

Board of Selectmen
Minutes of Tuesday, June 7, 2016
Bourne Community Building
Bourne, MA 02532

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TOWN CLERK BOURNE

TA Tom Guerino

Selectmen

Don Pickard, Chairman
Peter Meier, Vice-Chairman
George Slade, Clerk
Stephen Mealy
Michael Blanton

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. Pickard called the meeting to order at 7:02 pm.

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

Public Comment - Non-Agenda Items

None requested.

5) Minutes:

No Minutes in the packet

6) Correspondence

George Slade brought the committee up to date on the correspondence.

- A. Notification from the Upper Cape Cod Regional Technical School that all member towns approved the original budget presented in June
- B. Copy of the completed Buzzards Bay Water District's Consumer Confidence Report for calendar year 2015 (on file in the office for review)
- C. Letter from Cataumet Civic Associates regarding the overdevelopment of 1077 County Road, Cataumet
- D. Letter from Marine Fisheries regarding the "existing near costal protection zone"
- E. Letter of resignation from George G. Slade, Jr. as a member of the Finance Committee

- F. Notification under the Wetlands Bylaw that Frank & Lauren Hitchcock, 24 Central Boulevard are proposing to demolish an existing dwelling and shed and the installation of a proposed septic system.

Peter Meier stated there was an additional correspondence that was emailed to him over the weekend regarding being a host family for the Bourne Brave Baseball Team.

7) Haven Center - re: Update

Don Pickard wanted to disclose that he filed a disclosure form with the Town Clerk stating his former son-in law is assisting a friend of his who is the property owner of the property trying to lease to the Haven Center.

Chris Taloumis, executive Director of the Haven Center; Adam Fine, Attorney expert in regulatory requirements for medical cannabis, were there for the Haven Center

Chris Taloumis gave a recap and the progress of the Haven Center. They have accelerated the plan and plan to move ahead with cultivating at the Bourne facility. This will bring more jobs to Bourne sooner than originally anticipated. The Haven Center has been updating Mr. Guerino and former Chair Mr. Mealy. The Department of Public Health is now evaluating the Haven Center for provisional license. They are asking the Board of Selectmen for its continued support to the Haven Center to operate an RMD in Bourne for the purposes of dispensing, cultivation, and processing of medical cannabis.

Michael Blanton wanted to clarify when we approved a letter of support for the Haven Center it was for dispensary and the request before us tonight is for additional processing and cultivation. Chris Taloumis stated the RMD includes all three, we did mention cultivation and we didn't want to preclude it, and we intended to do it there.

Mr. Guerino stated when the Board voted in October, the Board at the time on a 4-1 vote the intent of the Board was for the dispensary retail outlet as opposed to cultivation; but it is allowed under the RMD. Should the Board opt to approve this evening, I have an updated letter.

Mr. Blanton questioned if this has any effect on the jobs, deliverables that we can expect that will be a benefit to the town? Is there anything additional by bring the dispensary from the Brewster Facility to Bourne. Mr. Taloumis stated there will be more employment positions.

George Slade questioned what type of community integration or partnering do you do with the town? Chris Tulmou stated we intend to do community integration with Human Services. Revenues from the non-profit we intend to put back into the community. We'd like to see it go into Human Services and drug prevention programs and others.

Stephen Mealy questioned will the cultivation be done inside. Mr. Tulmou stated yes, same building under lock and key, high level of security, limited access based on job position. Mr.

Mealy also questioned what do you do with waste? Mr. Tulmouss stated there is a protocol in place for waste. The water waste is resampled, sterilized and then reused. The solid waste is destroyed and incinerated. There are stringent state requirements.

Peter Meier stated he would like to see money put back into the school to combat the addiction and would like to see more outreach and education into the community. Mr. Tulmouss stated the education is very important. We have in school drug prevention programs planned.

