

**Board of Selectmen
Minutes of Tuesday, August 7, 2018
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

RECEIVED

2018 DEC 17 TH 4:01

TOWN CLERK BOURNE

TA Tom Guerino
ATA Glenn Cannon

Selectmen

Peter Meier, Chairman
Judy Froman, Vice Chair
James Potter, Clerk
George Slade
Jared MacDonald

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, Beth Treffeisen Cape Cod Times.

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

Others Present: James Mulvey, Rear Admiral Francis McDonald, Paul Gately - Bourne Courier, and Lieutenant Esip.

Documents

EXECUTIVE SESSION

6:00 P.M. Call public session to order in open session.

Motion to enter into Executive Session for the purposes of reviewing prior Executive Session Minutes of: 4/3/18; 5/10/18; 5/22/18, the Chair has declared that an open meeting will have a detrimental effect on the position of the public body. To discuss strategy with respect to potential litigation regarding the Buzzards Bay Park. The Chair has declared that an open meeting may have a detrimental effect on the litigation position of the Town. To conduct strategy session in preparation for contract negotiations related to the Host Community Agreement with the Haven Center. The Chair has declared that an open meeting will have a detrimental effect on the negotiation position of the Town.

Roll call vote to convene in Executive Session for the purposes stated. The Board will reconvene in open session following the Executive Session at approximately 7:00 P.M. Roll call vote to reconvene in open session.

Meeting Called to Order

Chm. Meier called the open session meeting to order at 7:14

Peter Meier updated the public on the votes taken in Executive session, approve the executive session meeting minutes, took no action on Buzzards Bay Park, and the Board has voted to approve a draft prototype proposal of the host community agreement and a

methodology of which we will be negotiating it, the document has been sent out to start the negotiating process.

Moment of Silence for our Troops and our public safety personnel /Salute the Flag

Public Comment – Non-Agenda Items

Rear Admiral Francis MacDonald, Mass Maritime Academy, updated the Board and the public on the events/initiatives at the Academy. Finished the completion of phase 1 of the new dock, 15th year of the Advanced Studies and Leadership Program Summer Camp, Pan Mass Challenge, Housing study.

3) Approval of Minutes: 6/26/18

Judy Froman said there is one edit, changing the word under item number 2 about Mr. Potter not being able to attend, change the word from about to able.

Voted Judy Froman moved and seconded by Jared MacDonald to approve the minutes for June 26, 2018, with the edit. Vote: 5-0. Mr. Potter was participating remotely

4) Correspondence

James Potter brought the Board and the public up to date on the correspondence

- A. Cape Light Compact activity report for the month of May 2018
- B. Notice of Public hearing before the Board of Health for Ann T. O'Sullivan for property located at 2 Robinson Road for approval of a Facility Aggregation Plan
- C. Fiends of the Wareham Veterans' Council, Bob Powilatis, Submitted letter regarding to name and dedicate the traffic circle outside the entrance to the National Cemetery to HEROS CIRCLE
- D. Human Services Agency Sight Loss Services submitted statics from July 1, 2017 - June 30, 2018
- E. Human Services Agency South Coastal Countries Legal Services submitted statics from July 1, 2017 - June 30, 2018
- F. Human Services Agency Elder Services submitted statics from April 1, 2017 - June 30, 2018
- G. Habilitation Assistance Corporation has been accredited for a period of the three [3] years for its Community Integration Day Habilitation Program[s]
- H. E-mail regarding "Roadway"
- I. Letter from Richard Conron regarding Town Charter Violations
- J. Letter from Richard Conron regarding how impressed he is with Jennifer Copeland's participation in the Cannabis Working Group.
- K. Letter from Attorney General's Office regarding an alleged violation of the Open Meeting Law
- L. Hearing notice from the Cape Cod Commission regarding ISWM Facility - Phase 6

- M. Division of Marine Fisheries - Seasonal Status Change - Open to Shellfishing - Wychunas Avenue
- N. Weights and Measures Program quarterly report from April 1, 2018 - June 30, 2018
- O. Memo from Administrator Guerino to Board of Selectmen regarding Process for determining parking limitations, zones and enhancements
- P. Email from Pat Cook requesting to be put back on the Bourne Cultural Council

Judy Froman said correspondent H isn't a complete correspondence.

