**Board of Selectmen**

**Minutes of December 9, 2014**

**Bourne Community Building**

**Bourne, MA 02532**

TA Guerino

Peter Meier, Chairman

Don Pickard, Vice-Chairman

Stephen Mealy, Clerk

Don Ellis

Linda Zuern

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 of the Bourne Enterprise; Mr. Bauer of the Cape Cod Times.

**Meeting Called to Order**

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

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

**Public Comment – Non-Agenda Items**

**Minutes 11/25/14 and 12/2/14**

Zuern moved and seconded by Mealy to approve minutes of 11/25/14 as amended. Vote 4-0-1 (Pickard abstained).

Pickard moved and seconded by to approve minutes of 12/2/14 as amended. Vote 5-0.

**Correspondence**

Mealy read correspondence into the record. Hard copies are available upon request in the Town Administrator’s office.

Mrs. Burke submitted a letter regarding power line spraying to the correspondence.

Andrea Forte submitted a letter and requests to add to the correspondence.

**Revised Purchase & Sales agreement for Hoxie School**

TA Guerino said at the request of the board, Town Counsel cleaned up some of the language. He recommends the board vote to move forward.

Pickard moved and seconded by Zuern the board sign the revised Purchase and Sale agreement dated 12/9/14. Roll call: Zuern – yes; Pickard – yes; Meier – yes; Mealy – yes; and Ellis – yes.

**2015 Shellfish Regulations – Tim Mullen**

Mr. Tim Mullen said this is a formality. There are the same fees and same areas. Only the dates have changed.

Pickard moved and seconded by Mealy to approve the 2015 Shellfish Regulations as presented by the Harbormaster. Vote 5-0.

As a reminder, Mr. Mullen said back in February the Selectmen moved to raise fees and will go into effect (marina, parking) in the next month or so.

TA Guerino said stormwater mediation at Taylor Point was conducted and we are starting to open shellfish beds. Mr. Mullen said this has been an on-going project for the past two years near the Beachmoor and the catch basins in Buttermilk Bay. He briefly explained the project.

Chm. Meier asked for information for the grants. TA Guerino said there is a list of agencies the Department Heads are aware of. He will make a copy of the letter and distribute.

Mr. Mulvey is happy to see the Director and Shellfish Warden given credit for the project. It was largely put together from a two year period by Mr. Mullen.

**Mr. & Mrs. Manter – Clarissa Joseph Road, Sue Phalen – Green Cape – RE: Power line spraying**

Lydia Manter read a letter of testimony into the record of the effects of the NSTAR spraying and is seeking a town resolution of the NSTAR line spraying.

Chm. Meier said all 15 towns have passed a town resolution.

Ellis asked Mr. Manter if he noticed a sheen on the water that has come off down the hill and infiltrate downhill. Mr. Manter said he couldn’t see it was from spraying but has seen a sheen. Mr. Manter read into record a passage from the Wampanoag report. Ellis reminded the board the town has been diligent in acquiring Open Space.

Steven Seamore commented about the herbicide up and down the Cape use at the military base.

Zuern asked what else the board can do and can the ConCom be more involved? TA Guerino said they began to use selective cutting and even using goats. There are other alternative methods for maintaining the rights of way that are done throughout the Commonwealth. Zuern commented on the 208 Plan and feels this is more important.

TA Guerino suggests reincarnating the resolution that was passed a couple years back and add to the Town Meeting as a redundant vote.

Ms. Manter suggested contacting a company in Algonquin that used bobcats to clear an area which was a one-day job and not too big of an expense.

Mealy drafted a letter on behalf of the board into record to Governor Deval asking for safer weed control methods.

Richard Flynn said NSTAR mowed the area with machines last year.

Ms. Susan Phalen is here tonight to request the reduction of the use of herbicides and other pesticides for water quality. Their opposition is management control. The same conditions amplify the risks of herbicide use. NSTAR Herbicide Ingredients was a registration process and was reviewed. You can substitute herbicide use with the use of the Americorp, volunteers or county prisoners to do the clearing - all of which may encourage private landowners and businesses to do the same. She also suggested a reverse 911 phone call. She would like to suggest asking for immediate ramification of the 5-Year Management Plan.

Chm. Meier suggested Ms. Phalen contact the Buzzards Bay Water District and put them on notice.

Mealy moved and seconded by Ellis to amend the draft letter to final letter be signed on behalf of the board for next week. Vote 5-0.