Jim Mulvey stated he is not an advocate for materials that are perhaps addictive and expressed his concerns. The growing aspects of this is one thing, but the processing wasn't part of the prior presentation. This is not just an agricultural program; this is producing a food product. That involves a great deal of oversight in this community under the Board of Health as well as the policing of it. The factory is going to be an adjunct to the growing facility that will produce these eatables. To give a blanket support of that aspect of this seems to be beyond your ability to fully comprehend what is involved and the regulation that is going to be required within the town. You really need more time to fully understand what the word processing involves before you make a decision.

Don Ellis stated his concerns about allowing the sale of medical marijuana. Wanted to remind the members it is against the law in a constitution in the United States for marijuana use. This is a money making deal. It is a disgrace and I urge the Selectmen to allow this to be brought before Town meeting in October and allow the town to vote on this issue. It is difficult to make these decisions and these people don't care, they're in it to make money. I respectfully ask you to go to Town Meeting to let Town Meeting make this decision.

Elden Barns, Retired Air Force Major, stated his concerns about allowing the Haven Center to open the Center in Bourne. He spoke about his great grandson who got mixed up with marijuana. The problems with marijuana and what it leads to. This town is overcome with drugs now.

Tom Guerino stated it has been to Town Meeting. In the original vote the intent was for a retail dispensary, the RMD is a broad base authorization. In the minutes of October 10th it was explained what that meant. Mr. Mealy and I met with the folks from Haven and when they saw that the Brewster place was not going to work and they decided to bring it down here, we thought we'd bring it back to the Selectmen for a revisit, but you have authorized this in the original vote.

Adam Fine stated we are speaking of medical marijuana only. Processing allows us to make non-smokable forms of the medicine. Nothing will be marketed to children. All the processed marijuana in any eatable form will be in child safety packaging. The patience will be educated on the safety of the medicine. Spoke briefly about the other facilities and stated there have been no issues so far with the facilities.

Don Pickard questioned what is the demographic of the person who goes to the medical marijuana facility by age? Adam Fine stated the average age of the patient is over 45 years old, and they have to have seen by a physician and have a medical condition that warrants medical marijuana. After they have had a full bonafied examination, then they will be certified as a patient, and only then will they be able to apply for the certification to get a card.

Peter Meier questioned is medical marijuana addictive? Adam Fine stated it has a 9% addiction rate and that is why the facility will be highly regulated. There will be no marketing to children and there are strict rules on advertising.

George Slade questioned what is the max quantity the recipient can leave the facility with? Adam Fine stated the regulation lay out the max 60 day is 10 oz. most patients get 1 oz. or 2 oz. It will be a highly secure facility with cameras and 24 hour monitoring. We will do everything in our power to reduce the incidents.

Chris Tulmous stated there is a 90-day hard drive on the cameras. Outside surveillance; there is a host of logging, checking ids, we will have a high level of who is coming into the facility and who is purchasing. We will work with local law enforcement for the price point.

Stephen Mealy questioned are you allowed by the regulation to sell eatables like brownies or candy? Chris Tulmous stated we are, but nothing that resembles candy or anything that a child would mistake for any type of candy.

Michael Blanton questioned the chemical properties for the cannabinoid. The cannabinoid contend is the true medicinal value of medicinal marijuana, and it is cultivated so the THC or the chemical that creates a high is lower than what might be found on the streets and less desirable?

Chris Tulmous stated CDC Cannabidiol is very good for some patients, different strains have different levels. Through extraction you can extract out medicinal properties for a specific debilitating condition in a measured dose to then distribute to a patient.

Michael Blanton reaffirmed this is not going to be some head shop it will be a true biomed, high grade, highly secure, pharmaceutical facility. I think this will be a benefit to the town but there will need to be some education for community concerns.

Voted Peter Meier moved and seconded by Michael Blanton to reaffirm the vote taken in October of 2015 to allow a RMD for medical purposed in Bourne to include, both a dispensary/pharmacy as well as a cultivation and processing facility.

Vote 5-0.

