

**Board of Selectmen  
Minutes of March 25, 2014  
Bourne Community Building  
Bourne, MA 02532**

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TA Guerino

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

**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**

**5:30 – 6:40 (Items 1-4) Call to order**

Chm. Baldwin called the meeting to order at 5:30.

Meier motioned and seconded by Zuern to go into Executive Session to discuss Litigation Town Administrator's Contract and then to reconvene into public session. Roll call – Zuern – yes; Meier – yes; Ellis – yes; Pickard – yes; and Baldwin – yes.

Chm. Baldwin called the Joint Meeting between the Selectmen, the Planning Board and the Conservation Commission to order at 6:00 pm.

Meier moved and seconded by Zuern to adjourn Joint Meeting and for a brief recess before the regular session began. Unanimous vote.

Meier called meeting back to order at 6:45 pm.

Mr. Rauche acknowledged taping the meeting at this time.

**Upper Cape Tech Girls Basketball State Champions**

Superintendent introduced the Girls Basketball coach who introduced the Girls Basketball Team who won the State Vocational Championship.

**Moment of Silence for our Troops/Recognition of Richard Lafarge/Salute the Flag**

**Public Comment – Non-Agenda Items**

None.

**Correspondence**

Meier read into record correspondence. Copies are available at the Town Administrator's Office per request. He added an email from Ms. Marie Oliva dated 3/25/14 regarding the Cape Cod Commission.

**Ron Beaty – Withdrawal from the Cape Cod Commission; discussion**

Chm. Baldwin said Mr. Beaty sent an email to the board that he would not be able to attend tonight's meeting. Ellis said Mr. Beaty should have the opportunity to respond. Chm. Baldwin said he does still intend to be before the board.

**Paul Niedzwiecki Cape Cod Commission (CCC) petition update on 208 Plan**

Mr. Niedzwiecki gave a brief description of the development of the Regional Water Quality for the 15 towns on the Cape. The CCC divided the Cape into 57 watersheds identified for study for wastewater planning.

The 208 Plan is geared to come up with perimeters on a watershed basis. The choice of which technology has to be left to a local level where regionally the CCC collects the information and gets money from the State to address wastewater planning. There was a group of two teams: 1) the traditional position; and 2) the non-traditional approach. Together the information was shared which became the perimeters.

The CCC is the regional planning agency for Barnstable County and needs to bring in resources to the Cape not associated with any charge to the Cape Cod residents.

Meier requested copies of the presentation to the board.

Ellis asked Mr. Niedzwiecki how the CCC plans to handle system for both sides of the canal. Mr. Niedzwiecki said the issues on north side could range from the existing with Wareham, a smaller package, public/private or alternatives to offset costs. The south side is partnering with the base or Falmouth or other alternative strategies and the choice is Bourne's. Ellis wonders if oysters would be acceptable or forced into a more expensive way. Mr. Niedzwiecki said Bourne wouldn't be forced into the more expensive way.

Ellis commented on Economic Development and the increase in the commercial tax base which doesn't seem to get far in Bourne and brought up Canalside Commons. Mr. Niedzwiecki said there was open discussion for others lifting thresholds for Canalside Commons.

Pickard said according to the DNR Director they don't have many areas for oyster farmers.

Mr. Niedzwiecki said if the answer isn't affordable to the Cape, it is not doable. This is not a big pipe solution at all. In fact the CCC was criticized for pushing alternatives.

Zuern asked about the water shed approach. Mr. Niedzwiecki said the CCC has no authority over communities as it applies to wastewater.

Zuern commented on the fees as taxes go up every year. Mr. Niedzwiecki said the Cape pays into the CCC as a whole \$2.5M and there are 38 people employed at the CCC. There are no bloated budgets and the staff is smaller.

Zuern asked how the money of the \$3.5M to the CCC is going to be spent. Mr. Niedzwiecki said it will be spent over a three year period, broken down into budgets available and scope of work to view. A chunk goes to alternatives for \$150,000 testing soils based approach to Title V and a lot going into the plant itself. Zuern asked the breakdown be sent to the board.

Zuern asked about the CCC wanting to see more companies like Hydroid on the Cape. Mr. Niedzwiecki said the CCC wants businesses that employ people year round jobs for better local economies. She also raised issue with Adventure Island off MacArthur Boulevard. Mr. Niedzwiecki will look into that.

Mr. Niedzwiecki said the Market Basket was reviewed the way it was because the CCC wanted to promote better local economies. Zuern said other businesses were hurt when the Grand Union left.

Zuern raised issue about the model the CCC uses. Mr. Niedzwiecki said AECOM focuses on alternative wastewater facilities. No assumptions were available until reports were done by AECOM. UMASS data sets are private. Models are transparent and available to the public. There are not any of the models that look at climate change.

Zuern asked about the socialized plan for every home owner to pay into a system whether connected or not. Mr. Niedzwiecki disagreed with numbers given in said plan.

Zuern went to a meeting in Hyannis and commented on one of the statements made by a main speaker about getting rid of one who is trying to sabotage the 208 process. Mr. Niedzwiecki doesn't remember that statement, but he disagrees with that statement.

Ellis said it is obvious what his position is on the CCC. He did commend the Sarcoma project.

