

**Board of Selectmen
Minutes of Tuesday, July 19, 2022**

Executive Session

Town Administrator Marlene McCollem

Board of Selectmen

Peter Meier, Chair
Jared McDonald, Vice Chair (excused)
Melissa Ferretti, Clerk
Mary Jane Mastrangelo
Judith Froman

Others: None

6:30 PM Call Public Session to Order in Open Session

- 1. Motion to enter into Executive Session for Purpose #2 (strategy with respect to collective bargaining or litigation) made by Judith Froman, seconded by Mary Jane Mastrangelo.**

Vote: 4-0-0.

Marlene McCollem has reached agreement on the MOA provided by LIUNA Unit A. Discussion regarding the A-2 position in the Planning Department. Ms. McCollem also explained that wages and number of working hours per week are both subject to bargaining.

Motion to exit from Executive Session made by Melissa Ferretti, seconded by Judith Froman.

Vote: 4-0-0

This meeting of the Bourne Board of Selectmen was adjourned.

Respectfully Submitted,
Melissa Ferretti, Clerk

**Board of Selectmen
Minutes of Tuesday, September 13, 2022
Bourne Veterans' Community Center – Rm 2
Buzzards Bay, MA**

TA Marlene McCollem

Board of Selectmen

Peter Meier, Chair
Jared MacDonald, Vice Chair
Melissa Ferretti, Clerk
Judith Froman
Mary Jane Mastrangelo

Others: Michel Rausch (virtual), Alexandra Rubin (virtual), Mark (virtual), Larry Palmer (virtual), Lauren DeGregorio, Donna McCormack, Jim McCormack, Debbie Oliviere, Tim Lydon, Al Hanscom, Mark Dennen, Billy Macuch, and Joe Gordon.

Note this Zoom videoconference meeting is being televised, streamed, or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time.

Zoom Meeting ID: 869 5775 5505 Password: 529740

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 PM Call Public Session to Order in Open Session

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**

Chair Meier said that regarding Executive Session, due to client/attorney privilege, they will not be disclosing any decisions made this evening.

- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

- 5. Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
- 6. Appointments and Licenses** - None
- 7. Selectmen's Business**
- a. Discussion and possible vote to approve the request of L. Palmer of the Penaltybox Foundation to host a 5K run/walk at Buzzards Bay Park on 10.16.22.
 - b. Discussion and possible vote to approve the request of L. DeGregorio to host a flash dance and trick or treating at Buzzards Bay Park and Main Street on 10.22.22.
 - c. Discussion and possible vote to approve the request of D. McCormack of the Buzzards Bay Eagles to hold their annual canal walk and fundraiser at Buzzards Bay Park on 05.23.23.
 - d. Discussion and possible vote to reduce the size of the Human Services Committee.
 - e. Update by Jerry Hill re: Calamar status.
 - f. Update & Discussion – preexisting soil contamination at the Community Building and recommended mitigation.
 - g. Bourne Basketball Association's correspondence of August 19, 2022.
 - h. Selectmen's letter re: discharge of radioactive water from Pilgrim Nuclear Power Station.
 - i. Discussion of the 1st draft of the October 24, 2022, Town Meeting Warrant.
 - j. Vote to declare an unused diesel generator located at Town Hall, and the decommissioned fuel tanks at the old Police Station as surplus property, and transfer custody from general government to ISWM.
- 7.a. Discussion and possible vote to approve the request of L. Palmer of the Penaltybox Foundation to host a 5K run/walk at Buzzards Bay Park on 10.16.22.**
- Larry Palmer said that Penaltybox Foundation is a charitable foundation that is currently battling youth suicide and trying to make mental health awareness a priority. He said they are requesting to use the canal and Buzzards Bay Park for a 5K run/walk and they will be respectful of the spaces and leave everything in the same condition that they started with.
- Ms. McCollem said that everything is in order.
- Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to approve the application of the Penaltybox Foundation, Lawrence Palmer, organizer, for a 5K run/walk on October 16, 2022, from 6 am to noon at the Buzzards Bay Park, as conditioned by the DPW and Recreation Department comments.
- Vote:** 5-0-0.
- 7.b. Discussion and possible vote to approve the request of L. DeGregorio to host a flash dance and trick or treating at Buzzards Bay Park and Main Street on 10.22.22.**

Lauren DeGregorio, a resident of Bourne, said that she is a retired Pre-K teacher and a local artist, and she would like to continue working with youth and wants to give back to the community, mostly free of charge. She said that Studio 721 and Center Stage Dance Academy will practice this dance and would like to release the video online. She said they will have 1 month to practice. She reached out to local businesses, and they are interested.

