TA Guerino

**Selectmen**

Stephen Mealy, Chairman

Don Pickard, Vice-Chairman

Michael Blanton, Clerk

Don Ellis

Peter Meier

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

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

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

**Moment of Silence for our Troops/Salute the Flag**

**Public Comment – Non-Agenda Items**

None requested.

**5) Minutes from Meeting on June 23, 2015:**

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the minutes from June 23, 2015 as presented. Peter Meier abstained. Vote 4-0.

**6) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

A. (no date); A letter from Ms. Patricia Anderson, praising Police Dennis Woodside for his personal response to a health emergency 911 call on May 6, 2015.

B. 7-2-15; A letter from Amy Sharpe of Monument Beach expressing interest in an appointment by the BOS to the Recycling Committee.

C. 6-27-15; An email from Ron Beaty in which he filed an Open Meeting Law (OML) Complaint that the BOS convened the meeting of Tuesday, June 16, 2015 first in Executive Session, rather than convening first in Open Session and then moving to Executive Session. He goes further to point out that the list of topics of the Executive Session were not sufficiently specific so as to reasonably inform the public of the issues to be discussed.

D. 6-16-15; A letter from the Division of Marine Fisheries regarding the Closures of Riley Cove and Mashnee Island due to a prior fuel spill; they are now Open to Shellfishing.

E. 6-25-15; Another letter from the Division of Marine Fisheries regarding Squeteague Harbor are Closed to Shellfishing due to unacceptable water quality.

F. 7-10-15; Public Notice of Environmental Review of the Pumping Station and Well #5 off Bournedale Road. Copies of the Environmental Notification Form (ENF) are also being sent to the Conservation Commission, Planning Board, and Board of Health where they may be inspected.

G. 7-2-15; The monthly summary from the Cape Light Compact for May 2015.

a. 89 residents and/or businesses in Bourne participated in the program

b. $108,457.86 in incentive dollars were distributed to those participants

c. 244,681 kWh were saved through implementation of these energy efficient

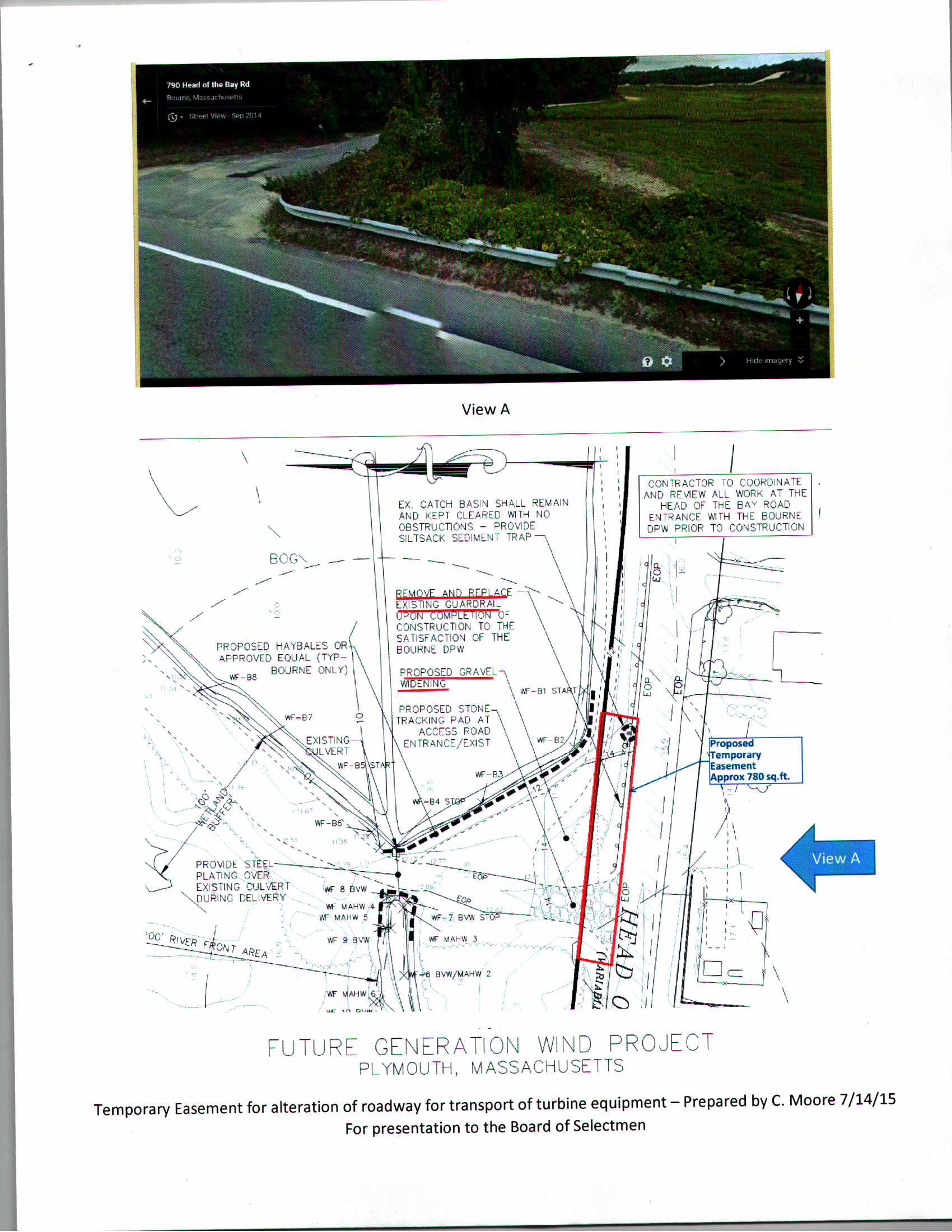
d. Through May 2015 your town has spent 28.1% of its town allocated measures annual budget.