5) 7:15 Pole Hearing: Verizon New England Inc. and NSTAR Electric Company d/b/a/ Eversource Energy proposes to place new pole - 460/1.5 on Summer Street, Buzzards Bay.

Peter Meier read the Hearing Notice.

To: Verizon New England Inc.

You are hereby notified that a public hearing will be held at the Bourne Veterans' Memorial Community Center at 7:15 P.M. on Tuesday, August 7, 2018 upon the petition dated July 5, 2018 from Verizon New England Inc. and NSTAR Electric Company d/b/a/ Eversource Energy proposing to place Pole - 460/1.5 on Summer Street, Buzzards Bay.

This petition is necessary to provide new service for property owner, which designated route of line you are an owner of real estate as determined by the preceding assessment for taxation.

Signed by Thomas Guerino, dated July 26, 2018

Harvey Williamson, representing Verizon, said this is being asked for by Eversource. It appears the pole may be on private property; not sure if they want anchors or not; there is a mini warehouse stored close to the pole, about 3 ft. away - if they want anchors it may be in the way, there is a tree about 12" in diameter that is in the way.

Peter Meier suggested to postpone the hearing and bring Eversource in to answer these concerns.

Voted Judy Froman moved and seconded by Jared MacDonald to continue this hearing until the next meeting on August 21, 2018.

6) Licenses/Appointments

a. Bourne Human Services - Craig Davidson

b. Cape Cod Canal Region Chamber of Commerce - Cape Cod Canal Day Event 9-15-18

1) Requesting a street banner for event

2) Requesting use of Town Property - Entertainment - Food Truck & Vendors

3) Requesting One Day Liquor - Patriot Bartending Service for Cape Cod Canal Day

c. Road Closure - Grasslands Lane, Cataumet - Fallon Family Wedding

Peter Meier briefly spoke about the Bourne Human Services position.

James Potter brought up changing the expiration date from June 30th to June 1st.

Voted Judy Froman moved and seconded by James Potter to approve Craig Davidson as the Bourne Human Services Committee representative from the School Department Representative, term to expire June 1, 2020.

Maria Oliva spoke briefly about the Cape Cod Canal Day Event and the request for the Street Banner. The banner is 30' long by 4' wide. Would like it up 21 days prior to the event. Peter Meier said it could go up on August 24th.

Voted Jared MacDonald moved and seconded by Judy Froman to approve the application for the banner. Vote: 5-0

Maria Oliva went over the request for the use of town property for the Cape Cod Canal Days Event.

Marie Oliva Cape Cod Canal Region Chamber of Commerce, Buzzards Bay Park, for Cape Cod Canal Days, family event, music, entertainment self-contained food trucks, vendors. Friday, September 14, 2018 - Setup from 8:00 A.M. - 3:00 P.M. Saturday, September 15, 2018 - Event from 8:00 A.M. - 7:00 P.m. Estimate of attendance 2,000, Event will have police, admission will not be charged. Comments; Board of Health- Pending food trucks obtain license and pre-operational inspection. Building Inspector - Tents will require a permit. Department of Public Works - Remove all trash after event. Police Department - Police Details are required. Planning meetings to occur. See no major issues, all state alcohol laws will be enforced. Fire Department: Full inspection of vendors prior to opening for the day. All food permits and cooking vendors will need appropriate permits.

James Potter suggested to follow the new form for the request for the use of the park.

Tom Guerino said the Board can choose to accept the application fee or waive the application fee because the Chamber is a non profit.

Voted Jared MacDonald moved and seconded by Judy Froman to waive the application fee. Vote: 5-0

Judy Froman requested that moving forward the new form for the use of the park be used.