Stephen Mealy wanted to remind the board and the audience this board had already voted to approve an RMD center in Bourne. An RMD center as explained in October is an allowance to construct and dispense medical marijuana, and during that process also process and cultivate medical marijuana. It was expressed by Haven Center, at that time,

there was no desire bring processing and cultivation into the Town of Bourne, however in the future they did not want to prohibit that opportunity, and it is all part of one single license, which is granted by the Department of Health from the Commonwealth of Massachusetts. The update this evening is that has changed and they are looking for support to add the cultivation and processing at this time.

The purpose is to reaffirm the letter of support under the Chair signature.
Tom Guerino read the letter:



**TOWN OF BOURNE
BOARD OF SELECTMEN**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone 508-759-0600 ext. 11 – Fax 508-759-0620



June 7, 2016

To Whom It May Concern:

The Haven Center has kept us regularly updated, regarding all material changes to its plans. The Town of Bourne, Board of Selectmen, does hereby continue to affirm the letter of support to the Haven Center Inc., to operate a Registered Marijuana Dispensary (RMD) in Bourne, Massachusetts for the purposes of dispensing, cultivation, and possessing of medical cannabis.

The Board of Selectmen have authorized this letter by a vote, taken at a duly noticed meeting, held on June 7, 2016.

Sincerely,

Donald J. Pickard
Chairman Board of Selectmen

Vote: 5-0

7) Police Building Committee update to the Selectmen

Charlie Noyes updated the Board of Selectmen on the Police Building Committee, relayed some new information, and where the committee stands with the new Police Facility

project. The awarding of a contract for design services to Kaestle Boos Assoc., Inc. The committee has identified three sites that will meet the needs of the police department and the community. The sites are Town owned land adjacent to Queen Sewell Park and the National Guard Armory; the ball field behind the Bourne Library off Perry Avenue the south side, and the ball field adjacent to the old Coady School on Cotuit Road. Should have a sight selected and building design by the end of June.

Michael Blanton questioned are there any additions or enhancements that will be incorporated into the new building that will benefit the community? Charlie Noyes stated there will be a community room that can be used by the community and the police officers for training, as well as an emergency operations center for emergency management. Also they are looking to put a firing range on that property as part of the police facility.

George Slade questioned is there any concern from the community with having discharging firearms fairly close to a neighborhood? Charlie stated the fire range would be constructed such that building would not be able to penetrate the exterior wall and exit the building. Mr. Slade questioned is there any concern about the negative feeling people may have even if there is a firing range. Mr. Noyes stated it would have to be sold to the community at large along with the new building. It would require extra information to the community stating why and how it is a safe environment.

9) Licenses/Appointments:

a. Marconi Club - One Day All Alcoholic

Peter Meier went over the Marconi Club one-day all alcoholic license. Sagamore Boosters Club, 90 Adams Street, Sagamore, One Day all alcoholic beverages license for July 17, 2016 from 11:00 a.m. to 5:00 p.m. for annual clambake. Estimate attendance is 350. Liquor liability and policy pending.

Voted Peter Meier moved and seconded by Michael Blanton to approve the application for the one-day all alcoholic license as submitted. Vote 5-0.

10) Bourne School Building Committee update/report

Peter Meier updated the Board of Selectmen on the School Building Committee and where they are now in the process. They are going to submit option 5A to MSBA. The next meeting which starts the schematic design phase of the project will be on June 30, 2016. MSBA will have a meeting on July 20th. The next public forum will be on August 11, 2016 from 6-8 p.m. at Bournedale Elementary School.

11) Selectmen's Business

- a. Selectmen- Committee Appointments**
- b. Discussion of possible selectmen liaison to town departments.**

The board will discuss and vote on the chairman's suggestion that the department liaisons be renewed for FY 2017.

c. Selectmen sub committees.

The board will discuss and vote on the chairman's suggestion that the subcommittees be formed.

