McDonalds at 370 MacArthur Blvd., Monument Beach, Manager Warren Graves;
- Monument Beach Pizza at 18 Beach Street, Monument Beach, Manager Scott S. Romkey;
- Mr. G's Pizza & Ice Cream LLC at 41A Meetinghouse Road, Sagamore Beach, Manager Sahin Gulsen;
- Nick's Pizza at 205 Main Street, Buzzards Bay, Manager Fotini Tsonsis;
- Prime Time House of Pizza at 590D MacArthur Blvd., Pocasset, Manager Edward B. Ashbaugh;
- Sam's Snack Bar at 231 Sandwich Road, Bourne, Manager Thomas F. Welch;
- Skiane's Ice Cream at 856 Scenic Highway, Bourne;
- Starbucks Coffee at 2 Bourne Bridge Approach, Buzzards Bay, Manager Caitlin Webb;
- Subway at 282 Main Street, Buzzards Bay;
- Subway #41630 at 626 MacArthur Blvd., Pocasset, Manager James Turi;
- Yummy You at 269 Main Street, Buzzards Bay. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Lodging license for Noah's Ark at 20 Homestead Ext., Sagamore Beach. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Weekday Amusement licenses for:

- Knights of Columbus at 5 Armory Road, Buzzards Bay, Manager F. Thomas Keogh;
- Beachmoor at MMA at 101 Academy Drive, Buzzards Bay, Manager Capt. Francis X. McDonald. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Sunday Amusement license for Beachmoor at MMA at 101 Academy Drive, Buzzards Bay, Manager Capt. Francis X. McDonald. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Auto Dealers – Class I licenses for:

- Atlantic Subaru at 124 Waterhouse Road, Bourne, President Levon H. Semerjian;
- Battles Buick GMC at 50 MacArthur Blvd., Bourne;
- Bobcat of Bourne at 170 MacArthur Blvd., Bourne, Manager Thomas Ratacik;
- Cape Cod Harley-Davidson/GZ Riders, Inc. at 750 MacArthur Blvd. Pocasset, Manager George Zografos;
- Falmouth Toyota Scion at 290 MacArthur Blvd., Bourne, Manager Thomas F. Murphy;
- New England RV & Marine, Inc. at 150 MacArthur Blvd., Bourne, President David Major;
- Nissan of Bourne at 60 MacArthur Blvd., Bourne, President Antony J. Provost.

VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Auto Dealers – Class II licenses for:

- Auto Marine Industries at 169 Clay Pond Road, Bourne, Manager Douglas G. Fontana;
- Bay Motors at 29 Harrison Avenue, Buzzards Bay, Manager Anthony Delia;
- Buzzards Bay Garage at 174 Main Street, Buzzards Bay, President Kevin Connolly;
- Canal Auto at 78 Cranberry Highway, Sagamore;
- Cape Cod Restorations, Inc. at 4 Crane Circle – Units 5-6-7, Cataumet, Manager Chris Silva;
- Cataumet Auto Sales, Inc. at 1236 Route 28A, Cataumet, Manager Edward F. Parker;
- Coastal Motors and Equipment at 236 Main Street, Buzzards Bay, Manager Ralph MacDougall;
- Diamond Motors at 857 Shore Road, Pocasset;
- Falmouth Motorcar, Inc. at 10 Longhill Road – 45 Route 28A Cataumet, President Richard A. Duffy;
- GAF Auto Brokers at 95 Lewis Point Road, Buzzards Bay;
- Kent Auto at PO Box 936 - 692 MacArthur Blvd. Pocasset, Manager Ken Powderly;
- Madmikes Used Car Sales at 74 Cranberry Highway, Sagamore;
- Miracle Auto Sales at 18 Commerce Park Road, Pocasset, Manager John LaFlamme;
- Ocean Enterprises, LLC at 355 Old Plymouth Road – Unit 1, Sagamore Beach;
- Shoreline Automotive Inc. at 109 Barlows Landing Road, Pocasset, Manager Robin Cohen Ridosh;

