

**Town of Bourne
Board of Selectmen
Meeting Minutes**

Bourne Veterans Memorial Community Center

239 Main St. Bourne, MA 02532

December 13, 2016

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TOWN CLERK BOURNE

I. Roll Call

BOS Members Present: Chm. Donald Pickard, Peter Meier, Stephen Mealy, Michael Blanton, and George Slade.

Also Present: Town Administrator Guerino, Michael Rausch, Carol Mitchell, Jim Mulvey, Mary Jane Mastrangelo and Paul Gately.

Documents – Agenda, Minutes of 10/25/16, 11/15/16, 11/22/16, 11/29/16, Com Vic Renewal sheet and Auto License Renewals sheet, Year End Financial Review FY 16 and the 2018 Town Budget.

II. Call to Order

Chm. Pickard reconvened the Open Session of the Board of Selectmen meeting at 7:00 PM, stating the Board of Selectmen met in Executive Session regarding ongoing litigation with respect to Christopulos Investment and Realty v. Town of Bourne. Chm. Pickard announced the meeting was being recorded for television replay and asked if anyone in the audience was audio or video taping the meeting. He acknowledged Michael Rausch and Carol Mitchell were audio taping the meeting and stated all items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

III. Agenda Items

1. Moment of Silence for our Troops and our public safety personnel.
2. Salute to our Flag.
3. Public Comment – None.
4. Approval of Minutes –

Mr. Meier moved and Mr. Blanton seconded to approve the minutes of the October 25, 2016, joint BOS, FinCom and School Committee meeting. After a brief discussion, the motion carried. 5-0-0.

Mr. Meier moved and Mr. Blanton seconded to approve the minutes of the November 15, 2016, meeting. With no discussion, the motion carried. 5-0-0.

Mr. Meier moved and Mr. Blanton seconded to approve the minutes of the November 22, 2016, meeting. With no discussion, the motion carried. 4-0-1. Mr. Slade abstained.

Mr. Meier moved and Mr. Mealy seconded to approve the minutes of the November 29, 2016, meeting. With no discussion, the motion carried. 4-0-1. Mr. Blanton abstained.

5. Correspondence – Mr. Slade discussed correspondence that was received;

- Minutes of the October 13, 2016, Upper Cape Regional Technical School District meeting.
- The Mass. Municipal Association annual meeting and trade show will be held on January 20, 2017 and January 21, 2017.
- The Bourne Historical Commission meeting notice for 90 Circuit Avenue, Pocasset and for 2 Shore Road, Bourne, was held on December 13, 2016.
- The Board of Appeals meeting notice on December 7, 2016.
- Memorandum from the Planning Board regarding inclusive playground on November 18, 2016, by unanimous endorsement.
- Letters from the DEP regarding the draft Simple Impact Area 2016 Annual Environmental Monitoring Report comments, the draft Western Boundary 2016 Annual Environmental Monitoring Report currents, the draft Demolition Area I 2016 Environmental Monitoring Report RCL currents.
- A letter dated 11/16/16 from the Housing and Economic Development regarding application for the 2016 Mass Works Infrastructure Program funding.
- A letter to Housing and Economic Development regarding the grant for Buzzards Bay Wastewater project.
- Letter from DEP regarding temporary solution status report from the former Exxon facility at 2 Head of the Bay Road. (copy of report on file at the TA's office)
- Robert Lawton appealed the Harbor Master's denial of mooring permit to the DEP.

- Notice from Kraus & Hummel LLP, regarding requests for proposals reuse of station property, Upper Cape Regional Transfer Station.
- Bourne Housing Authority Financial Statements of March 31, 2016 (copy on file at the TA's office).
- Town Administrator's letter dated December 8, 2016, to Steve Galipault regarding the Decision of the dog hearing.

Discussion – In the future, Mr. Meier would like the auditor's findings to be included with the Bourne Housing Authority's Financial Statements. Mr. Guerino stated he will include them in the future.

Mr. Guerino asked that any board members wishing to attend the MMA Annual Meeting contact him before the end of the year to confirm.

Mr. Guerino discussed the letter he sent to Mr. Galipault concerning the Decision of the dog hearing. A request for a stay was received because of family issues pertaining to the owner; however, another incident occurred with the dog therefore, the Town Administrator opted not have an additional hearing; so the Order stands.

