**Board of Selectmen**

**Minutes of October 21, 2014**

**Bourne Community Building**

**Bourne, MA 02532**

TA Guerino

Peter Meier, Chairman

Don Pickard, Vice-Chairman

Stephen Mealy, Clerk

Don Ellis

Linda Zuern

*Mr. Michael Rausch from the Bourne Enterprise acknowledged recording meeting at this time.*

**Documents**

**Call to order**

7:25 pm by Chm. Meier.

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

**Public Comment – Non-Agenda Items**

Mr. Agrillo commented on Monk’s Park during the winter.

**Minutes: 10/7/14, 10/7/14 (Joint Meeting), 7/22/14, 9/9/14, 9/19/14 and 9/30/14 (Executive Meeting)**

Pickard moved and seconded by Mealy to approve minutes of 10/7/14 as amended. Vote 5-0.

Pickard moved and seconded by Mealy to approve minutes of 10/7/14 Joint Meeting as submitted. Vote 5-0.

Pickard moved and seconded by Ellis to approve Executive Session minutes of 7/22/14 as submitted and encumber. Vote 5-0.

Pickard moved and seconded by Mealy to approve Executive Session minutes of 9/9/14 as submitted and encumber. Vote 5-0.

Pickard moved and seconded Mealy by to approve ES minutes of 9/19/14 as submitted and encumber. Vote 5-0.

Pickard moved and seconded by Mealy to approve minutes of 9/30/14 Executive Session as submitted and encumbered. Vote 5-0.

**Correspondence**

Mealy read correspondence into the record. Hard copies are available upon request in the Town Administrator’s office. Additional Selectmen Correspondence AA Letter from the Phase II Stormwater Management Community Oversight Group. TA Guerino apologized as being a supplemental piece. Chm. Meier requested to be put on the 11/18/14 BOS meeting.

**Election Workers – Appoint Dolores Collins as an Election Warden until 6/30/15; Appoint Mary Ann Gavin as Election Officer/Clerk until 6/30/15**

Pickard moved and seconded by Zuern to appoint Dolores Collins as an Election Warden for a term and Mary Ann Gavin as Election Officer/Clerk for terms to expire 6/30/15. Vote 5-0.

**Shellfish Propagation Opening – Tim Mullen**

Mr. Mullen recommends to re-classify three shellfish areas from CLOSED to OPEN status. They were closed on 4/21/14 for propagation and general management of the fishery. Ram Cove located in Little Bay, Recreational Area in Phinney’s Harbor known as Tobey Island, North Side and a portion of the Recreational Area in Windsor Cove. Openings will be subject to pathology testing by the DMF; if the quahog samples test clean, the areas would re-open 11/1/14.

Pickard moved and seconded by Zuern to adopt 20014-2 the Shellfish Propagation Opening as presented by Mr. Timothy Mullen. Vote 5-0.

**Confirm vote regarding issue of non-resident committee membership service**

Chm. Meier explained his vote in opposition.

Pickard moved and seconded by to confirm vote of non-resident committee membership service. Vote 3-2 (Meier and Mealy opposed).

**Licenses/Appointments**

1. **Sign Charge of Hours for Sunday Openings on Retail Package Stores**

Mealy moved and seconded by Zuern to acknowledge of the Package Stores 10:00 AM Sunday Opening for: Grey Gables at 181-183 Shore Road; Portside Liquors, Inc. at 590A MacArthur Blvd.; The Liquor Barn at 150 Main Street. Vote 5-0.

1. **One Day Liquor – Hoxie Halloween Event**

Pickard moved and seconded by Ellis to approve the Hoxie Center for Arts Science Education at 30 Williston Road, Sagamore Beach for One Day Liquor License for Beer and Wine on 10/25/14 from 12:00 PM – 6:00 PM and to include the rain date of 10/26/14 as necessary per routing slip. Vote 5-0.

1. **Cape Cod Burger and Fries – Common Victualer (food)**

Pickard moved and seconded by Mealy to approve Cape Cod Burgers and Fries at 71 Main Street, Buzzards Bay request for Common Victualers (food) License per routing slip (food licenses are paid, allergen certificates to be turned in and total inspection before opening from BOH and FD inspection prior to opening). Vote 5-0.

**Special Town Meeting – articles/final preparations**

Chm. Meier last night took positions to articles. TA Guerino said some motions may have some augmentation but the intent is the same; Article 3, Article 13 (amendment) Town Counsel language. Pre-town meeting at Town Hall at 3:00 PM.