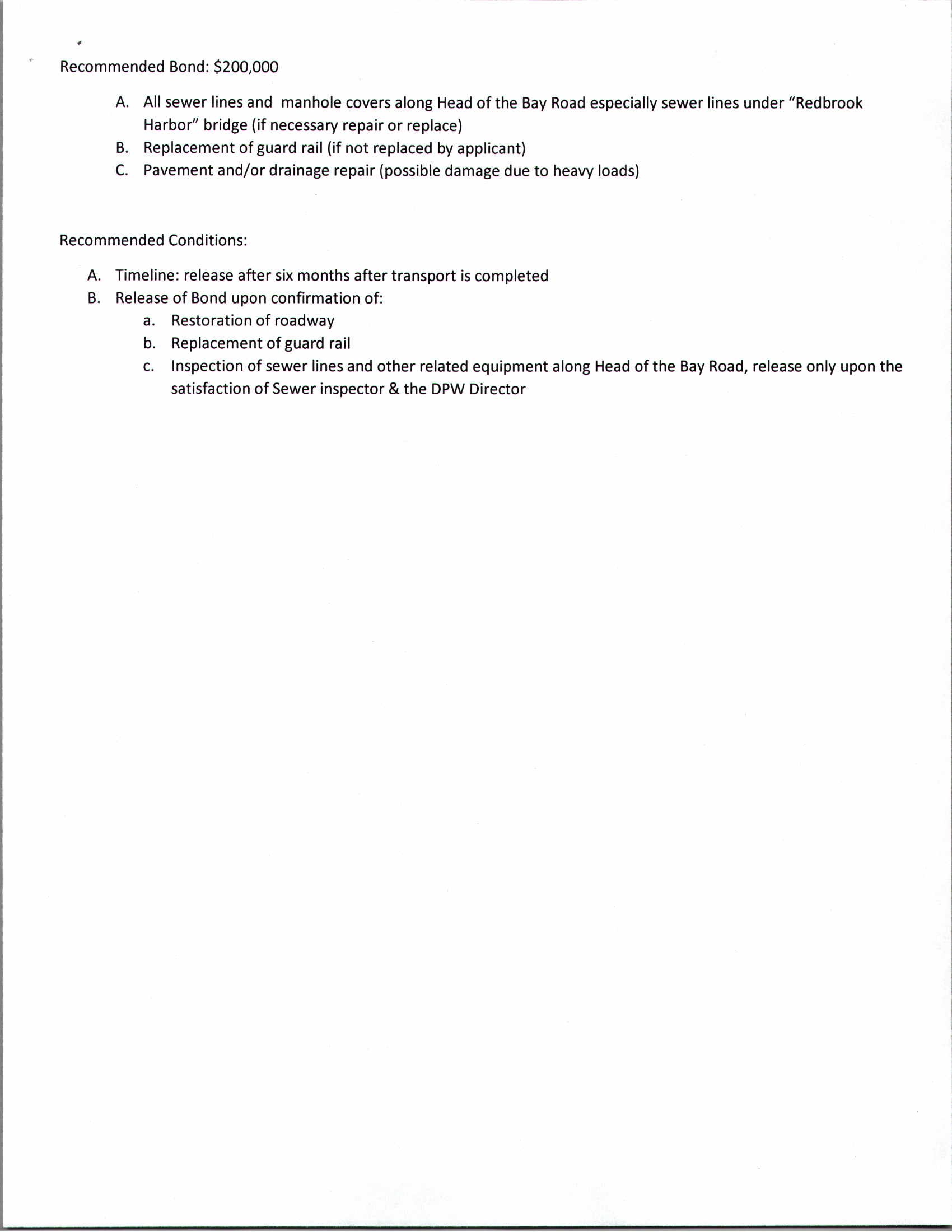
H. Letter from EMS of New England re. Caron’s Texaco Station at 372 Barlow’s Landing Road in Pocasset. The Remedy Operation Status Inspection and Monitoring Report has been submitted to the MA DEP and is available for review on their website.