Ms. McCollem said that everything is in order

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the application of Oplaysis Designs, Lauren DeGregorio, organizer, for a flash dance and trick-or-treat event on October 22, 2022, from 10 to 11:30 am at the Buzzards Bay Park, as conditioned by the Police Department and DPW.

Vote: 5-0-0.

7.c. Discussion and possible vote to approve the request of D. McCormack of the Buzzards Bay Eagles to hold their annual canal walk and fundraiser at Buzzards Bay Park on 05.23.23.

Donna McCormack first thanked the Board for their support of their annual canal walk last May for the Joe Andruzzi Foundation. They raised \$19,000.00 for the foundation, and together with their other clubs in Massachusetts, they presented a check to his foundation in the amount of \$85,000.00. This year they will be partnering with Ron Hoffman and Compassionate Care, ALS, to do another walk and they would like to reserve the date of May 20, 2023.

Voted: Melissa Ferretti moved, and Judith Froman seconded to approve the application of the Buzzards Bay Eagles, Donna McCormack, organizer, for a canal walk fundraiser on May 20, 2023, at the Buzzards Bay Park, as conditioned by the Health Department, Recreation Department, and Fire Department comments.

Vote: 5-0-0.

7.d. Discussion and possible vote to reduce the size of the Human Services Committee.

Debbie Oliviere, Co-Chair of the Human Services Committee, said that in 2019 it was voted to increase the members at large of the committee from 4 to 6. She said that they have a difficult time getting a quorum.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the request of the Council on Aging to reduce the size of the Human Services Committee from 6 at-large members to 4 at-large members.

Vote: 5-0-0.

7.e. Update by Jerry Hill re: Calamar status.

Chair Meier said that a letter was received earlier in the day stating that he is unable to attend this meeting.

7.f. Update & Discussion – preexisting soil contamination at the Community Building and recommended mitigation.

Town Administrator Marlene McCollem said that they went to Special Town Meeting in May for some funding to conduct some analysis of the situation. She said that the consultants, Pare Corporation are here, and Town Counsel is on the meeting by Zoom.

Al Hanscom, Vice President of Pare Corporation, set up a board with a drawing of the building and gave out handouts of it as well. He said that he is a licensed site professional, and went through a licensing process through Mass DEP. He said he is responsible, as DEP employees are, for the implementation of environmental regulations in Massachusetts, specifically the Massachusetts Contingency plan which governs releases of oil and hazardous materials to the subsurface.

Mr. Hanscom said that earlier this year, Bourne received a downgrade in property status notice from Mass DEP that the Town owned property that was responsible for the migration of gasoline to the Coastal Motors property. He explained what was done to prevent vapors and other hazardous materials to infiltrate the building when the Community Center was built in 2005. He talked about their findings and what their solutions are to mitigate risk.

Mr. Hanscom recommends that the Town allow him to do some soil gas readings at two locations in each of two neighboring buildings. Chair Meier said permission will be needed to do the readings by the property owners, and Ms. McCollem said that if the Board approves tonight, they will reach out to the property owners for their permission and access agreements to go on their property. Mr. Hanscom said that they previously received permission from the owner of Coastal Motors, and they will be sharing the results of their testing there with the Town tomorrow.

Mr. Hanscom also said that they feel that they would be better off using chemical oxidation to oxidize the contamination of the groundwater underneath the ground. He said that they have developed a schedule and some cost estimates. Chair Meier asked if it would satisfy DEP. Mr. Hanscom said that yes, it will address the DEP issues.

Mark Denin of Monument Beach asked some questions regarding the ownership of Coastal Motors and wanted to know how the issues at Coastal Motors were brought to the attention of the Town and to DEP. He inquired about how long the contamination has been there. Mr. Hanscom told him that other consultants and Pare Corporation have done significant research around the area and on other sources of contamination that might be leading to this. He said they have all concluded that that is the likely source of ongoing contamination. He said that there were two 1500-gallon underground storage tanks removed when the Community Center was built, and both tanks were confirmed to be leaking. He said that it is a significant smoking gun that was found here.

Voted: Judith Froman moved, and Jared MacDonald seconded to continue with the described plan of action to clean up the soil contamination at the Bourne Community Building and to further utilize ARPA funds for the project costs.

Vote: 5-0-0.

7.g. Bourne Basketball Association's correspondence of August 19, 2022.