6. Licenses and Appointments –

a) License renewals:

Common Victualer –

Mr. Meier moved and Mr. Blanton seconded to approve Common Victualer Licenses to; American Lobster Mart, Avocados Mexican and American, Beachmoor at MMA, Clammy's Pantry, The Corner Café, The Daily Brew, Dunkin Donuts at various locations; 24 Meetinghouse Lane, 278 Main Street, 174 Clay Pond Road, 688 MacArthur Blvd., 2 Bourne Rotary, 343 Scenic Highway, Friendly's Ice Cream Corp. #743, Hollyberry's, Knights of Columbus Council 2911, Krua Thai, Market Basket, McDonald's of 370 MacArthur Blvd., McDonald's of 15 Meetinghouse Lane, Monument Beach Pizza, Mr. G's Pizza and Ice Cream LLC, Prime Time House of Pizza, Sagamore Beach Barbecue, Sam's Snack Bar, Cream, Starbucks Coffee, Subway of 282 Main St. and Subway #41630 of 626 MacArthur Blvd. After a brief discussion, the motion carried. 5-0-0.

Weekday Amusement –

Mr. Meier moved and Mr. Blanton seconded to approve a Weekday Amusement License to Beachmoor at MMA. With no discussion, the motion carried. 5-0-0.

Sunday Amusement –

Mr. Meier moved and Mr. Blanton seconded to approve a Sunday Amusement License to Beachmoor at MMA. With no discussion, the motion carried. 5-0-0.

Lodging -

Mr. Meier moved and Mr. Blanton seconded to approve a Lodging License to Noah's Ark of 20 Homestead Ext., Sagamore Beach. With no discussion, the motion carried. 5-0-0.

b) Auto Dealers Class I-II-III-Junkyard- Taxi- Public Livery –

Class I -

Mr. Meier moved and Mr. Blanton seconded to approve Auto Dealer Class I Licenses to; Atlantic Subaru, Battles Buick GMC, Bobcat of Bourne, Cape Cod Harley Davidson/GZ Riders, Inc., Falmouth Toyota, Marty's Chevrolet, Inc., New England RV & Marine, Inc. and Nissan of Bourne. With no discussion, the motion carried. 5-0-0.

Class II –

Mr. Meier moved and Mr. Blanton seconded to approve Auto Dealer Class II Licenses to; Bay Motors, Buzzards Bay Garage, Canal Auto, Cape Cod Car Care, Cape Cod Restorations, Inc., Cataumet Auto Sales, Inc., Coastal Motors and Equipment, Diamond Auto Sales, Diamond Motors, Falmouth Motorcar, Inc., GAF Auto Brokers, Kent Auto, Miracle Auto Sales, Shoreline Automotive, Inc. Southeast Truck Center, Inc., Towers Used Cars, Try Auto Group and Wenzel's Auto Rental, LLC. With no discussion, the motion carried. 5-0-0.

Class III –

Mr. Meier moved and Mr. Blanton seconded to approve an Auto Dealer Class III License to Knowlton's Garage, Inc. With no discussion, the motion carried. 5-0-0.

Junkyard –

Mr. Meier moved and Mr. Blanton seconded to approve a Junkyard License to Knowlton's Garage, Inc. With no discussion, the motion carried. 5-0-0.

Taxi –

Mr. Meier moved and Mr. Blanton seconded to approve a Taxi License to Bourne Bridge 24HR Taxi, Inc. (5 vehicles). With no discussion, the motion carried. 5-0-0.

Public Livery –

Mr. Meier moved and Mr. Blanton seconded to approve Public Livery Licenses to; Any Occasion Limousine (3 vehicles), Bourne Bridge 24HR Taxi, Inc. (1 vehicle-livery), Fantasy Limousine Services, Inc. (2 vehicles) Cape Connector (1 vehicle) and Green Shuttle of Cape Cod (4 vehicles). With no discussion, the motion carried. 5-0-0.

c) One Day Liquor Beer and Wine-

Mr. Meier moved and Mr. Blanton seconded to issue a one day Liquor License to MMA @ Beachmoor on December 19, 2016 from 3:30-7:30 to serve beer and wine during a faculty holiday party. With no discussion, the motion carried. 5-0-0.

7. Selectmen's Business –

a) Discussion on Beach sticker rates and locations (per Mr. Meier – meeting November 22, 2016) –

Mr. Meier discussed concerns raised by residents that it's less costly to pay the fine associated with illegal beach parking than it is to purchase a beach sticker. He stated approximately 3,000 beach stickers are sold each year; yet there aren't 3,000 parking spaces; adding, Chief Woodside will address with the board early next year, the possibility of increasing the cost of the fines. Mr. Meier wonders if restructuring the fine schedule may be a better option vs. increasing the sticker fee since voters just approved two debt exclusion projects the week prior. Mr. Blanton concurred.