Stephen Mealy addressed agenda item 6C the Open Meeting Law Complaint. Mr. Mealy stated there will be a response sent to Mr. Beaty, it is being prepared by Mr. Mealy and Town Counsel.

Don Ellis suggested the committee ask Mr. Beaty, from West Barnstable to address the Board.

**7) Wind Turbine – Temporary Easement – Head of the Bay Road – Mann Bogs**

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George Sala gave a breakdown on the wind turbine going up on the Mann Bogs off Head of the Bay Road. The DPW was asked to assist. They need access to the driveway of the Mann Bog. They need approximately 10 sections of the guardrail removed. We called a code enforcement meeting twice with George, the Sewer Dept., Planning Dept., and Building Inspector. The company is asking for a Temporary Easement. There is a large amount of traffic involved; trucks that weigh approximately 280 thousand pounds and up to about 198 feet long. There are between 40 to 60 trucks. We met with the Police Chief and the Fire Chief and they have expressed their concerns, and the sewer department has expressed their concerns. The original travel was to come down from New Bedford down onto the highway come through 6 and28 through Wareham and come down Head of the Bay Road through Red Brook Harbor. We will come in West to East. There is a bridge where Red Brook Harbor is and there are still concerns because no one will say who owns the bridge. We have a sewer line running directly under that bridge, which is George’s concern. We are recommending a $200,000 cash bond. The other route option is down 25 up Head of the Bay to the Rotary. If you grant the temporary easement to remove the guardrails we are asking them to restore the guardrails back to the original prior to being removed. The pavement, roadways, drainage, and sewer lines will be inspected by the Sewer Department and George Sala, upon completion of the project.

Sherrie Maurer, Project Manager for Ganesa, the delivery service, stated the trucks will have 13-14 axels. Stephen Mealy questioned the weight calculations for what is going to be put on the ground per square foot. Sherrie will get that information for the Selectmen.

Mr. Mealy: Is Ganesa recommending the road is suitable for this type of weight loading for transport? Ms. Maurer: Yes. Bayside Engineering inspected the entire route. The only concern is the bridge that has the sewer line and a gas line. They will get the Bayside Engineering report for the Selectmen.

Mr. Guerino stated we need a drafted temporary easement for Counsel to review.

Michael Blanton stated he concurs with Mr. Meier and would feel more comfortable moving forward with access to the Bayside report and knowing the septic, gas line, and sewer line are going to be protected during the move. Ms. Maurer stated they will not take that route until they know who owns the bridge so they will know the restrictions and weight limitations of the bridge, if they could put steel plates over it or/and what reinforcements it may possibly need to make sure it is safe. We wont go forward with that route until be have Bayside Engineering to confirm the bridge is safe.

Joe Hein, with the contractor, installing the access, questioned if the easement isn’t granted tonight, we cannot install that access and be ready for deliveries, is there a way to separate the two construction deliveries. Mr. Guerino stated he doesn’t think so, the easements have to be granted. Mr. Hein stated the deliveries are slated for next week, the construction is slated for August.

Mr. Mealy stated once the easement is drafted we have to send it to our Town Counsel for review and that will take about one week. He also questioned if it has been surveyed. Mr. Hein stated it has been surveyed by Atlantic Engineering.

Don Pickard stated that for the future we need a routing slip to go through the Town Administrator, the Planning Board, the DPW, and Counsel and anyone that needs to approve a project.