Chair Meier said that there was a letter emailed to the Board on a Friday afternoon and the normal protocol for correspondence is that they are read into the record at Board of Selectmen meetings and this email was written about in the newspaper before it was read at a Board meeting. The reason for this is during a conversation that Chair Meier had with an individual from one of the print media, he was asked if anything interesting was going on, and Chair Meier said this just came across, and he emailed him a copy of the letter, and then it was made into an article. He said that while he does not regret sending the letter, he does have some concerns about what was in the letter.

Billy Macuch said he is a member of a 5-member board of the Bourne Basketball Association. He said that regarding the newspaper, they did get a call and said that they had no comment, and it was not their intention to have it play out in the newspaper as it did. He said that since the article came out, they have talked to Krissanne Caron, the Recreation Director, about talking about working together and doing what is best for youth sports in the Town, specifically basketball.

Mr. Macuch said that they are a nonprofit organization, and they are looking to get more athletes playing basketball in the Town. They started during the pandemic when the Town was not able to run as many programs as they usually do. They put the program together quickly, focusing on skills and drills, and had 126 participants last year for a 10-week program. Due to their success, they would like to expand the program, and part of the expansion is to separate boys and girls. He said they have started to bring in the varsity basketball players from both high schools in Town to help.

Mr. Macuch said that their biggest issue is the lack of resources, and they are hoping to reduce costs as much as possible for the athletes by utilizing the gymnasiums in Town. They are predicting that there may be around 300 athletes in their league. He said he is hoping to induce more of a sense of pride in Bourne for the young athletes and open the door for young girls to be able to play sports as young boys already can.

Chair Meier said that he thinks this should be directed to the Recreation Committee. He thinks that this program could be good for the Town and could be a start for other sports in Town. Judith Froman asked that the correspondence gets on the agenda for the Board of Selectmen. She said that they are working on a process and will be getting the information out there as they solidify the process. She said that they should go to the Recreation Committee and then they can bring the proposal before the Select Board.

Chair Meier asked Ms. McCollem if there is a way to set the policy that preferential treatment is given to Town programs first. She said that is something that the Select Board should ask the Recreation Committee to look at and advise. Ms. McCollem also said that the request is to have the Recreation Center forego its SWISH program which is a program that is budgeted, funded, staffed, and scheduled by the Town of Bourne. She said that foregoing this program is outsourcing union work. This program has been run by Town Staff for 10 years. She said that there is room for cooperation and things cannot be immediate as bargaining is a process and can take time.

Mr. Macuch said he understood what Ms. McCollem said and he said that they just want to run their league, and they just do not want to have 2 leagues in Town and to have to run against the Town's league and they want to do the best for the people in Town. There was some discussion about budgeting and registration fees and policies.

Ms. Froman said that the Community Engagement Committee may have some resources to help fray some costs through a grant process that is in place. She said they are meeting next week. Mary Jane Mastrangelo said that she was not sure what the Recreation Committee would do other than making a recommendation on the SWISH program, as this program has nothing to do with them. Ms. McCollem said that if there was going to be any policy regarding who gets first preference of courts, then it would go to the Recreation Committee and she said that part of their request was that the Town stop running their program, which also needs discussion with the Recreation Committee.

Joe Gordon, Chairman of the Trustees to the Veteran's Memorial Community Building, asked that when the discussions regarding policy regarding prioritization of the building that the Trustees be notified and they request to have a seat at the table. There was more discussion about the SWISH program and what the Town should focus on.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded that the Board of Selectmen request that the Recreation Committee review the SWISH program as well as other recreation programs and determine if these are the priority programs for the Recreation Department or if they suggest that other programs should be our priorities.

Vote: 5-0-0.

7.h. Selectmen's letter re: discharge of radioactive water from Pilgrim Nuclear Power Station.

Chair Meier said that a draft letter is in the packet and asked for feedback on the letter. Ms. McCollem said that this letter is drafted strictly on the non-binding vote from the last Town election in May and it is pulled word by word from the ballot, and she said that if there are to be any changes, she wants them to come from the Board.

Melissa Ferretti said that she thought that indigenous or native people could be added to the section where it says, "whereas Cape Cod Bay provides a vital livelihood for the fishermen and the tourist industry". Ms. Mastrangelo said that this letter talks about the vote, and it isn't in the vote, so the Board has an obligation to stick to the ballot. There was some discussion on how indigenous people could be added to the letter. Ms. McCollem said she will change the introductory paragraph to add indigenous people.

7.i. Discussion of the 1st draft of October 24, 2022, Town Meeting Warrant.