Ray Burke commented on the draft by Mealy and suggested discussing herbicides in the first paragraph.

Mr. Mulvey said this is a Cape-wide problem.

**Recreation Director, Krissanne Caron – Proposed expanded Recreation fees**

Mealy moved and seconded by Pickard to take Item #9 out of order. Vote 5-0.

Ms. Caron put together a Recreation Department Outdoor Facility Fee Schedule. The document will release the town of liability of the M.G.L. Recreational Use at this point.

Pickard asked how this will be forced. Ms. Caron said there is an application process and fees would be collected. The schedule will be on the town website. The funds will go into the Recreation Revolving Fund and the DPW Repair and Maintenance. This is to generate a little money for routine maintenance of the properties by the DPW.

Ms. Caron said currently there are four groups that would be charged.

Chm. Meier suggested the board write a policy for restrooms at the ballparks.

Ms. Caron requested the Recreation Department to waive a fee without coming to the board. TA Guerino agreed.

Pickard moved and seconded by Mealy to approve the Bourne Recreation Department Outdoor Facility Fee Schedule as presented by Ms. Caron tonight. Vote 5-0.

**Licenses/Appointments**

1. **2015 Food – Entertainment – COAD – Auto Dealers – Taxi – Public Livery – Lodging Renewals**

Mealy moved and seconded by Zuern to approve Common Victualer licenses for: Bay Side Café at 4 Barlow’s Landing Road, Pocasset; Chen’s Kitchen, Inc. at 41 Meetinghouse Lane, Sagamore; Clammy’s Pantry at 260 MacArthur Blvd., Bourne; Knights of Columbus Council 2911 at 5 Armory Road, Buzzards Bay; Borman Enterprises, LLC at 369 Barlows Landing Road, Pocasset; Dunkin Donuts at 24 Meeting House Lane, Sagamore, 278 Main Street, Buzzards Bay, 174 Clay Pond Road, Monument Beach, 688 MacArthur Blvd., Pocasset; 343 Scenic Highway, Buzzards Bay; Friendly’s Ice Cream Corp #743 at 10 Canal Road, Sagamore; Hoagies Diner at 808 MacArthur Blvd., Pocasset; Krua Thai at 100 Main Street, Buzzards Bay; Market Basket at 1 Factory Outlet Way, Sagamore; McDonalds at 370 MacArthur Boulevard, Monument Beach; Monument Beach Pizza at 18 Beach Street, Monument Beach; Mr. G’s Pizza & Ice Cream LLC at 41A Meetinghouse Road, Sagamore Beach; Sam’s Snack Bar at 231 Sandwich Road, Bourne; Cream at 856 Scenic Highway, Bourne; Stomping Grounds Grille at 240 Main Street, Buzzards Bay; and Subway at 282 Main Street, Buzzards Bay, and Subway #41630 at 626 MacArthur Blvd., Pocasset. Vote 4-0. Chm. Meier not present at time of vote.

Pickard moved and seconded by Mealy to approve Weekday Amusement license for Knights of Columbus at 5 Armory Road, Buzzards Bay. Vote 4-0. Chm. Meier not present at time of vote.

Pickard moved and seconded by Mealy to approve Auto Dealers – Class I licenses for: Atlantic Subaru at 124 Waterhouse Road, Bourne; Battles Buick GMC at 50 MacArthur Blvd, Bourne; Bobcat of Bourne at 170 MacArthur Blvd., Bourne; Cape Cod Harley-Davidson/GZ Riders, Inc. at 750 MacArthur Blvd., Pocasset; Falmouth Toyota at 290 MacArthur Blvd., Bourne; New England RV & Marine, Inc. at 150 MacArthur Blvd., Bourne; and Nissan of Bourne at 60 MacArthur Blvd., Bourne. Vote 5-0.

Pickard moved and seconded by Zuern to approve Auto Dealers – Class II licenses for: Bay Motor at 29 Harrison Avenue, Buzzards Bay; Buzzards Bay Garage at 174 Main Street, Buzzards Bay; Canal Auto at 78 Cranberry Highway, Sagamore; Cataumet Auto Sales, Inc. at 1236 Route 28A, Cataumet; Falmouth Motorcar, Inc. at 10 Longhill Road – 45 Route 28A, Cataumet; GAF Auto Brokers at 95 Lewis Point Road, Buzzards Bay; Miracle Auto Sales at 18 Commerce Park Road, Pocasset; Ocean Enterprises, LLC at 355 Old Plymouth Road – Unit 1, Sagamore Beach; Southeast Truck Center, Inc. at 147 State Road, Sagamore Beach; Towers Used Cars at 610 MacArthur Blvd., Pocasset; Try Auto Group at 10 Millennium Drive – Unit #1, Cataumet. Vote 5-0.