Policy Sub Committee

Budget Sub Committee

Contractual Negotiation Sub Committee:

- d. Goals discussion how does the Board wish to proceed.**
- e. Police delivery of selectmen's packets. Discussion and vote.**
- f. Budget/Finance Calendar- Request of the Town Administrator to provide board members with the finance calendar for FY2017 according to Charter and Policies.**
- g. Technology update for Board members - Updated ipads**

11 a. Selectmen- Committee Appointments

Don Pickard read the list of committees the Selectmen participate in and who is appointed for each committee:

Affordable Housing Trust, Bourne Financial Development Corp. - Main Street Steering Committee, Bourne Landfill Business Modeling Working Group, Cape Cod Regional Transit Authority, Cape Cod Water Protection Collaborative, Local Emergency Planning Committee, Massachusetts Military Reservation - Military Civilian Community Council, Massachusetts Military Reservation Senior Management, Police Facility Study Committee, Trustees of Bourne Memorial Community Building.

Members are needed for the Bourne Financial Development Corp. - Main Street Steering Committee, Massachusetts Military Reservation - Military Civilian Community Council, and the Massachusetts Military Reservation Senior Management.

Thomas Guerino is expanding the committee to have a member at large for the Police Facilities Study Committee.

Mr. Blanton will maintain the position on the Bourne Financial Development Corp. for a term to expire on June 30, 2017.

Mr. Mealy would like to take the position on the Main Street Steering Committee for a term to expire on June 30, 2017.

Mr. Meier will maintain the position on the Local Emergency Planning Committee for a term to expire on June 30, 2017.

Mr. Slade would like to take the position on the Massachusetts Military Reservation - Military Civilian Community Council for a term to expire on June 30, 2017.

Mr. Slade would like to take the position on the Massachusetts Military Reservation Senior Management for a term to expire on June 30, 2017.

Mr. Pickard would like to take the position on the Police Facility Study Committee.

Peter Meier brought up the MBTA appointment.

Don Pickard asked Mr. Guerino to find out when we could expect to have someone joint that committee that we appoint.

Voted Peter Meier moved and seconded by Michael Blanton that we appoint Michael Blanton as our representative for Bourne Financial Development Corp. for a term to expire June 30, 2017; Stephen Mealy to the Main Street Steering Committee for a term to expire June 30, 2017; Peter Meier to the Local Emergency Planning Committee for a term to expire June 30, 2017; George Slade to the Massachusetts Military Reservation Military Civilian Community Council for a term to expire June 30, 2017; George Slade to the Massachusetts Military Reservation Senior Management for a term to expire on June 30, 2017; Donald Pickard to the Police Facility Study Committee.

Vote 5-0.

b. Discussion of possible selectmen liaison to town departments

Don Pickard stated we did this last year and is it the Boards desire to do it again this year. Stephen Mealy suggested putting together a list and the liaison between the Town and the MMA isn't on the list. Mr. Meier would continue to do that. Would suggest waiting until another meeting. Don Pickard suggested members of the Board pick something they didn't do last year.

c. Selectmen Sub Committees

Policy Sub Committee members will be - Peter Meier and Michael Blanton

Budget Sub Committee members will be - Stephen Mealy and George Slade

Contractual Negotiation Sub Committee members will be - Don Pickard and Stephen Mealy

d. Goals

Environmental - Stephen Mealy

Financial - Stephen Mealy and George Slade

Organizational - George Slade and Don Pickard

Economic Development - Peter Meier and Michael Blanton

Community Engagement - Michael Blanton and George Slade

Don Pickard asked the board members if they could make an appointment with Tom Guerino to select two tasks under their goals that can be achievable.

e. Police Delivery of Packets

Don Pickard questioned does the Board wish to have the packets delivered to their home or will they go to Town Hall or the Police Station to pick them up. The packet can be brought to the Police Station, or they can be left at Town Hall and you can pick them up there on Friday or Monday morning. Some people may want it on a tablet and some might want it on paper.