- Southeast Truck Center, Inc. at 147 State Road, Sagamore Beach, President Gary S. Allen;
- T Wheels at 8 Otis Park Drive, Bourne;
- Towers Used Cars at 610 MacArthur Blvd., Pocasset, Manager George E. Towers, Jr.;
- Try Auto Group at 10 Millennium Drive – Unit #1, Cataumet, Manager Paul Tragiannopoulous. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Auto Dealers – Class III Junk Yard license for Knowlton's Garage, Inc. at Route 6A, Sagamore, Manager John H. Anderson. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Taxi license for Bourne Bridge 24 HR Taxi, Inc. (5 vehicles) at 271 Barlow's Landing Road, Pocasset, Manager Richard Sherman. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Public Livery licenses for:

- Any Occasion Limousine (3 vehicles) at 449 County Road, Pocasset;
- Sagamore Beach Transportation (1 vehicle) at 271 Barlow's Landing Road, Pocasset, Manager Steven Cooke Philbrick;
- Fantasy Limousine Services, Inc. (3 vehicles) at 68 Tara Terrace, Bourne, President Mary Labbe;
- Green Shuttle of Cape Cod (4 vehicles) at 5 Sherry Lane, Monument Beach; Manager Dean R. Athanas;
- Road Runner (1 vehicle) at Box 969 – 43 Bennets Neck Drive, Pocasset. VOTE 5-0.

Selectmen's business

a. Final – Bourne of Selectmen Procedures

Zuern noticed a change on Page 2. TA Guerino said the last page will be a separate page and recommended the board approve with changes presented.

Meier MOVED and SECONDED by to approve the Final Bourne of Selectmen Procedures subject to the changes presented. VOTE 5-0.

b. Town Hall Closure for December 24, 2013

TA Guerino said it was at the request of Meier to put on the agenda recommending closing Town Hall on 12/24/13. TA Guerino recommends the request and that employees included would be non-essential.

Ellis MOVED and SECONDED by Meier to approve the Town Hall Closure for 12/24/13.

Chm. Baldwin said the unions should have negotiated this day in their contracts and said the dispatchers in the Police Department may have issues.

SELECTMEN VOTE 5-0.

Town Administrator's Report

a. Sewer Report

The Town Administrator's determination as it relates to the concerns brought forward by residents of Hideaway Village. These relate to the costs of waste water disposal and transmission. This determination has been formulated after substantial consultation with Mr. George Tribou, Mr. Michael Leitzel and discussions with USDA Rural Development. Consultation with USDA RD was limited to documentation on file with the Agency and those documents have apparently been purged due to the long time period elapsed since the original agreements were signed in the late 1980s and early 1990s.

A brief history of the inception of the sewer system was discussed.

It is the town's position that Hideaway Village has no extraordinary right to reduced rates in regards to fees assessed for the collection/transmission of wastewater. The town has no additional responsibility to maintain any lines, additional pumping capacity, or replace same in relation to Hideaway Village.

Hideaway is not treated or considered in any different light than any other private housing or condominium development connected to the wastewater collection system, nor should it be.

After as thorough review as possible with staff and taking into consideration the totality of the waste water system in Buzzards Bay, no financial or fee reduction is warranted or recommended.

Ellis MOVED and SECONDED by Meier to instruct TA Guerino to forward his memo dated 12/10/13 to the Hideaway Village Condominium. VOTE 5-0.

Meier recommended a future workshop with the Selectmen, Planning Board, and the ZBA with regard to the Zoning Reform law. This will come up for vote sometime in the spring and feels the town should take a position. TA Guerino recommends the board review in February after budget discussions.

Zuern attended the dispatchers meeting.

Meier said Bourne fundraising efforts raised this year collected 1,500 pounds of food; 3,200 toys, and over $10,000.

Ellis said received a letter with regard to the marijuana dispensing center in support. He encourages the public to send in signed letters for and against the center in Bourne.

Adjourn

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 8:45 pm. VOTE 5-0.

Respectfully submitted - Lisa A. Groezinger, sec.