**Town Administrator’s Report**

1. **Goals**

Initial Report:

1. I plan to enter into the following contracts/agreements that have a financial impact outside of the normal operations on the Town of Bourne and need to schedule a meeting with the Board to obtain their guidance and directives. Currently, there are no contracts pending that fit this criteria.
2. I plan to negotiate the following contracts with the following individual management employees or bargaining units. These negotiations will have a financial impact on the Selectmen’s budget and I need to schedule a meeting with the Board to obtain their guidance and directives. We will be doing LIUNA and BEA negotiations in the next 8 weeks.
3. An Executive Session with the Board is anticipated to be necessary within the next two weeks to discuss the following: Parameters for negotiating strategy on the above contracts; Personnel issues that may require assistance from Town Counsel

On-going litigation matters

1. I have received correspondence of a legal nature from the following parties and I have forwarded the correspondence to Town Counsel and the Chairman. There has been no legal correspondence that the Selectmen have not been cc’d on via electronic mail.
2. I have made the following progress on the Board directives in the following areas: Work related to the proposed Dispatching continuation with the BCSO.
3. The following citizen complaints or concerns escalated to the level of requiring the Town Administrator’s attention and have handled them in the following manner: No citizen complaints have reached the level of needed action by the Town Administrator in the last week.
4. The Following paid administrative leave have been authorized in the following departments. The purpose for such need to be discussed in Executive Session: The are no employees currently on paid administrative leave
5. The following departmental grievances have reached my office and may have a financial impact on the Selectmen’s budget: The TA currently has no grievances pending that the Board of Selectmen are not aware of.
6. The following vacancies have been announced since our last meeting. The current list of advertised positions are: 1 Mechanic in DPW (closed), 1 Planning Department/Engineering Department Shared Administrative Assistant due to retirement, 1 Laborer in DPW (closed).
7. The following is a progress report of the hiring process of the department head. Presently fire chief: Applications have closed and the Assessment Center will take place week after next
8. Since our last meeting I have made the following progress on the Goals of the Board of Selectmen for FY15: Board to adopt goals this evening.

The following items are additional to those topics above but may have an impact outside the normal course of business to the Selectmen’s budget and I report the following: Please note that the annual bid for road salt has been accepted (regional id) and the cost for this material is up $15 per ton over last year from 50.00 to 65. Per ton). IF the winter is similar to last year the additional cost could exceed $37,500 based on 2013/14 winter of 2500 tons). Other than this item there are currently no items that would have an impact to the normal course of business that the Selectmen are not currently aware of.

TA Guerino will re-send to the Selectmen and will be voted at the 11/18/14 meeting.

**Selectmen’s Business**

1. **Selectmen’s Comments**

Zuern recognized Ms. Kay Donovan’s involvement, concern and contribution to the Town.

1. **Budget Discussion**

Pickard stated he requested an item each week from when we meet between now and Town Meeting as it relates to the Selectmen’s budget and to keep finances on the forefront and on our minds. The word override has been brought up and we’ve established a Financial Plan Working Group (FPWG) comprised of Selectmen, FinCom and the School Committee.

Mealy doesn’t anticipate the FPWG getting involved on specific line item changes; their goal is looking at a more broad financial scope. The idea is a good one and as we come across we will see things where we can make suggestions relative to the budget.

TA Guerino said the FinCom is working with the Selectmen to meet on a Tuesday evening as well. Pickard said if members are not available on a Monday or Tuesday it does make sense to meet on a Saturday. Pickard suggested meeting 2 or 3 Saturdays spread out. FinCom Chm. Mastrangelo will work with Chm. Meier.

1. **Future Use of Buzzards Bay Park**

Chm. Meier said it would be on-going. Since last week’s meeting we have received inquiries to serve on the Main Street Steering Committee; the input is great and forwarded information to Ms. Sallie Riggs. TA Guerino requested the Recreation Director be invited to the meetings moving forward.

1. **Signing of the 11/4/14 Election Warrant**

Pickard moved and seconded by the Board of Selectmen sign the 11/4/14 Election Warrant. Vote 5-0.

1. **Signing of a deed from the Town of Bourne to the CPC**

Zuern moved and seconded by Pickard the Board of Selectmen sign the Deed from the Town of Bourne to the CPC. Vote 5-0.

1. **Keystone Project legal opinion**

Chm. Meier said this is in reference to Mr. Lee Berger’s question of Keystone Place. Town Counsel opinion is given. The Building Inspector issued a Cease and Desist for occupancy permits at this time. Proponents/owners have remedies that can be taken through the ZBA and remedies thereafter.

 **Status of Tesla Charging Station in Sagamore**

TA Guerino asked to provide synopsis of activities from the Electrical Inspector. There has not been a Master Electrician on staff at TRM who can sign off with a stamp. It was recommended from Mr. Janson that the town file a formal complaint against TRM against unlicensed for code violation. Pickard feels this is a day-to-day operation and comes under the TA Guerino and feels the board should allow the Electrical Inspector complete the job as he sees fit. The board concurs. Mealy requested TA Guerino to draft a letter on behalf of the Electrical Inspector to TRM to inform them of the town’s action.

**Adjourn**

Pickard moved and seconded by Zuern to adjourn the Selectmen meeting. Meeting adjourned at 8:06 PM. Vote 5-0.

Respectfully submitted – Lisa Groezinger, sec.