George Sala said the wind turbines are in Plymouth and we were not involved until about 7 weeks ago, and told they need access. We have met twice now and have heard the concerns from the Police and Fire Department. It is up to the Selectmen now to grant the temporary easement.

Will Coombs would like a timeline so he can recalculate and re-plan the trucks for release. If we get the paperwork by the end of the week, what is the time limit, so we can start moving trucks? Mr. Mealy stated until Bayside Engineering states the bridge will support the trucks the Committee will not grant an easement.

Don Ellis would like to ask the petitioners for a complete set of plans, site plans, engineering plans, and easement plans for the record so if something happens down the road, we have a set of records for the date as submitted so we know where we stand when we make a decision whether or not we grant this.

Stephen Mealy read the list of items the town will need: the Bayside Engineering report, including the weight calculations, temporary easement document, we can give them a template, and a set of site plans and engineering plans. It can be delivered to the Town Administrator, Tom Guerino at Town Hall. Mr. Guerino asked for one full size print for the record. Mr. Guerino also has a concern of a 6-month release after transport is completed. There will be a lot of stress put on that road. We wont know the full effect of anything that is happening under ground that we can see or if the meckaden is compromised until after the next frost, at a minimum I would like a 12-month release. That way we will know what the road condition is after the winter. While you are there we are going to have a fire watch and a police watch and if for some reason the road is compromised they will continue to have a fire watch and a police watch there until the road is able to be traveled by emergency vehicles and we want that written in the conditions of the easement.

Joe Hein questioned if the cash bond amount was satisfactory for the Selectmen. Stephen Mealy questioned George Sala how he arrived at the $200,000 cash bond. Mr. Sala stated It was arrived at by the Sewer Department, Coreen Moore, and Mr. Sala, if any damage was done that would be the replacement cost.

Mr. Hein questioned what the road right-a-way is. Mr. Sala stated he believes the road right-a-way is somewhat in a 60 foot right-a-way, we can provide that information. Mr. Hein also wanted to make sure the draft easement will be from edge of the existing private drive down to 10 sections of guardrail down the road.

Stephen Mealy questioned the selectmen if they are comfortable with the cash bond of $200,000, a release after 12 months, and during construction having a fire watch and a police watch onsite. Mr. Sala stated the Fire Department is requesting a detail be present due to Hide-a-way Village and the Police Departments request was there be no staging of any trucks on Head of the Bay Road. The other concern from the Fire Department was the width of the trucks and Hide-a-way Village; they wanted to make sure there wasn’t an issue staging a fire truck and a detail there. The other concern was the timeline the deliveries will be made. Will Coombs stated as of now the delivery time line is between 1:00 am and 5:00 am. and the trucks leaving around 5:00 am – 7:00 am.

Peter Meier stated he would like the release to read “may be released”. He wants the board to have the discretion to keep it longer than the 12 months if needed.

Michael Blanton questioned if there is a mechanism to inspect the area to see if there was any damage or integrity issues. If we run through the 12 months, release the bond, and then we find out there is an issue. Mr. Sala stated that George said that the Sewer Department will inspect the sewer system prior to releasing the bond back. The water Department has no concerns at this time.

Mr. Mulvey stated it would be good to know the one corporate entity that is responsible. If anything goes wrong whom would you be dealing with. Also a time certain that it will happen. How long is the bonding for and does it cover unforeseen events? Notification for fire dept., police dept., and the schools incase it runs into school hours.

Mr. Heins brought up his request for a building permit for two temporary job trailers for work that is taking place in Plymouth, the trailers will be parked in the town of Bourne. He was denied by the BOH for the Building Permit for modular trailers because the easement wasn’t granted yet. Mr. Mealy stated if the plans show the easement for the removal of the guardrail and the reconstruction of the entrance and the trailers where they are going to be located then the easement will have to be large enough to include the location of the trailers. Mr. Hein stated the job trailers will be down the private driveways. The guardrails don’t have to be taken out for the job trailers to go down the private driveway.

Don Pickard questioned from the time the easement is signed, you will be delivering the items between 1 am and 5 am, can you give an estimate of how many truck and trailers you will need. Will Coombs stated as of now they are planning on 4 days a week, given they are going to have a delay it may go to 6 days a week. The schedule was going to be on Monday 2 trucks, Tuesday 6 trucks, Wednesday 2 trucks, and Thursday will be 6 trucks, then on Monday it will start again, and that will go on for 3 weeks.