Mr. Mealy opened a brief discussion relating to the cost of a beach sticker and the possibility of limiting the number of stickers being sold.

Mr. Meier feels stickers should be available at other locations; i.e., Taylor's Point Marina and/or Monument Beach Marina which will allow residents to purchase stickers on the weekend. A discussion ensued.

Chm. Pickard suggested that Mr. Meier and Mr. Blanton meet with Chief Woodside and Mr. Mullen of DNR to discuss a reasonable protocol with regard to sticker costs, locations to purchase stickers and fines/penalties. The board agreed.

Mr. Mealy discussed the possibility of offering a shuttle service to the beach; which would help to alleviate some of the concerns associated with the lack of available beach parking. After a brief discussion, Mr. Guerino, who is the Regional Transit

Authority Representative for Bourne, stated he will discuss the matter with the RTA Director on December 21st. A discussion ensued.

Public Comment - Mr. Mulvey asked which route this might take moving forward, i.e., as a regulation, a By-law or will public meetings be held for public input. Mr. Pickard stated at this point, that would be premature. Mr. Meier and Mr. Blanton will meet with Chief Woodside and Mr. Mullen of DNR to discuss options. Mr. Guerino explained, in relation to both the parking fines and/or an increase in beach sticker pricing, both would be determined by the Board of Selectmen; there would be no By-law or Town Meeting required.

b) Request approval of a Refinance on an Affordable Home in the Nightingale Park Subdivision. – Deferred.

8. Old Business – Recurring matters pending before the Board of Selectmen.

a) Goals update by Town Administrator and members of the Board

Mr. Guerino stated the Board voted five primary goals this year. He briefly discussed each of them and the progress being made in achieving the following objectives.

•Community Engagement –

- Selectmen and TA to re-start monthly Cable access shows.
- Engage the Community in broad based professional Strategic Plan.
- Fill committee vacancies (a talent pool form is available on the Town's website and at Town Hall for interested candidates to complete for those interested in serving on committees with vacancies).

Mr. Pickard briefly discussed the Newcomers and Neighbors Club. He stated some of their discussions include ways to recruit new residents in joining committees. He encouraged Mr. Guerino to attend one of their meetings. Mr. Guerino stated he'd be happy to.

•Environmental Issues -

- Wastewater Treatment-Buzzards Bay
- Fully implemented E-Permitting
- Plastic bag By-law (was voted at Town Meeting)
- 208 Planning/implementation

•Organizational -

- TA to create Draft of updated/proposed Organizational Chart
- Succession Plan – TA to create and submit to BOS for review and possible implementation in August of 2017 (FY 18)
- Stabilize Administrative Support and Middle tier staff requirements

•Budget Financial –

- BOS to fully support Priority Based Budget implementation and to engage in process. (Full Implementation 3-5 years)
- Financial Software Review
- TA-Finance Staff – June 2017
- Integration of all departmental functions (permitting etc.) to finance function
- Offer more on-line payment options for permitting and licensure
- Implementation on a rolling system over 2 years

A brief discussion transpired pertaining to fees that are charged for on-line bill pay. Mr. Meier questioned why debit/credit card transactions are not accepted by all departments within Town Hall for processing payments. Mr. Guerino stated the Town is working toward providing credit/debit card processing for all departments that process payments.

- Bourne Financial Policies to be formatted for inclusion in Town Meeting Book and on-line.

•Economic Development –

- Sewer work is continuing
- Downtown issues continue to be addressed
- Begin second phase of the Growth Incentive Zone

b) FY 2018 budget – Discussion continues regarding the FY 18 budget priorities of the Board and Town Administrator.

Mr. Pickard stated in June he had asked the board members to determine which department(s) they would like to be the liaisons to. The assignments are as follows:

Mr. Meier – Police, Fire and DNR, Mr. Pickard – Schools, Mr. Blanton – Library, COA and Community Building, Mr. Mealy- ISWM, DPW and Sewer, Mr. Slade – General Government.

Mr. Pickard asked whether or not the board members had received and reviewed the one page document that was sent by the Administrator. Since several had not yet reviewed it, he asked that by the next meeting, the members review the document provided by the Administrator, the notes that he created, the budget document that was provided at the workshop dated 11/16 and the budget document dated 12/9. He stated at the December 20, 2016 BOS meeting, the board will be asked to vote on their priorities as a board. Several members stated they will not be in attendance at the December 20th meeting. Mr. Pickard provided a timeline for the board's budget priorities and stated since several will not be in attendance at that meeting, the matter will be deferred to the January 3, 2017 meeting.