Pickard moved and seconded by Zuern to approve Auto Dealers – Class III Junk Yard license for Knowlton’s Garage, Inc. at Route 6A, Sagamore. Vote 5-0.

Pickard moved and seconded by Zuern to approve Taxi license for Bourne Bridge 24HR Tax, Inc. [5 vehicles] at 271 Barlow’s Landing Road, Pocasset. Vote 5-0.

Pickard moved and seconded by Mealy to approve Public Livery license for: Any Occasion Limousine [3 vehicles] at 440 County Road, Pocasset; Green Shuttle of Cape Cod [4 vehicles] at 5 Sherry Lane, Monument Beach; and Road Runner at PO Box 969 – 43 Bennets Neck Drive, Pocasset. Vote 5-0.

**Town Administrator Report**

TA Guerino said budgets were due yesterday and at the request of the Chm. and Mealy we established next week’s meeting to include the FinCom and the School Committee. Chm. Meier attended the Stormwater and Selectmen’s Committee on stormwater management last night.

The board received a letter (Item E in Correspondence) from the Duffy Health Center challenge on $1,000. TA Guerino said there isn’t an appropriation but we may be able to for next year.

The website is in the final stages of being populated. There are some visual items that need to be finalized and on track.

He met with Department Heads re: 208 Plan on Goals and went through A-H and all have been assigned duties and to report back to him in mid January. The costs are meaty and this is an effort to bring costs forward. All Department Heads were energetic.

The tentative dates for the priority-based budgeting are 1/13/15 and 1/14/15 or 1/14/15 and 1/15/15. Department Heads will hear the same presentation. It will be presented to the BOS, FinCom and the School Committee. He also extended the invitation for colleague managers. The second night will be a phase two, in-depth discussion.

He submitted three report goals and if the board has questions of adequacy, to please email him and he will amend.

**Selectmen’s Business**

1. **Procedure for new committee appointees**

Zuern read into record the Proposed Amendment to the Board of Selectmen’s Procedures First Reading dated 12/9/14.

TA Guerino said tonight is for the purpose of the First Reading; amendments and additions can fall into Second Reading.

Pickard moved and seconded by Mealy to accept First Reading as amended and to go into Second Reading at the next meeting. Vote 5-0.

1. **Update on BB Park**

Mealy said 400 responders and will meet with Ms. Sallie Riggs. The survey will run for another couple of weeks for more input. Due to the 9C cuts, we are looking for alternatives of the $50,000 grant.

Chm. Meier said there are handwritten surveys for those who don’t have computers. He also said the 2005 contest finalist Dave McClain would like to present information to see if we want to incorporate any information into the BB Park. Mealy will reach out to Mr. McClain.

Mealy said the next meeting will be next Monday at Town Hall at 10:00 AM.

1. **Establish Special Town Meeting date (1/26/15)**

Pickard moved and seconded by Zuern to establish a Special Meeting date of 1/26/15.

Vote 5-0.

1. **Selectmen’s Comments**

Zuern shared information about Tank the Gas Tax.

Pickard will be traveling next week to Florida to meet with the Harvest Power group with the Business Model Working Group.

Chm. Meier attended the ConCom meeting for the Cape Fly Station and the MMA proposed dockage with Ellis. Chm. Meier was chosen this year to flip the switch for the lights. He also attended the Aptucxet lighting. He was at the Affordable Housing Trust meeting.

Mealy attended the Transportation Advisory Committee regarding the commuter rail and addressing town parking issues. He attended the Cap Ceremony at the new DPW facility. He reminded the public of the continuing needs of the Food Pantry.

Ellis recognized the people in Bourne Village and Bourne Departments for getting into the Holiday spirit.

Chm. Meier commented on the Holiday lights. TA Guerino recognized Mr. Bob Schofield in obtaining the LED lights for the town.

1. **IFTS Program – Duffy Health Center – Hyannis**

No action at this time.

**Adjourn**

Pickard moved and seconded Ellis by to adjourn. Meeting adjourned at 8:46 pm. Vote 5-0.

Respectfully submitted – Lisa Groezinger, sec.