Don Pickard questioned if you are talking 2 or 6 trucks what is the necessity for a fire truck to be on site. Mr. Sala stated the concern was the width of the trucks because they go over the centerline. Because of the number of homes in Hide-a-way Village, if something were to happen, they are looking at it from a safety standpoint. Mr. Coombs stated he will be staggering the trucks going in.

**Voted** Peter Meier moved and seconded by Don Pickard to continue the discussion until July 21, 2015, with the concerns listed by the Chairman. Vote 5-0.

**8) Licenses/Appointments:**

1. **Council on Aging**
2. **Commission on Disabilities**
3. **Recycling Committee**
4. **SWOP**

Tom Guerino requested item 8a. be deferred one week.

**Voted** Peter Meier moved and seconded by Michael Blanton to defer item 8a until July 21, 2015. Vote 5-0.

1. **Commission on Disabilities**

**Voted** Don Pickard moved and seconded by Michael Blanton to appoint Heather Alden for the unexpired term. Vote 5-0.

1. **Recycling Committee**

Don Pickard read there are two vacancies on the Recycling Committee. One expires June 30, 2016; the other expires June 30, 2018.

**Voted** Don Pickard moved and seconded by Michael Blanton to fill the June 30, 2018 vacancy with Amy Sharpe. Vote 5-0.

1. **SWOP**

Don Pickard read the Special Workshop Opportunities Program established by Article 78 of the 1973 ATM seven members to be appointed by the Board of Selectmen annually. These are one-year terms. We have 5 people seeking reappointment, and we have two vacancies.

**Voted** Don Pickard moved and seconded by Peter Meier to place in nomination for appoint the following individuals who seek reappointment through June 30, 2016: Andrew D. Cormier, Susan E. Cronin, Patty Duffy, Janet P. Hughgill, and Judith Shorrock. Vote 5-0.

**9) Selectmen’s Business**

1. **Override Discussion – preliminary reductions**
2. **Goals – Request for submission by BOS members**
3. **Selectmen’s Calendar**
4. **Letter from Board to NOAA Fisheries and Massachusetts Division of Marine Fisheries requesting the Extension of the Near Coastal Protection Zone**

**9 a) Override Discussion – preliminary reductions**

Stephen Mealy stated this is a discussion for preliminary reductions for the override taking place this fall. This was a discussion that was held last night at the joint meeting of the Finance Committee and the School Committee and the Board of Selectmen. This is a brief presentation so anyone who didn’t see it last evening can see it this evening. This is the impact to the services as we know now if an override in the fall does not pass.

Tom Guerino briefly went over the presentation and reductions for the following Departments: Department of Natural Resources, Police Department, Fire Department, Recreation Department, Library, Council on Aging, Town Hall/Administration, Community Building Operations, DPW, and the Bourne Public Schools. Overall view there is a 2.3 million dollar reduction, which is a substantial reduction. If the override is successful we are just looking to maintain and provide a similar base of operations and services as we have now. Mr. Mealy stated this is just a preliminary overview of work that has been done by department heads for their recommendation in order to meet a reduction should the override not pass this fall. It is just a draft. It will be reviewed again by the Finance Committee, the Financial Project Working Group, as well as this board. The town website has a page now dealing with the override and this presentation. As time goes on the website will have firmer numbers and more detail so the residents will understand what is being proposed. There is also going to be a community outreach so the community members will have an opportunity to speak one-on-one with members of the Board of Selectmen or the Finance Committee.

Peter Meier questioned why the Upper Cape Regional Technical School has not been mentioned for any cuts. The Bourne public schools have to sacrifice a lot, why can the Upper Cape Technical School see if they can help and take a cut like the other departments, schools, and community members have to. Also find a way to not to have to close the Fire Station in Sagamore and preserve the essential services in that village. Mr. Mealy suggested the members list their priorities and try to make recommendations on how things might be able to be adjusted to accommodate the important items.

Don Pickard stated if the Upper Cape Tech can make any changes in their budget it has to be made by the five towns. An example would be that in Bourne we charge athletic fees and the Upper Cape Tech School does not. Based on this time in our lives we need to keep the 4 police car funded. This Board should identify their priorities and identify what to do, because there are nice to haves and need to haves.