Michael Blanton suggested to go to electronic technology for our ease of use and we could upload the packets to the website so the town members can get access to these documents. It would be a benefit in terms of communication and transparency.

Mr. Guerino stated his concern is to have them one way or the other, so we don't have to ask staff to copy as well as upload.

Don Pickard stated for item g. Technology update for Board members - Updated iPads, this will require a task from the Town Administrator to see if this is possible.

Stephen Mealy stated there should be a cut off time for information to be discussed and added to the agenda/packet before a meeting. Tom Guerino stated Thursday at noon is the cutoff time for the next meeting.

Don Pickard asked the board members do we want the police to deliver the packets or they can be available at the Police Station or Town Hall to be picked up.

Voted Michael Blanton moved and seconded by Peter Meier to allow the packet to be available at town hall on Friday afternoon or to be available to be picked up at the police station. Vote 5-1. Stephen Mealy opposed.

f. Budget/Finance Calendar - Request of the Town Administrator to provide board members with the finance calendar for FY2017 according to Charter and Policies.

Don Pickard briefly went over the Budget Finance calendar

Stephen Mealy passed out his updated calendar. Mr. Mealy suggested we add in the dates that apply to our board relative to when the goals have to be set.

Mr. Mealy's Calendar:

**Town of Bourne Budget and Town Meeting Calendar
(FY16)**

Revision April 15, 2016

Key:

Underlined – should be removed from Town By-Law (in conflict with Charter)

Italics – FPWG Recommended addition to Timeline

September/October - Free Cash is Certified

September/October – *Finance Director reports to Board of Selectmen/Finance Committee/School Committee on prior Fiscal Year closeout, Certified Free Cash and Final Cherry Sheet for current Fiscal Year.*

October/November – Special Town Meeting for Budget adjustments, other business

Late October – Town receives next year's numbers from UCT based on October 1 enrollment

Early November – Selectmen hold **Initial Budget workshop**
Finance Director – reports on Prior FY close out

Town Administrator, Board of Selectmen *establish budget priorities* and plan strategy for next FY budget: Level Service, Level Funded, other finding levels.
Review initial long term projection forecast.

Early November – Department Head initial budget meeting

Late November – Budget requests due to Town Administrator from departments

November 1 – December 31 – Setting of the Tax Rate, following possible STM in Fall

Capital Requests and Personnel Requests due to Town Administrator

On or Before December 8 By-Law Deadline for Dept. Heads to submit budget requests to the TA (By Law 1.2.7)

Mid-December- By-Law deadline for submitting budget estimates. “The Town Administrator shall forthwith submit copies of said estimates to the Town Accountant and the Finance Committee” (By-Laws Section 1.2.7)

December 31 – Tax Bills Mailed

On or Before January 15 - TA shall submit budget to BOS (By Law 1.2.7)

January 21 – “Town Administrator shall submit to Board of Selectmen a proposed operating budget and a capital program and capital budget for all town departments, including the school department, for the ensuing fiscal year. The proposed budget shall be accompanied by a budget message and supporting documents” (Charter 7-1)

January 21 - “The Board of Selectmen shall review the proposed budget and capital plan and make changes as the board deems appropriate prior to transmitting the budget and capital plan to the Finance Committee. (Charter 7-1)

On or Before February 1:– Selectmen transmit the budget and capital plan to Finance Committee.

Early February – *Financial Project Working Group reports to BOS, School Committee, and FinCom*

February -75 days before the ATM– Board of Selectmen close the warrant. (75 day before the Annual town meeting) (Charter Section 2-5b)

1st Wednesday in March – *School Committee Budget Public Hearing*

1st Wednesday in April – School Committee votes School Budget and forwards approved budget to BOS

ASAP following School Committee Budget Vote – Selectmen vote final budget and Final Long Term Projection for the Voter Handbook.