Voted Judy Froman moved and seconded by Jared MacDonald to approve the routing slip request for the Cape Cod Canal Day on September 15, 2018 under the condition the application fee is waived for the new application, the application is completed and submitted, and the conditions on the routing slip are met. Vote: 5-0

Peter Meier briefly went over the one-day liquor license request.

Erick Christensen, Patriot Bartending Services, 90 Main Street, Buzzards Bay Park, One Day Wine & Malt Beverage License to be held in conjunction with the Cape Cod Canal Days sponsored by the Chamber of Commerce on September 15th from 11:00 a.m. to 7:00 p.m. (Chamber will comply with cordoning off the Pavilion area where the truck will be serving.

People checking I.D.'s including the issuance of wristbands that must be worn. Security people will be monitoring the wine & malt beverages area for compliance. Comments; Building Inspector: Tents will require a permit. Department of Public Works: Remove all trash after event. Police Department: Police Chief met with organizers. Three police details will be required at different locations during the event time. Liquor area to be fenced off with only one entrance/exit and an additional exit for emergency only. Both to be staffed by vendors. All state and local liquor laws to be complied with. Serving proper persons is the sole responsibility of the vendor, Erick Christensen.

Voted Judy Froman moved and seconded by Jared MacDonald to approve the 11-7 based upon verification that alcohol can be served before noon. Vote: 5-0

Peter Meier went over the request for the road closure for Grasslands Lane in Cataumet.

William & Joan Fallon, 7 Grasslands Lane, Cataumet. Family wedding on September 8, 2018 and reception will be held at 7 Grasslands Lane. The reception is outside and with a tent alongside the road. Requesting to close the street to "for residents only" for the afternoon and evening. They would ensure access for emergency vehicles and parking for the vendor service trucks. Comments: Planning Department - Grassland Lane is a narrow Town road, applicant has requested to close road, have abutters been notified, what is the parking plan. Department of Public Works - Remove all trash, concerns with narrow road. Police Department- 7.27.18 - Concur as long as the road access is open for at least one lane travel. 7.11.18 - PD is unsure that this request is justified or needed for this purpose. Recommended traffic safety cones could be used, but that the road access be maintained as open for at least one lane of travel of at least ten feet wide. This residence is prior to two other roads (Elm and Maple). This should suffice and not be a problem. Fire Department: Need access for emergency response. Food trucks will need inspections if serving food from them.

The Board members discussed their concerns with the width of the road, where the cars will park, and having one lane on the road open for emergency vehicles.

James Potter suggested giving them another chance to come before the Board. The Board discussed getting an abutters list to make sure the abutters are notified of the request.

Voted Judy Froman moved and seconded by Jared MacDonald to continue the request for Grasslands Lane to August 21st upon notification to the applicants and the request that they notify the residents on the Grasslands Land.

Gary Maloney, Buzzards Bay, said there are two departments that said they do not concur with this request, the Planning Board and the Planning Department.

Vote: 5-0

7) Town Administrator's Report

- a. Community Building Update**
- b. Technology Staff Working Group update**
- c. Meeting with Mass DOT - Bypass Road**
- d. Finance Department recruitment updates**
- e. Economic Development activity update**
- f. Sewer Commissioners meeting**
- g. Special Town Meeting**
- h. Buzzards Bay Park**

a. Tom Guerino updated the Board and the public on the work on the Community Building. Fire suppression booster pump has been tested and ready to go, tile has been put in on the main floor in the foyer, cove molding still has to go in, minor punch lists still have to be done. Expect to be done by august 13th.

b. Technology Working Group is meeting again this week, Mr. Guerino briefly went over what they have been working on. What software system to use. The Committee Members are the Terri Guarino - Health Agent, Coreen Moore - Assistant Planner, Tim Lydon - Engineering Tech, Sam Haines - Conservation Agent, Tom Guerino, Mike Ellis - Finance, Hans Lomeland - IT, and Lou Gallo.

c. Tom Guerino updated the Board and the Public on the meeting with Mass DOT regarding the bypass road. Glenn and Mr. Guerino met with the engineering department at Mass DOT relative to the bypass. They discussed what would have to be done. We sent a proposal to them. James Potter suggested adding this to our visioning, so we can give some direction to the negotiations. Jim Mulvey said he hopes people recognize the immensity of the future the bypass holds on the development of the town. This needs discussion on the pros and cons.