Don Ellis stated he has a problem with closing the Sagamore Fire Station and the reduction in the police department. It was also stated in the list of reductions is streetlights in the town. Then you put more pressure on the Police Department and if you cut that department down from 4 to 3 cruisers that will be a problem. Mr. Meier questioned if the street light do have to be cut out, would the property owners effected have the option of paying for that street light. Mr. Guerino will look into that option.

Michael Blanton stated he does have concerns with the cuts in the emergency services and closure of the fire station in Sagamore is not a good way to go. He is also concerned with the dramatic cuts in the schools, and the level of education and possible loss of accreditation of the school. We will not be providing the level of education we should be providing to the families and kids of Bourne. The budget would not give us any future economic development that would help us to grow revenue so we would not be in this type of situation down the road.

Stephen Mealy stated these are preliminary numbers. The proposed override is a request to the residents in town to increase the attainments of taxes, which we have not done on a general override in 10 years. This is to put us on a sound financial position that would allow us to operate the town as it is today for the next five years. The last time we asked for an override in 2005 was going to last for 5 years and through diligent efforts of the members of the management team of the town we were able to extend that to 10 years.

Peter Meier stated we have to communicate what the benefits of the override will provide to the town, which is stability. The benefits of stability need to be communicated to the voters.

**9 b) Goals – Request for submission by BOS members**

Stephen Mealy would like the members to submit ideas for goals for the coming year. The Town Administrator and Mr. Mealy are putting together a workshop to go over the goals. Please submit ideas you may have for goals.

**9 c) Selectmen’s Calendar**

Mr. Mealy stated the calendar is to provide an understanding of the meetings for the BOS, the Financial Planning Working Group, the School Committee, and the Finance Committee. Mr. Mealy will continue to update it and include as much detail as he can and send it out to the board members. It will be updated as needed. The calendar with some information and dates will be posted on the Town website.

**9 d) Letter from Board to NOAA Fisheries and Massachusetts Division of Marine Fisheries requesting the Extension of the Near Coastal Protection Zone**

Don Pickard went over the letter from concerned fisherman to the BOS to join and support petitioning NOAA and Mass Division Marine Fisheries to extend the near coastal protection zone from Boston North and out to include a 12 mile territory of water from Boston South along outside of the Cape and Nantucket to Martha’s Vineyard to western Massachusetts as it was done originally in 1999. A number of large draggers with mesh mobile gear with opening less than 6.5 inches are causing a lot of other fish and forage food to get caught in that mesh. The Barnstable County Commissioners did support this and drafted a letter, I made some changes and forwarded it out to the Chairman and the Town Administrator to sent it to the board. If no changes need to be made we can sign it tonight and will send it out to Congressman Keating, Senator DeMacedo, Senator Wolf, and Cape and Island Reps. Mr. Guerino suggested to also send it to other Congressional Delegation that have coastal areas; Stephen Lynch, Michael E. Capuano, and Seth Moulton.

**Voted** Peter Meier moved and seconded by Don Pickard to instruct the Board of Selectmen to sign the letter dated July 14, 2015 to NOAA Fisheries and the Commonwealth of Massachusetts Division of Marine Fisheries. Vote 5-0.

**10) Town Administrator’s Report**

**a. DPW Vacancy**

**b. Override Work Update**

**c. Visit DPW**

**10 a) DPW Vacancy**

Tom Guerino stated due to the hiring freeze the Selectmen have imposed on anytime we need to go outside that aren’t internal hires and we have the need to replace a laborer at the DPW. We only have 1 or 2 laborers. I am requesting the Selectmen to allow us to fill that laborer position. George Sala stated why the DPW needs a laborer. Don Pickard stated this will be one of the first position to be cut if the override does not go through. He is concerned with bringing in someone for a few months. Also concerned that we are requesting an override of somewhere between 2.6 and 2.9 million dollars from the public. We have to see if we can get by without filling this position to show that we are trying to be prudent in our hiring practices and our expenditures so the voting public knows that we are doing the best we can. Michael Blanton stated that is prudent but we are still operating under the current budget and would like to hear from Mr. Sala whether this person is necessary. Mr. Sala stated the vehicle maintenance department is running with 2 personnel and one of them is out on workmen’s comp. The sanitation recycling takes 15 personnel, which leaves us with approximately 7 between highway and maintenance. Now the department is running short and we still have to do our job. Don Ellis stated that this should be one that we can grant but this person should be notified that he may be let go.