TA Guerino asked how Buzzards Bay works with Non-Barnstable County Commission neighbors. Mr. Niedzwiecki said the benefits of a 208A plan goes beyond 0% loans. One of neighbors benefits from being attached to a nitrogen contribution.

Zuern commented on local representatives where a case comes up, not at a social event, where you cannot talk to the representative and has experienced this several times. Mr. Niedzwiecki said this is not required by any policy by the CCC.

#### **Discussion on Town Counsel services**

Pickard said there have been several endorsements of Atty. Troy's services by this board, but feels this is about the board taking control of a budget that can be controlled. Legal Services

are set at \$235,000 which doesn't include legal for ISWM, schools. This equates to \$175/hour for 25.8 hours per week. He suggested reducing the hours per month.

The consensus of the board is that they are happy with Atty. Troy's services and the town is getting a good deal. They wish a closer oversight of the use of his services.

Ms. Walton, School Committee said the School Department doesn't use town counsel for labor contracts. In the past the school has used Atty. Troy, but not agreeable to sharing Atty. Troy's salary.

### **Licenses/Appointments**

#### **a. Stan Gibbs Statue Dedication Ceremony**

##### **1. Request for waiver of fee for use of town park**

This discussion will be deferred.

##### **2. Request for permission to have Cape Cod Beer caterer at event**

This discussion will be deferred.

##### **3. Discussion & possible vote on the naming of the Fishermen Statute**

This discussion will be deferred.

#### **b. Appointment to Open Space Committee – Les Perry**

Mr. Perry briefly described his interest in the Open Space Committee. Ellis said there isn't anyone more qualified for this appointment.

Meier moved and seconded by Ellis to appoint Mr. Les Perry to the Open Space Committee for a term to expire 6/30/15. Vote 5-0.

Mr. Mulvey endorses the appointment.

### **Town Administrator's Report**

TA Guerino briefly discussed the "meeting of minds" between the School Department representatives, the Finance Committee Chairman, Financial Director and himself to forward collectively on the budget.

Ms. Walton asked for consideration of cutting 13 FTE. The School Committee cannot vote for people to lose jobs and lose health insurance without having all the information.

TA Guerino said the Finance Director and himself have stopped work on everything to try and assimilate information as a priority as it relates to shared costs.

Ms. Walton said when TA Guerino initially presented the budget, the school department asked to have 2% which is \$400,000 included in their budget. Every other department has increases

in their budget. TA Guerino said when we look at the total education spending; he looked at numbers and came up with best with what he had. He looked at total budget and educational expenditure. The Selectmen with the Finance Committee and the ATM will determine an appropriate budget.

Ms. Walton is asking to have contractual increases as part of the initial budget like all departments moving forward.

Zuern said it is up to the school committee to make those cuts. That is your budget and choices you have to make.

TA Guerino said the School Committee has control over its budget and the Selectmen have control over the town side's budget.

Zuern said she could find a lot of line items to cut versus cutting a job. For instance, \$100,000 on PARCC Testing, but that isn't her job.

Ms. Walton said the School Committee hasn't voted on their budget at this time.

Meier said we need an enhancement. TA Guerino said he is looking at contingent articles to assist in bringing that school number up.

Ms. Walton raised the issue of the DPW facility for \$900,000 and asked if this having a big effect on the budget. TA Guerino said this has no effect on cash expenditures towards the budget.

## **Selectmen's Business**

### **c. Budget**

Pickard suggested reducing each non public employee by ½ day and calculated \$200,000 savings. If we eliminated the last 3-5 positions in the door resurrected from prior cuts would come out to \$130,000 - \$150,000. TA Guerino said the hour reduction has to be an impact bargain and there is no guarantee that would occur.

Ellis raised issue with the Town Planner raise of \$15,922 raise. How important is community development. TA Guerino stands by it.

Pickard said the Finance Director's increase to bring from 35 to 40 hours. Although the board concurred to go along, but didn't ask what the financial impact was. TA Guerino said at the time, he told the board it would be substantial.

Pickard discussed minimum manning should be adhered to and abide by contract to reduce Fire Department OT to \$300,000 from \$360,000.

TA Guerino said he would venture to guess there may be some savings in OT. For the purpose of discussion: 1) there are 5 people currently out on long term issues; and 2) waiting for issues

related to retirement coming to fruition. If we didn't have the grant to supplement, the OT would be staggeringly more than are.

Pickard would like to create a policy in an effort to reduce OT.

TA Guerino said more detailed discussion with Ms. Sundman. This can be an agenda item for either 4/14/13 or 4/21/14.

Pickard moved and seconded by Zuern that the Selectmen instruct TA Guerino to advise all Department Heads that all collective bargaining agreements are adhered to for the purposes of consistency. Vote 5-0.

Pickard moved and seconded by reduce line item for the Fire Department OT to \$300,000. The motion was not seconded. He requests to defer for action at a later date.

Zuern moved and seconded by Ellis to reduce the salary to what the contractual obligations require for the Town Planner. Vote 5-0.

Ellis said if we drop the CCC, the town could save \$175,000.

**d. Reports**

None.

**Adjourn**

Meier moved and seconded by Pickard to adjourn. Meeting adjourned at 9:40 pm. Vote 5-0.

Respectfully submitted – Lisa Groezinger, sec.