d. Tom Guerino informed the Board, after a round of interviews of four qualified people we have made an offer to an individual, waiting on a confirmation on the acceptance in writing. Sent a provision of a negotiated agreement to Town Counsel for review. This person was unanimously recommended by the School Superintendent, Finance Committee Chair, and myself. The financial consultant, Mrs. Marzelli, said she will be available through transitioning to the new Finance Director.

e. Mr. Guerino went over the developments that have been going on in the Town. On the west end we have a new restaurant being developed; there are proposals for a restaurant possibility a brewery. On the east end the old Dunkin Donuts has done some tremendous renovations. There have been a number of inquiries on properties on the east end of Main Street. There is activity outside of Buzzards Bay. The activity that the Planning Department has been involved with. Mr. Guerino handed out a list of properties to the members for their review. Peter Meier would like Coreen Moore or Jennifer Copeland come in before the Board and give an update in September. Peter Meier brought up the parking problem once the Maritime students come back in September; we need to discuss the parking problem. Tom Guerino said we need signage that better states no overnight parking. James Potter

said when new businesses come before the Board for licensing we can ask for their parking plan.

f. Sewer Commissioners meeting will be on August 14, 2018. We have to set the sewer rates and get them out by the last week of August. A proposal will be brought to you on the 14th to set the sewer rates.

g. Tom Guerino listed the articles that will be brought to the Special Town Meeting 1:19 Petitioned articles, zoning article, CPA articles, budget adjustment article, sewer article, 11 or 12 articles overall. Peter Meier said on September 26th at 3:00 p.m. will be Bob Parady's pre Town Meeting so we can go over any logistic issues.

h. Tom Guerino spoke about reopening the Buzzards Bay Park and the safety issues being addressed. Gary Maloney questioned the other parks in town. Mr. Guerino said the only other park that has issues is Queen Sewell Park and that is being addressed.

8) Selectmen's Business

a. Goals update and discussion

Peter Meier said he wants the most recent goals posted on the website. Tom Guerino will work with Judy Froman to get the goals on the website.

9) Selectmen's Reports

a. Events of the last week

b. Events planning to attend

Peter Meier spoke about Nancy Sundman starting her 50th year of employment with the Town of Bourne.

George Slade attended a meeting on the 31st with Mass DOT discussing the bike trail.

James Potter questioned the status of the liquor license at Flynns and wanted to make sure the license was passed in. Mr. Potter also questioned the 1-hour parking signs on Main Street. Mr. Potter suggested the request for parking signs come before the Board.

James Potter suggested there needs to be earlier communication about licenses that come before the Board. The Canal Days and the Road Closure came in about a month ago and we are only now seeing the request. We should see these earlier on in the process. It should be put on as a future agenda item to be discussed. Judy Froman questioned if it can be put on the Rules of Procedure.

James Potter spoke about the facts and figures on permitting that were sent by the Town Clerk.

Mr. Potter said he will be attending MMA with Judy Froman. The Sewer Commissioners Meeting will be next week.

Judy Froman spoke about the Working Group Meeting, Ms. Froman said she will be attending that meeting. Will also be attending the ISWM Business Model Working Group.

Peter Meier spoke about the tour of the Peebles School, maybe invite the Board for the walk through so they can see the progress of the construction.

10) Future Goals

- a. Massachusetts Maritime Academy to give formal update to the Board of Selectmen meeting and to answer questions**
- b. Stop and Shop Rotary and Clay Pond Road update**
- c. Sale of town property policy**
- d. Barlow's Landing Beach Discussion**

Add parking and the timing of approvals to the future agenda items.

11) Adjourn

Voted Judy Froman moved and seconded by Jared MacDonald to adjourn. Meeting adjourned at 8:48 pm. Vote 4-0.

Respectfully submitted – Carole Ellis, secretary.