**Voted** Don Ellis moved and seconded by Michael Blanton to go along with the request from the Highway Superintendent to add a laborer in light of his discussion. Vote 4-1.

**10 b) Override Work Update**

Tom Guerino stated he feels the committee is up to date between the calendar and what has been discussed this evening. The Advisory Committee and the Town Administrator will continue to meet, as with the department heads and the Boards.

**10 c) Visit DPW**

Mr. Guerino wanted to invite the board to visit the new DPW facility. We are at substantial completion. We could take a site visit before one of our meetings. Perhaps on July 28th the Selectmen could do a 6:00 site visit. Peter Meier suggested go through the archives and get pictures to show how the DPW has been evolved throughout the years. Mr. Guerino stated it will be posted as a site visit.

Mr. Guerino wanted the board to know they are look at retirement programs and incentive programs. He also brought up the beaches, the lifeguards are there to watch the waters and make sure the water is safe, and are asking parents to make sure they are watching their children. He also brought up beach sticker parking. In the past we have been flexible but going forward we are going to be stricter; police are limited in the number of bodies and if they are taking the time to write citations we are going to enforce the citations. The Police Department’s Facebook page has been helpful in getting a really good messages out to the public. Peter Meier stated people have questioned getting tickets for overnight parking and are having trouble finding the regulation that governs that. Is that a local bylaw or a Mass. General law? Mr. Guerino stated in the towns general traffic regulation there is no all night parking on any municipal street. Mr. Meier questioned if someone as a beach sticker and are fishing the tide, that they bought a license for, can they park and go fishing over night? Mr. Blanton stated that someone address him and questioned if they pay taxes in town, pay excise taxes on their boat, pay for a boat slip, when they went to drop their boat in the water they were told by an official they couldn’t use the ramp because they didn’t have a beach sticker.

**11) Selectmen’s Reports**

Michael Blanton stated that the Town of Sandwich holds a summer meeting forum specifically so the summer residents in town can have some exchange with their municipal leadership. Is that something we want to consider at some point?

Don Pickard got an email about the Massachusetts Clean Energy Center in Boston awarded 1.1 million in clean energy project in three communities are going to be hosting different projects; Bourne, Freetown, and Hadley. Bourne will receive $400,000 for the developers that are going to design and build an anarogue digester to process wastewater treatment, sludge, food waste, fats, oils, and grease. The other two communities that will benefit are Stop & Shop is going to have a constructed digester located in their distribution center in Freetown, they are receiving $400,000 as well. BG Energy in Hadley will receive $309,716; they are building a 300 kW anarogue system.

Peter Meier thanked the committee in getting a great parade off, and we were asked to judge.

Stephen Mealy wanted to recognize a group of folks who have doing something for many years. This is Sharing the Waterways.

Approximately 148 children ages 7 through 13 from the Crossroads for Kids program

took to the water last Tuesday with 24 boat owners who volunteered their time and vessels for the outing at Parker’s Boat Yard in Cataumet. Over 75 volunteers traveling from Parker’s Boatyard, Taylor’s Point Marina, Kingman Yacht Center and Pocasset River, all from Bourne supported the day on the water. This was the 18th year of the annual event, originally started by Raz Parker.

Each summer, the Share the Waterways program at the boatyard has partnered with the nonprofit Crossroads for Kids program to help at-risk kids learn about boating.

Dave Foynes of Sagamore Beach has been organizing the event for the last 15 years, with support from many local people and businesses. Cooking was done by Chefs Nick Sheehan, Griffin Howe and our own Don Pickard.

Bruce Rodman of Sagamore Beach, owner of Cambridge Packing donated food for lunch for all the children and volunteers. EJ Cubellis from the Meza Luna provided temporary storage of all the food; the Lobster Trap donated many of dozens of cookies for desert, and both Parker’s Boatyard and Kingman Marina supplied launch services to bring the children to and from the boats.

Crossroads for Kids has facilities in Brewster, Duxbury and Ashby, that provide at-risk young people from 130 eastern Massachusetts cities and towns with opportunities for enrichment and a stable support system, according to the group’s website.

A wonderful way to share a day on the water. We extend our thanks to all in making the event possible and continuing a wonderful tradition.

**12) Other Business That May Legally Come Before The Board**

The next Bourne Selectmen meeting will be on Tuesday, July 21st at 7:00 P.M.

**13) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Meeting adjourned at 9:30 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.