21 days before town meeting (April 11, 2016) – Finance Committee Report available to voters (Charter Section 7-4)

April 10 – Voter Handbook to Printer

15 days prior to the Annual Town Meeting (April 17, 2016) – “Voter Handbook shall be available to the public not less than 15 days prior to the Annual Town Meeting” The Voter Handbook shall contain the text of the warrant and the recommendations and counted votes of the Finance Committee, Board of Selectmen, and any other appointed or elected board or committee proposing an article. It shall also include the recommended operating budget with revenue projections, the departmental goals for the upcoming fiscal year and five year financial, debt and capital projections.
(Charter Section 2-5c)

As soon as possible before Town Meeting – prepare a spreadsheet of articles that shows whether Selectman and FinCom have voted to recommend approval.

First Monday in May (May 2, 2016) – Annual Town Meeting

May 17, 2016 – Annual Town Election

June – Town Meeting debrief - Joint meeting of Board of Selectmen, Finance Committee and School committee

June 30 – End of Fiscal Year

July 31 – Town receives Final Cherry Sheet for current Fiscal Year based on voted State budget (still subject to change during the Fiscal Year)

August/September – Auditors review

July thru September – Town's Books are Closed

TBD Joint Meeting Selectmen/Finance Committee - Report of the Auditor

12) Summer schedule for BOS

Tom Guerino went over the tentative schedule for the Board of Selectmen. Meetings will be on June 14, 21, and 28th; July 12th, 19th, and 26th; and in August they will meet on August 9th, 23rd, and 30th; if we need to add another meeting we can.

Sewer commissioners meeting will be on June 28th, July 26th, and August 30th

13) Town Administrator's Report

Tom Guerino updated the board on the interviews for the Conservation Agent. Will be meeting tomorrow, article regarding the Regional Transit Authority. Departments are getting ready to close out their fiscal year. Counsel will be requesting an Executive session. Relative to the hole on Main Street, the building inspector sent out the appropriate letter under the bylaw, we are now moving to enforce that. In the letter he indicated the hole will need to be filled in and there needs to be work done on the side of that foundation, nothing has been done yet.

14) Selectmen's Reports

Stephen Mealy stated June 6th was the start of single stream recycling at the landfill. There is a change on how you have to separate materials, if you are bringing materials to the landfill. Cape Cod Health Fair is having a blood drive at the Children's Workshop on Mac Arthur Blvd. from 9 - 3 on Saturday, June 11th.

Peter Meier attended the High School Graduation. This Friday 8:00 AM is the school department retirement recognition. Thank the Town Administrator for allowing Jonathan Nelson to do a presentation on single stream recycling.

George Slade stated a couple weeks ago he had the opportunity to tour the Peebles School, and also had the opportunity last week to tour the police facility with Chief Woodside.

Michael Blanton attended the symposium held by Congressman Keating held at the Woods Hole Oceanographic Institute and members of the Coastal House of Representative Caucus, Jim Cantwell, was also presenting about the concern with regard to the rising cost of flood insurance.

Don Pickard questioned Mr. Guerino when the Selectmen's report is due for the annual town report? Would like each member to look at different areas they would like to work on for the next annual report.

Stephen Mealy stated if board members could give a summary of what they felt are important points. If everyone came up with 5-10 points it would be much easier to put together a report. Mr. Pickard questioned Mr. Guerino previously Mr. Guerino, the Superintendent, the Chairman of the School Committee, and the former Chairman met on a monthly basis to keep communications open; would you schedule a meeting for us to meet again?

Peter Meier commented on item 12, can we schedule one of the meetings at the Peebles School. Michael Blanton agrees. We can extend an invitation for the public to attend that meeting at the Peebles School so they can see the conditions of the school.

15) Other Business

The next Bourne Selectmen meeting will be on Tuesday, June 14th at 7:00 P.M.

10) Adjourn

Voted Michael Blanton moved and seconded by Peter Meier to adjourn. Meeting adjourned at 9:02 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.