Mr. Pickard referred to the one page document provided by the Town Administrator. He stated there are one time revenues totaling \$825,000.00 which account from the auction of the Coady School and FEMA reimbursement. The Finance Director suggested that \$200,000.00 of that be earmarked for OPEB. Mr. Pickard would like the board to consider this and to consider placing the remainder in the Capital Stabilization Fund. A discussion ensued.

Mr. Pickard stated he would like a policy to be implemented with regard to administrative /clerical functions in order to prevent higher paid professional staff from performing clerical and administrative duties. He is also going to advocate for an Assistant Town Administrator. He briefly discussed the various departments that are requesting additional staffing and reiterated that the board should review the documents and be prepared to provide input at the January 3rd meeting.

Mr. Meier opened a brief discussion with regard to recreating some of the previously eliminated positions within the School Department.

Mr. Gately asked if there are any pending Capital Stabilization projects. Ms. Mastrangelo was asked to provide an explanation as to how these funds are utilized. Ms. Mastrangelo explained that excess Host Community Fees received from ISWM is placed into the Capital Stabilization Fund which have funded projects such as; the new DPW building. Additionally, \$90,000.00 was used toward the Municipal Harbor Plan. She stated future projects may include; the Wastewater Project and the Pocasset Fire Station.

Mr. Guerino advised the board that he will be recommending an additional Health Inspector position be created. He briefly discussed how that proposed position will be funded. Mr. Pickard asked that Mr. Guerino provide at the next meeting, a list of the departments that have vacant positions and his recommendation on filling vacancies. Additionally, he asked Mr. Guerino to provide a breakdown as to how the position(s) will be funded. Mr. Guerino stated he will draft a matrix that will identify the vacancy, the funding source to fill the vacancy and the net cost for filling the position.

9. Town Administrator's Report – Mr. Guerino provided an update on recent hirings. A new Plumbing and Gas inspector has been retained. Additionally, the Electrical Maintenance position has been filled. Mr. Guerino discussed the possibility of filling a vacancy in the Engineering Department in-house. Mr. Slade expressed concern that the in-house candidate may not have the expertise required for that position. Mr. Guerino provided clarification. A discussion ensued.

10. Selectmen Reports – Mr. Meier briefly discussed the two debt exclusion projects that were recently approved by the voters and thanked all who were involved. He also acknowledged Craig Poirier and all contributors for coordinating a successful Homeless for the Holidays campaign.

Mr. Blanton praised all involved with the Homeless for the Holidays campaign. He briefly discussed a meeting that he and Mr. Mealy attended at MMA with regard to the development of the Main Street area. Lastly, he discussed an email he received from a member of the local clergy with regard to the passage of Question #4 and the potential for municipalities to opt out of participating. Mr. Guerino stated on January 10th, Senator deMacedo will be in town to discuss the implications of the passage of Question #4. Mr. Blanton stated he would like to hear feedback from the Bourne residents with regard to how they feel about the passage. Mr. Pickard would like to determine how to proceed after Senator deMacedo's presentation.

Mr. Slade briefly discussed his recent walk from the Monument Beach Train Depot to the Cataumet Train Depot and hopes that hurdles will be overcome to complete a proposed rail trail. Additionally, he discussed a Sandwich Town Hall meeting he recently attended.

Mr. Mealy provided the ISWM holiday schedule. Additionally, he discussed the recent passage of the two debt exclusion projects, the tree lighting ceremony he attended and the food pantry's continued need for donations. He encouraged residents to donate food items at the collection stations located at the Market Basket and several banks throughout town.

Mr. Meier stated there are two vacancies on the School Building Committee and encouraged interested candidates to contact the moderator at Moderator@townofbourne.com. They may also contact the Town Administrator's Office, the Superintendent's Office or complete the online talent pool questionnaire.

The next BOS meeting will be held on Tuesday, December 20, 2016. There will not be a meeting on December 27, 2016.

Mr. Pickard noted that he and Mr. Blanton will be meeting soon to review the Town Administrator's contract.

Mr. Meier stated a conference call will be conducted with MSBA on the 20th to discuss the next step in the Peebles School project.

III. Adjournment –

Chm. Pickard entertained a motion to adjourn. **Mr. Meier moved and Mr. Slade seconded to adjourn.** With no discussion, the meeting adjourned at 8:33 pm. 5-0-0.

Respectfully Submitted,

Carol Mitchell