Chair Meier said there are 20 articles on the warrant for Town Meeting. Ms. McCollem said it is the first draft and it has been shared with the Finance Committee and they are working with Capital for capital requests. She wants to know if there is any strong feedback on any of the articles. Chair Meier said that the private petition, article 20, is about the Calamar project and Town residents have signed a petition. Ms. McCollem said it will be a hearing before the Planning Board.

7.j. Vote to declare an unused diesel generator located at Town Hall, and the decommissioned fuel tanks at the old Police Station as surplus property, and transfer custody from general government to ISWM.

Ms. McCollem said that there are a couple of items that are not being used currently and ISWM can use them.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded to surplus the unused diesel generator at Town Hall and the decommissioned fuel tanks at the former Police Station as general government property, and transfer custody to ISWM.

Vote: 5-0-0.

8. Town Administrator Report

a. Appointment of Brandon Esip as Police Chief, effective September 15, 2022.

b. Hoxie School RFP.

8.a. Appointment of Brandon Esip as Police Chief, effective September 15, 2022.

Ms. McCollem said that they have been through an extensive process with a lot of discussion and negotiations, and she is pleased to report that they have reached terms, and she has provided notice that effective Monday, September 15th, Brandon Esip will be appointed as the Police Chief. There will be a swearing-in at 2:15 on that day with the Town Clerk, Barry Johnson at the Police Station.

8.b. Hoxie School RFP.

Ms. McCollem said that the RFP has been finalized. She asked if anyone on the Board would like to serve on the review team, and Chair Meier said that he would.

Ms. McCollem also wanted to thank the Finance Department for their work on getting the certified Free Cash numbers so early, well in advance of the Town Meeting, which is very helpful. She said that General Fund Free Cash has been certified at \$9,493,947.00.

Ms. McCollem also said that the Fire Station RFQ for Designers, Architects, and Engineers has been developed, and will be posted in the Central Register tomorrow. The same process that was used for the OPM will be used for this RFQ.

Ms. McCollem also said that she will be asking for some agenda time, sometime in the next 2 weeks, for a plan for Facilities. She would like to talk to them about organizing Facilities under an Assistant Town Administrator and be supported by the administrative clerical staff in the Town Administrator's office.

9. Minutes: 08/02/21; 07/05/22; 07/19/22; 07/26/22; 08/16/22; 08/30/22.

Ms. McCollem asked that they hold off on voting on the minutes from 7/19/22.

Voted: Jared MacDonald moved, and Judith Froman seconded to approve the minutes of August 2nd, 2021.

Vote: 4-0-1. Melissa Ferretti abstained.

Voted: Jared MacDonald moved, and Melissa Ferretti seconded to approve the minutes of July 5th, 2022.

Vote: 4-0-1. Judith Froman abstained.

Voted: Judith Froman moved, and Jared MacDonald seconded to approve the minutes of July 26th, 2022.

Vote: 5-0-0.

Voted: Judith Froman moved, and Jared MacDonald seconded to approve the minutes of August 16th, 2022.

Vote: 5-0-0.

Voted: Judith Froman moved, and Jared MacDonald seconded to approve the minutes of August 30th, 2022.

Vote: 5-0-0.

10. Correspondence

Clerk Melissa Ferretti read aloud the correspondence:

- 2 Letters from DEP.
- Talent Bank Form from J. Detale for COA.
- Letter of resignation from the Energy Advisory Committee from J. Marks.
- Email from P. Blooman regarding 416 Barlows Landing Road.
- Mass Maritime Academy property purchases.

These are all on the Town's website.

11. Committee Reports

Chair Meier said that last Wednesday the Affordable Housing Trust met with Vinny Michienzi. Mr. Michienzi is looking to do 2 40b's – one at 9 Sandwich Road and the other is on Shore Road, just past the VFW on the right-hand side. He said there would be about 40 affordable units potentially between both locations.

Ms. Froman said that she has the Roadway Safety meeting tomorrow and the Community Engagements meeting next week.

There was a brief discussion about the traffic light at the rotary near CVS. Also, Ms. Ferretti said she has been attending the Joint Base Cape Cod meetings with George Slade as she is the alternate.

12. Other Business – None.

13. Upcoming Meetings – September 20, October 4.

14. Adjourn

Voted: Melissa Ferretti moved, and Mary Jane Mastrangelo seconded to adjourn.

Vote: 5-0-0.

This meeting of the Bourne Board of Selectmen was adjourned at 9:03 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT