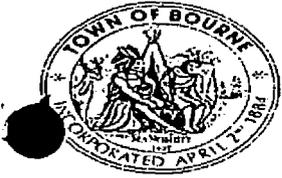


SJW
8/20/17

2012
Board of Health
Historical Commission
Housing Authority
Housing Partnership
Human Services



TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

2012 JAN 5 PM 1 19



TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

January 11, 2012

Time:

7:00 P.M.

Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) 5 Bayside Lane: Bracken Engineering for Kenneth and Sandra Leibowitz : request for waiver to continue use of existing septic for proposed renovations
- 2) 29 Bell Buoy: Bracken Engineering for Matthew Cusick: request for waiver to continue use of existing septic for proposed renovations
- 3) Pocasset Mobile Home Park: Discussion and possible vote on license extension
- 4) Discussion re: enforcement options
- 5) Discussion re: process for emergency notifications to the Board
- 6) Discussion re: existing Wind Turbine Regulations, comments from DEP and further BOH action
- 7) Licensure status report for 2012
- 8) Approval of Minutes dated November 9, 2011

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: January 5, 2012



Cynthia A. Coffin,
Health Agent

TOWN OF BOURNE
BOARD OF HEALTH
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2012 FEB 9 AM 8:58

TOWN CLERK'S OFFICE
BOURNE, MASS



MINUTES
JANUARY 11, 2012

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews, Vice Chair; Don Uitti; Carol Tinkham
Absent Members: Galon Barlow

Support Staff in attendance: Cynthia Coffin, Health Agent; Melissa Chase, Secretary
Absent Support Staff: Carrie Furtek, Health Inspector

Meeting was called to order at 7 pm by Kathy Peterson.

1) 5 Bayside Lane: Bracken Engineering for Kenneth and Sandra Leibowitz: request for waiver to continue the use of existing septic for proposed renovations
In attendance for this item was Zack Basinski, professional civil engineer for Bracken Engineering. Due to the site topography and existing plumbing within the structure, the house is serviced by two separate and functional septic systems. The first is located in the front of the property and is comprised of a 1000 gallon septic tank and 1000 gallon leach pit. System 2 was upgraded in 2009 and is comprised of 1000 gallon septic tank, d-box and (2) 500 gallon leaching chambers. The proposed project would renovate the inside of the dwelling, and add a 3- season, one story sunroom to the north side of the house. The proposed renovations will result in no change in bedroom count from the existing home. The original proposal was going to drop to 3 bedrooms, but the owners have opted to remain at 4. The net bedroom space will decrease by 3%; the non-bedroom space will increase by 37%; the total area of the structure will increase by approx. 20%. Since there is no increase in bedrooms on the lot, the nitrogen loading will remain the same at 9.7. Because of this, they are asking to maintain the existing septic systems and requesting a waiver from two resource areas. The first is the mean high water mark at Phinney's Harbor; the second is the coastal bank as defined by DEP. The setback request for System 1 from the high water mark is a 29' variance and from the coastal bank is a 110' variance. For System 2 they are requesting a 36' variance from the high water mark and an 80' variance from the coastal bank. Ms. Peterson questioned why there were two systems on the property. Ms. Coffin explained that an inspection showed that there were 2 systems, one to the front, the other to the side based on elevations and existing plumbing coming out of the home. When the Title transfer inspection was done (possible '08 or '09), the older system to the side failed, the front system passed. The failed system was upgraded and can handle 3 bedrooms. The front system also functions for 4 bedrooms. Ms. Peterson asked how many bedrooms there would be. Mr. Basinski said there are 4 existing and would remain at 4 with the proposed renovations. Ms. Peterson asked if there was a chart of neighboring properties and what they were asked to do with their systems. Ms. Coffin said no, but she acknowledged that she was aware of an alternative system up the street. Mr. Andrews pointed out that the nitrogen loading calculations in the existing house is listed out as 4

bedrooms; the proposed is listed out as 3 bedrooms. Mr. Basinski stated that the client was originally going to drop down to 3 bedrooms, but changed their mind and decided to stay at 4 bedrooms, keeping the nitrogen loading at 9.7. Mr. Andrews pointed out the proposal sent in was for 3 bedrooms. Mr. Andrews asked Ms. Coffin where the property was in relationship to the railroad tracks near Tahanto Road. She explained where it was in relationship to the resource. Ms. Peterson asked for clarification as to whether one system was in failure. It was explained that one system had failed and was upgraded in '09; the other was functioning properly as of the Title Transfer inspection in '09. Ms. Peterson was concerned that one system had not been inspected since 2009. Ms. Coffin said, if memory served her from looking at the report, there was very little staining in that first system. She pointed out that it could easily be opened and reinspected. Mr. Basinski pointed out that there may be a report in 2011 when the property was sold. Ms. Coffin felt that it may have been sold within the valid 2 year time frame of the report. Ms. Peterson had looked at the title at the registry of deeds and found that there were no transfers of ownership other than this one that would have resulted in a hearing before the Board. Ms. Coffin said that the upgrade in '09 was an in-office decision that didn't need a hearing. She confirmed with Mr. Basinski that the storage space on the existing floor plan was going away. Her other concern was the sunroom and its future use by other owners, and wanted a deed restriction that would disallow it being used as a bedroom. Mr. Basinski confirmed that it was calculated into the non-bedroom space, which made Ms. Coffin feel more confident of its use. Mr. Andrews asked if the front addition was also included in that calculation; Mr. Basinski said it was. Mr. Andrew was concerned with granting a waiver without denitrification so close to a resource. Ms. Coffin felt that the Board needed to be consistent in their judging, and that the plans fall into the parameters of bedroom/non-bedroom space, so it does meet the standards that are generally held. Ms. Peterson would like the front system checked before a decision is made. Mr. Andrews pointed out that the water line for the neighbor runs right through the soil absorption system. Ms. Peterson said that once the front system is checked, if it is found to be in passing condition, she had no problem moving forward without another hearing with Ms. Coffin's approval of the system. Ms. Coffin did not recall the neighbor's waterline; Mr. Basinski stated that it was drawn in from the old water records from the water department. Ms. Tinkham questioned why this request had to come before the Board when it seems to fall within the guidelines; Ms. Coffin said that because they were asking for variances from the resources that, by law, the abutters need to be notified at a public hearing.

Ms Peterson moved to approve 5 Bayside Lane for Kenneth and Sandra Lebowitz through Bracken Engineering (floor plans received January 3, 2012, septic plan received January 3, 2012): approval of a 40' setback for system 1 and a 70' setback for system 2 from the coastal bank, and a 121' setback for system 1 and a 114' setback for system 2 from the high water mark. Addition conditions are that system 1 be checked before being signed off by the office; deed restriction to 4 bedrooms total on the house regardless of how many systems are functioning on the property, red stamped by the office when the system is checked. The waterline needs to be properly relocated on the plan. Mr. Andrews seconded the motion. The motion passed unanimously.

2) 29 Bell Buoy: Bracken Engineering for Matthew Cusick: request for waiver to continue use of existing septic for proposed renovations.

In attendance for this item are Zack Basinski, professional civil engineer for Bracken Engineering and Paul Cusick, father of home owner Matthew Cusick.

Mr. Basinski stated that the property is a developed single family lot comprised of two dwellings located near Hen's Cove in Pocasset. The main home is a 2 bedroom dwelling; the second is a 1-bedroom cottage/bungalow. The main house is serviced by an existing septic system comprised of a 1000 gallon tank and 1000 gallon leach pit. There currently is no record of where the cottage is tied into, but it is assumed that it is tied into the existing system. They are looking to demolish the

existing cottage and reconstruct it on the same location. It will be approximately 19 sq feet larger than the existing cottage, and moved slightly to conform to set backs from the property line. The project will keep the same number of bedrooms for house and cottage, thus nitrogen loading will be the same as existing conditions. They are requesting a waiver from two resource areas: approximately a 3' variance from the high water mark of Hen's cove and a 110' variance from the defined coastal bank. The plans have been reviewed and approved by Conservation and Preservation. The applicant has submitted a deed restriction to limit the main house to two bedrooms. Ms. Coffin stated that, if the Board approves the request, that the plumbing tie-in to the existing system at the cottage be verified. Mr. Basinski said that they have assumed it is tied in. Ms. Coffin expressed concern that it wasn't, that it may just go to a cesspool or other tank. The existing system is easily sized appropriately for at least 3 bedrooms, which would cover the house with the deed restriction to 2 bedrooms plus the cottage. Mr. Basinski said that it would be easily verified during deconstruction. Ms. Coffin wants to verify that the plumbing before she will sign off on the demo/reconstruction permit. If it is not tied in, it needs to be done properly and any old cesspool pumped, collapsed and filled in. Ms. Peterson wants it worded that the office needs to be satisfied that the cottage is properly tied in and any old system is properly decommissioned. Mr. Basinski stated that the intention is for the cottage to be tied into the existing system, and he was comfortable with the stipulation of shutting down any old system found.

Mr. Andrews made motion to grant a waiver to continue use of the existing septic system at 29 Bell Buoy (site plan and architectural received January 3, 2012) with a total 3 bedroom deed restriction combined for house and cottage; variance for 110' variance from the coastal bank and 3' variance from the high water mark; and that the office be satisfied with the connection of the cottage to the existing system and any old systems properly decommissioned. Ms. Tinkham seconded the motion. The motion passed unanimously.

Ms. Peterson reiterated to Mr. Basinski that he was to call the office once he got into the cottage system and saw where it was, and suggested that he may want to inform Donovan Construction of the approval letter and conditions.

(Item 3 postponed to allow involved parties to arrive)

4) Discussion re: enforcement options

Ms. Peterson brought up the issues recently encountered over the summer that involved pools and other health/safety issues at private residences. She felt that the Board members and office staff were not "on the same wavelength" as far as fines are concerned and the best way to issue and collect those fines (tickets; issue cease-and-desist order; contact Town Council). She felt that no vote was necessary this evening, but that starting the conversation now and coming up with something by springtime that says the Health Office will use "x/y/z" as means of collecting. It is important to have consistency, regardless of the recipients' reaction/non-action towards the fine. Ms. Peterson wanted the Board and Office to think about it and will have it on the agenda again in a few meetings from now for discussion and vote. Ms. Coffin explained that the issue is complicated. The Board of Health fine regulation was drafted in 2004 and amended in 2008 to allow the issuance of a fine of \$100.00 for a second violation, \$200.00 for a third violation and \$300.00 for any subsequent regulation. Ms. Coffin stated that there is also a section of the Town Bylaws that gives the Board the authority to fine under the Town regulations and Chapter 21 D. It also allows the health agent with the agreement of the police to issue tickets for the department, which could be used as a backup. The current regulation gives the Board the right to have a hearing as has been done and the Health Agent sends a letter stating the Board issued fine. Ms. Coffin feels that it is "good in a way" because it allows the option for not going to Court to collect a fine in the hopes that the recipient will pay the fine and correct what needs correction. Ms. Coffin finds that, unfortunately, the letters are most often ignored. Written in the regulations

as well as Chapter 21D, under the enforcement section, which states that the Board can have a hearing and vote at a meeting or can use the provisions of 21D, which is considered non-criminal disposition. It can still be done in the \$100, \$200, \$300 fine increments because of the wording that each day's offense is a separate violation. Ms. Coffin felt that, after talking to Police Chief Dennis Woodside, the major benefit of the 21D ticketing is that the recipient generally won't want to go to Court, so they come in and pay the money to the Town, and the money actually goes to the Town. If it goes to Court (if the ticket is not paid or is appealed), the Court will often settle for Court costs, and the time/effort may be lost. She felt that, while it was essentially the same to send a letter or issue a ticket, ticketing may be taken more seriously because it is a formal legal document. She felt that recipients may be more likely to pay the ticket as opposed to responding to a letter. When it is a case where the office has a license that can be revoked, a letter is effective because there is some leverage. But, with private property violations, there is no real leverage or incentive to respond. She felt that these cases may be better served by the 21D ticketing. Ms. Peterson felt that the ticketing, if paid, does at least go to the town and will help compensate for the time the office puts into the violation. Mr. Andrews asked if the Agent and Inspector are authorized to issue the tickets. Ms. Coffin said the Town Bylaw does authorize them to do so under 21D enforcement. Mr. Uitti asked if there was a clause that if the ticket isn't paid that they will go to Court. Ms. Coffin confirmed this. Mr. Uitti felt this may be incentive enough for them to pay the ticket and correct the violation. Ms. Coffin felt that sometimes the desire to avoid Court has prompted her to write multiple letters of violation in hopes that the recipient will pay and correct the violation. Ms. Coffin said that she has spoken with the Building Inspector Roger Laporte (who issues 21d tickets for building code violations) and he feels that the 21D ticketing works great when it works, but is a waste of time and effort when it doesn't work. It can be frustrating, but the ticketing seems to have "more teeth" than just a letter. Mr. Andrews stated if the tickets are written under the bylaw, it is currently restricted to \$50. But, the Board's current violation increments are much higher. Mr. Andrews said that section 3.44 is all about public health, so he wondered if the Board had to petition the Bylaw Committee to allow for the different fine schedule. Ms. Coffin said that, as a member of the Bylaw Committee, she could propose that to the committee. Mr. Andrews said under Mass General Law, the BOH can set its own fees for permits and fines to a maximum limit. Ms. Coffin stated that she would present the wording of section 3.44 to the Bylaw committee for their review and approval, and it will come to Town Meeting for final approval. Ms. Coffin did feel that it would be confusing and that if she did ticketing right now, it would have to be at the \$50. Mr. Andrews said that was correct, and that does not conform to the current regulation fees. He would not feel comfortable converting to ticketing until such time as it is approved in the bylaws to allow use of the current fees. If it is not approved at Town Meeting to adopt as such, he would not be inclined to change to ticketing. Ms. Peterson stated that was why she wanted to start discussion now. Mr. Andrews felt that the Bylaw committee would have to get started on that soon, in order to get it in for Town meeting. Ms. Coffin said the committee would be meeting again in early February, and she would bring it forward to them. Ms. Peterson asked to move more discussion/possible vote on the subject to a meeting in March (either March 14 or 28, 2012).

No action was taken on this item at this time.

5) Discussion re: process for emergency notifications to the Board

Ms. Peterson brought this up due to a recent case of human rabies being discovered in an undisclosed town in Barnstable County. She "spent the weekend" worrying that it was in the Town of Bourne. Ms. Peterson says she knew that Ms. Coffin, of course, would call if it had actually been in Bourne. Mr. Andrews said that the Board could call an emergency session at any time for health related emergencies. Ms. Peterson understood that, but wanted to quickly go over emergency notifications procedures. Ms. Coffin apologized, but didn't feel it had been necessary to notify the Board in this particular situation because she knew that it was not in Bourne because

the Department of Public Health was not in contact with her, and never thought to notify the Board. Mr. Andrews said that he felt it would be helpful in these types of situations for the Board to know, even if it was a non-issue, so that the information was available should the public come to the Board members with questions. Ms. Coffin said that they could call the office as well if they felt they had questions. Ms. Coffin said that she would try to be more proactive with calling the Board in questionable situations.

No further action was taken on this item.

6) Discussion re: existing Wind Turbine Regulations, comments from DEP and further BOH action

Ms. Peterson stated that Ms. Coffin, on behalf of the Board, has made at least four requests to Town Council as to their thoughts on what DEP had said about Bourne's regulations, and has heard nothing as of yet. There has been one response saying they would get back to next week, and that was in early December. Ms. Peterson felt there was no sense in calling the Town Council's office because there has been no response. She just wanted to make sure the Board was aware that inquiries have been made and there has been no response. As far as Ms. Peterson is concerned, the regulations stand 100%, and feels that they are this town's response to wind turbines. Unfortunately, there has been an inquiry for clarification by the Board and the Health Agent on a letter received from DEP. She wanted it publically known that there has been no communication in regards to that inquiry. Ms. Peterson asked for any audience or Board questions/comments on the issue. Mr. Andrews pointed out that there had been a few grammatical corrections and that sort of thing, and he stated that he was appreciative of the feedback from DEP, but the information has been asked for from Town Council so that the questions could be readdressed. He felt that some of the documents were "living documents" that would be continually looked at in regards to public health and interests of the community. When someone gives feedback to that, he would like to be able to have good discussion on that, and that has not happened because of the lack of response from Town Council. Ms. Peterson said that there is clarification that is needed from Town Council, and feels that the Board must express displeasure with having been put off for so long.

No further action was taken at this time, but Ms. Peterson requested that it be put back on for the next meeting. She also asked for Ms. Coffin to forward to the Town Manager and the Selectmen the dates and requests of these inquiries to Town Council, and to express the Board's frustration. She also asked that Town Council be asked to be in touch with the Board and/or appear before the Board with their input.

7) Licensure status report for 2012

Ms. Chase shared with the Board the statistics for BOH applications for licenses that expired on December 31, 2011. She felt the overall status was pretty good. Food applications, which include bakery, restaurant, retail food, catering, residential kitchen, and mobile food have about 8 or 9 outstanding out of 122; several of these are seasonal that generally will reapply closer to their opening in the spring. She has been in contact with the outstanding applicants to remind them of their need to relicense. Ms. Peterson pointed out that it is the applicant's responsibility to reapply and not the office responsibility to keep reminding them. Ms. Chase continued, saying that bed & breakfast licenses are in good shape and that the outstanding applications are for seasonal establishments that will reapply in the spring. Body art, motels and rubbish haulers are all at 100%. Septage haulers and septic haulers had a few outstanding, but many of the haulers/installers do not reapply until their first job of the year. Tobacco vendors had 2 outstanding, 1 of which is seasonal. At this point, licensing applications are all totaled at 78% complete. Ms. Peterson felt that was a great job for January 4th. Ms. Coffin said that when she started years ago, they would still be issuing licenses in May. Ms. Chase stated that, looking back

at last year, a lot of the establishments that were late in applying were responding faster with a simple reminder letter or phone call.

**3) Pocasset Mobile Home Park: Discussion and possible vote on license extension
(taken out of turn to allow involved parties to arrive)**

Ms. Peterson had asked for PMHP to be put on the agenda, and had asked for Chuck Sabatt to be contacted. His presence was not required, but requested. Ms. Coffin said he had expressed intention to come. As Ms. Peterson understood it, Attorney Sabatt had not yet reapplied for a license for the PMHP. She understands that he is going through a lot at the moment, but the rules apply to everyone. If a license needs to be applied for, you are required to apply for that license on time, especially if the business is in use. A seasonal establishment is one thing; PMHP is not a seasonal business. It is in receivership, and the Board has tried to be understanding about the problems and issues involved with that. Ms. Peterson asked how the Board feels about talking about the possibility of not re-licensing the Park. Without some word from Mr. Sabatt as to how he is leaning with the recommendation to Suffolk Superior Court, Ms. Peterson does not feel comfortable with licensing more than 30 days at a time. Mr. Andrews pointed out that the Board had extended the 2011 license several times to carry through pending the Court decision, the last extension being until Dec 31 with several modifications approved by the Board in August. All that needed to be done was for Attorney Sabatt to apply for the license. He felt that Attorney Sabatt would do his best as the current receiver of the Park to do better than the previous operator. Mr. Andrews felt that Attorney Sabatt is doing a good job at the Park, and asked how many times he had been contacted about reapplying. Ms. Coffin said that she had not contacted him because she thought he had been extended until January 14 when the report to Suffolk Superior Court was due in. Mr. Andrews was more concerned that the license application be filled out and returned for the office to process. Ms. Peterson was more concerned with the Board thinking about how many days they want extend the license. She feels that if the Board decides to issue the license, it should be for no more than 30 days at a time. Ms. Tinkham asked what happens to the Park if the license is not extended. Mr. Andrews pointed out that there is no license to extend at this point. He wanted Attorney Sabatt to come to the next meeting for the Board to take up his application; review the stipulations; and allow Attorney Sabatt to ask for any stipulations he feels should be removed or amended, and at that time have the Board decide if and how long to issue a license. Ms. Peterson felt that Attorney Sabatt was supposed to come back before the Board with all kinds of information in January, and the last report turned in is December 18. She stated that Attorney Sabatt is the receiver of the Park, and the Board would not allow Mr. Austin (the Park owner) to go this far into the year without doing what needs to be done. Mr. Andrews asked for Attorney Sabatt to be contacted about the license renewal. Ms. Peterson felt that it was fine for the office to send out applications, but it was not their responsibility to continually remind. She felt he was well aware of the need and had been reminded at several previous meetings of the requirement. Ms. Peterson asked if there were any audience members who had questions regarding PMHP licensing. *Joe Pacheco* of 65th Ave asked if Attorney Sabatt was aware of the meeting. Ms. Peterson confirmed that he was. Mr. Pacheco asked how he had been notified. Ms. Coffin stated that she had spoken with him on the phone as well as via email, and was aware that he was in attendance at a zoning board of appeals in Barnstable. Mr. Pacheco asked if Ms. Coffin felt that Attorney Sabatt had intended to come to the meeting; she said he had hoped that he would be out of the appeals meeting early enough to attend the Board of Health meeting. Mr. Pacheco asked why the Board did not require his attendance at the meeting since he is currently without a license. Ms. Peterson said it was because she personally asked for it to be on the agenda for the Board to discuss their thoughts in regards to relicensing the Park, and to give the Board time to do that. The Health Agent had expressed a desire for Attorney Sabatt to be present, which Ms. Peterson agreed with. He was not required to be present at this meeting, but will be required to attend the next one. Mr. Andrews stated that

there were several other outstanding licenses in town that were not required to attend the meeting, and the Board was allowing a little latitude. The Board is not allowed to communicate outside of the meetings, and Mr. Andrews was unaware that the application had not yet been submitted. Ms. Peterson agreed, saying that not being able to communicate before hand, and under the new open meeting laws, to be fair to the applicant, the Board and the public. The way the item was put on the agenda will allow the Board to discuss the matter with all available information. Mr. Pacheco expressed his appreciation for the Board trying to look at things from the residents' point of view as well. Park resident *Rosalie Cole* stated that when the residents are having problems with Attorney Sabatt, they find it easier to go through the Attorney General's office. Ms. Peterson reiterated that the discussion allowed on this agenda item must pertain to the licensing issue; any other items must be submitted to the office for a later agenda. Ms. Coffin stated that there is a lot of communication that the residents may not be aware of; there are bi-weekly conference phone calls with the Health Agent, Attorney Sabatt, the AG's office, DEP, and Attorney Sabatt's engineer. At the last conference call, the licensure issue was broached, and Tracey Triplett of the AG's office is aware of the issue, and Attorney Sabatt had expressed intent of attending the meeting. Ms. Peterson said that either Ms. Coffin or Mr. Sabatt needs to report to the Board as to what is going on. Ms. Peterson felt that Attorney Sabatt, over the last six months, reports what he's doing to the Board after he's done it, and she stated that will not be acceptable if the Board decides to re-license the Park. She wants the Board to know plans before they are put in place, which is why she feels it would be best to license for a short time with each approval, thus making it necessary to make a report for extension each time. Mr. Andrews stated that was similar to what was done with the 2011 license. Ms. Peterson agreed, but said that the Board went too long between approvals last year. Mr. Andrews said he hoped at the next meeting that Attorney Sabatt would have his application in, and be present for a discussion as to the length of term for each license approval. Ms. Tinkham asked why the Board would want to approve it every 30 days. Ms. Peterson pointed out that there were major decisions for him to make, and short term approvals would keep him in front of the Board, keeping the Board informed as to the decisions that are being made. Resident Ms. Cole stated that Attorney Sabatt is reporting to the residents once a month, which Ms. Peterson pointed out, is more than they used to get. Ms. Cole agreed. Ms. Peterson said that, no matter what direction Attorney Sabatt decides to go with the Park, the Board has a lot of decisions to make. The more information the Board has, the better they will be able to make decisions. Ms. Tinkham asked what would be needed every 30 days for Attorney Sabatt to renew his license if it is issued. Ms. Coffin said that it is not really a renewal but an extension that the Board would decide on every 30 days. Mr. Andrews said it would just be a vote by the Board to extend for whatever length of time (30, 60 90 days, etc). But annually Attorney Sabatt would be obliged to apply for the license and conform to all applicable fees and restrictions placed by the Board. Mr. Andrews asked for any requested changes or amendments to the license restrictions be submitted to the Board in advance to be forwarded to the Board in the agenda packets beforehand. Ms. Peterson stated that the Board can place any reasonable conditions they feel are necessary on the license. Ms. Cole asked if it would be helpful for Park residents to call about the issue. Ms. Peterson expressed appreciation for Ms. Cole's desire to help, but felt that this was an issue for the Board to attend to with Attorney Sabatt. Mr. Andrews said he really wanted to be able to discuss the matter with Attorney Sabatt, and that was the reason for taking the agenda item out of turn, to allow him the opportunity to arrive as he had expressed intention to do. Ms. Peterson felt that some of the decisions that the Board is going to have to make will not be "quick answers", even when a quick answer may be desired, and the more Attorney Sabatt is before the Board, the more informed they will be on making those decisions.

Ms. Peterson stated that there would be no action taken at this meeting in regards to this item. She is, however, requesting that Attorney Sabatt be present at the next meeting (January 25, 2011) for licensure renewal. She expects the license application to be in, and

ready for the agenda packets, she asked for the application as well as all previous conditions and any requests for changes to those amendments.

Ms. Peterson addressed Ms. Cole, stating that she felt that Attorney Sabatt was trying hard. She said he took over something that had been severely neglected, and it takes some time to get things back to a point that it can even be looked at rationally, and she felt that "all of us together" can help get the situation resolved in timely manner. Ms. Cole pointed out that there are other issues in the Park that need to be addressed. Again, Ms Peterson pointed out that only the licensure issue could be discussed, but told her that if there were issues that they wanted discussed, they could submit a request in writing to the office for it to be placed on the agenda for the January 25th meeting, before January 19th at noon.

There was a brief debate between Mr. Jim Mulvey, Ms. Peterson and Mr. Andrews on parliamentary procedure, setting agenda items, and the new open meeting law format.

8) Approval of Minutes dated November 9, 2011

Mr. Uitti made a motion to approve the minutes dated November 9, 2011. Ms. Tinkham seconded the motion. Ms. Peterson and Mr. Andrews abstained because they were absent at the November 9 meeting. The Minutes were approved.

Mr. Andrews moved to adjourn the meeting. Mr. Uitti seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:25 pm.

Respectfully submitted,

Melissa A Chase

Melissa A. Chase
Secretary

~~Kathleen Peterson~~ _____

~~Stanley Andrews~~ *Stanley Andrews* _____

Galon Barlow _____

~~Don Uitti~~ _____

~~Carol Tinkham~~ *Carol Tinkham* _____

cc Board of Selectmen/Town Clerk



**TOWN OF BOURNE
BOARD OF HEALTH**

24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

2012 JAN 19 PM 1 27

**TOWN CLERK'S OFFICE
BOURNE, MASS.**

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

**Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting**

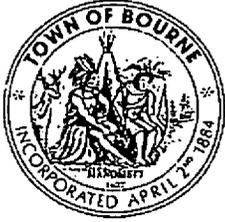
<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
January 25, 2012	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) ISWM –
 - A) Dan Barrett- Update on Phase IV Construction Project and Gas Collection System Expansion Project
 - B) Covanta- Presentation from Covanta about Flyash and discussion regarding ISWM operations relative to the future possible acceptance of flyash.
- 2) Pocasset Mobile Home Park – Attorney Chuck Sabatt – Discuss and Vote regarding issuance of 2012 license for the Pocasset Mobile Home Park
- 3) Pocasset Mobile Home Park – Rosalie Cole – Discuss and possible vote regarding complaint about water pressure issues

cc Board of Selectmen/Town Clerk

Signed: *Cynthia A. Coffin*
Title: Health Agent
Date: January 19, 2012



TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
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Phone (508) 759-0615 x1
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2012 FEB 9 AM 8:58

TOWN CLERK'S OF
BOURNE, MASS



Cynthia A. Coffin,
Health Agent

MINUTES
JANUARY 25, 2012

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews, Vice-Chairman;
Galon Barlow;
Absent members: Carol Tinkham, Don Uitti

Support Staff in attendance: Cynthia Coffin, Health Agent; Carrie Furtek, Health
Inspector; Melissa Chase, Secretary

Meeting was called to order at 7 PM by Chairman Kathy Peterson.

1) ISWM

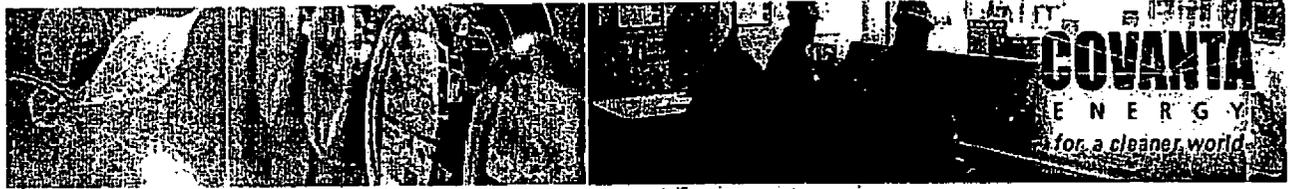
- a) Dan Barrett—update on Phase IV construction project and gas collection system expansion project
- b) Covanta- presentation from Covanta about flyash and discussion regarding ISWM operations relative to the future possible acceptance of flyash

Mr. Barrett began his presentation by with an update on the Phase IV liner project. He stated that favorable weather conditions so far this fall and early winter have allowed ET & L to continue to make progress. The most noticeable thing is the clearing at the front gate, which is pretty dramatic as it was expected to be. Mr. Barrett has met with the Gun Club to try to let them know that the work was going to be done. Certainly, the driveway is much more open. The lane to the right as you drive in has been dug back to allow for widening of the entrance. ET & L will finish that area and pave it in the spring. The scales will be moved back, and the entrance will then be a lot neater, a lot cleaner and traffic will flow better. There will be new scales and a new scale house; the scales will be pushed back to where the old guard shack used to be. There will be 2 lanes around it, and a lane on and a lane off; there will also be a new septic. ET & L is going to continue work this week screening sand; they are also working on the gas wall expansion. The intent is for them to stop working for a month as of Feb 3; with a return date of the week of March 5.

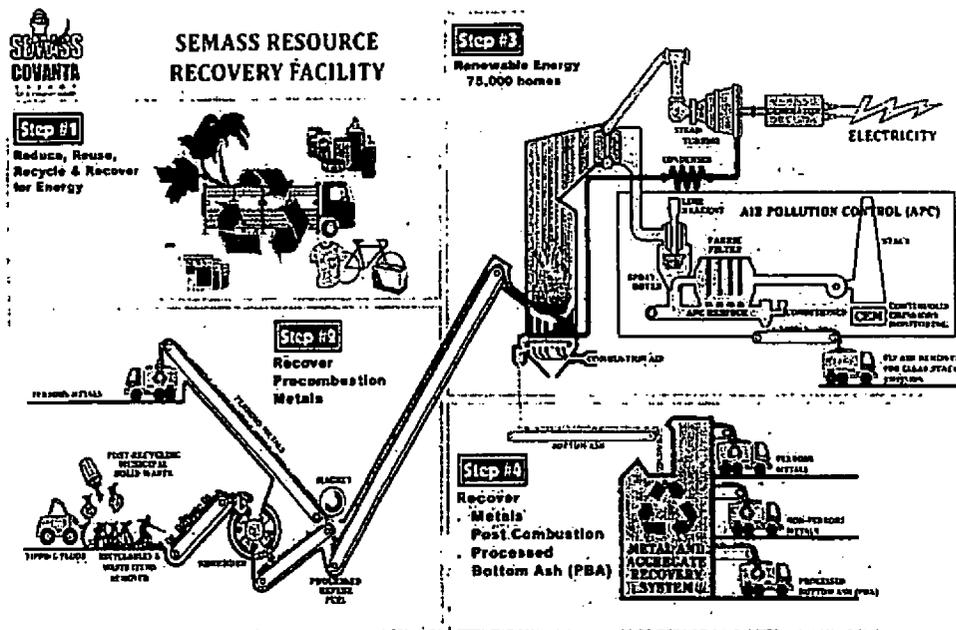
The Stage 2 well installation project was begun by ET & L on January 19, 2012. Recovery Drilling Inc. was on site and began drilling; they have drilled every well on site, and they really know what they are doing. They are very aware of what they need to do to keep the Town happy and look at the well report every morning and weather report to make sure everything is in order for drilling, along with the engineer, ET & L and the ISWM staff. Mr. Barrett said there were no odor complaints this time around, so he feels it worked out pretty well. They have completed the drilling of 6 wells, and ET & L has already started some of the pipe work so it is moving along very quickly. The biggest thing there is that they had proposed to drill eight wells, but were only able to get six. They have not gotten up to finished grade in two spots. The good news is that they

are planning on capping that area. There has been a significant drop in hydrogen sulfide production in the area, but are peeling it back a little at a time to minimize the possibility of odor and covering it immediately. Hydrogen sulfide tends to degrade at 40% a year, so it has been good that they've waited about a year and a half to get back in there. The wells that are being talked about for drilling are going in the last area that they don't have vacuum on. By Friday (1/27) there will be vacuum on it. The plan is to cap Phase 2A/3A (pending Town Meeting approval) beginning late summer. This is the area that has historically caused the most odor issues. They are ahead of schedule at this point. Hopefully as soon as Town Meeting is over, the pit process will be done and they will be ready to start. Typically DEP doesn't like an area to be capped if it not able to be covered and get vegetation on. They have run it by DEP that they will cap it and get sand on it, so that they will have better gas containment and reduced leachate water infiltration. ISWM will come back before the Board to inform them if that is what they are going to do and if DEP will allow them to cover with plastic to cover it up for the winter and complete it in the spring/summer. Mr. Barlow asked if there was going to be another lift on section 1, since 2A/3A is higher. Mr. Barrett stated that there was not a plan to do so. They were talking about excavating a nearby section. DEP was happy with the way Phase 1D went, so they were encouraging them to do so. However, Mr. Barrett felt there was too much newer waste (more plastics and things that were not seen in 1D). There is potential to exhume that, but there is not a plan to do so at this time.

At this point, Mr. Barrett stated that he had asked the Board on November 9, 2011 to consider accepting Fly ash at the landfill. The Board said that they would like to have a presentation from Covanta similar to the one that was done when the Board considered accepting Bottom Ash. Covanta was contacted; Mr. Ken Ryan and Mr. Derek Grasso were in attendance to present the following presentation on Fly Ash (PowerPoint presentation inserted into Minutes):
Before the presentation by Covanta, Mr. Barrett explained that the landfill currently accepts, with the Board's approval, processed bottom ash, and have been talking about expanding their relationship, for many different reasons, both operationally as well as environmentally, to include fly ash. Covanta produces enough processed bottom ash to allow us to fill up pretty close, but it could be topped of with fly ash.
Mr. Ryan brought samples of processed bottom ash (PBA), fly ash, and a combination of the two for the Board to see/smell.



SEMASS



The slide above shows the process that Semass goes through to produce the ash. The electricity produced in step 3 is sufficient to supply about 35,000 homes. The leftover from step 3 is where the ash products are from. The bottom ash that comes out the bottom grate is heavier, coarse granular material. This is taken and processed to remove metals (ferrous and non-ferrous) and the end product is processed bottom ash (PBA) which is currently accepted by the landfill. It is used for grading and shaping, and cover material. The fly ash is the residue that comes out of the air pollution control equipment. It is lighter material. It is conditioned, basically just adding moisture content to it. It is transported in a damp state. Currently, these go out in separate trucks because they are produced on separate areas of the plant.



Types of Ash

- **Bottom Ash (BA)**
 - Non-combustible residue collected from boilers. Processed at facility to remove ferrous and non-ferrous; sized for beneficial use projects.
- **Fly Ash (FA)**
 - Residue from the air pollution control system. Conditioned with water before transport.
- **Currently shipped separately at SEMASS. Most energy-from-waste facilities combine FA and BA and ship together. End disposal is the same – combined in a landfill.**

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Ash Testing

- Ash is a solid waste, and generators of solid waste must determine if it is hazardous or non-hazardous in accordance with USEPA and/or MassDEP regulations and guidance.
- This determination is made by specific sampling programs and laboratory analyses.
- Generator knowledge of process can be used once baseline analytical data is obtained, unless testing is otherwise required.

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Derek Grasso, regional environmental manager for Covanta, explained again that the fly ash and bottom ash from Semass is sent out separately, and therefore must be tested separately to be characterized as hazardous or non-hazardous in accordance with USEPA and/or Mass DEP regulations. This is the same testing that is used on any kind of waste. Once there is a good database for analytical data for any particular waste product, as long as the process remains the same, continued testing may no longer be required.



Ash Characterization

- What is a hazardous waste under Federal and State regulations?
 - Specifically listed (**ash is not**)
 - Toxicity Characteristic:
 - “Leachability” of listed metals and organics. Determined with Toxicity Characteristic Leaching Procedure (TCLP) Analysis. TCLP developed by USEPA to simulate leaching in an MSW landfill.
- All sampling and testing is done in accordance with USEPA regulation and guidance, adopted by MassDEP.

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SEMASS - Bottom Ash TCLP

Sample	Concentration Levels (mg/l)							
	Arsenic (As)	Barium (Ba)	Cadmium (Cd)	Chromium (Cr)	Lead (Pb)	Mercury (Hg)	Selenium (Se)	Silver (Ag)
1	1.00	0.50	0.10	0.20	0.50	0.001	0.50	0.10
2	1.00	0.50	0.10	0.20	0.50	0.001	0.50	0.10
3	1.00	0.69	0.10	0.20	0.50	0.001	0.50	0.10
4	1.00	0.50	0.10	0.20	0.50	0.001	0.50	0.10
5	1.00	0.50	0.10	0.20	0.50	0.001	0.50	0.10
6	1.00	0.50	0.10	0.20	0.50	0.001	0.50	0.10
7	1.00	0.50	0.10	0.20	0.50	0.001	0.50	0.10
8	1.00	0.50	0.10	0.20	0.50	0.001	0.50	0.10
9	1.00	0.57	0.10	0.20	0.50	0.001	0.50	0.10
10	1.00	0.58	0.10	0.20	0.50	0.001	0.50	0.10
Average:	1.00	0.53	0.10	0.20	0.50	0.001	0.50	0.10
TCLP Threshold	5.00	100.00	1.00	5.00	5.00	0.20	1.00	5.00

Notes: Results below laboratory detection limits are presented as equal to the detection limit

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SEMASS - Fly Ash TCLP

Sample	Concentration Levels (mg/l)							
	Arsenic (As)	Barium (Ba)	Cadmium (Cd)	Chromium (Cr)	Lead (Pb)	Mercury (Hg)	Selenium (Se)	Silver (Ag)
1	0.05	1.41	0.95	0.05	0.11	0.0023	0.20	0.05
2	0.07	1.42	0.27	0.05	0.05	0.0023	0.26	0.05
3	0.05	1.22	0.23	0.05	0.05	0.0006	0.20	0.05
4	0.06	1.26	0.11	0.05	0.05	0.0006	0.24	0.05
5	0.05	1.20	0.07	0.05	0.05	0.0005	0.19	0.05
6	0.06	1.17	0.06	0.05	0.05	0.0004	0.24	0.05
7	0.05	1.25	0.06	0.05	0.05	0.0005	0.20	0.05
8	0.05	1.25	0.45	0.05	0.07	0.0014	0.21	0.05
9	0.05	1.41	0.05	0.05	0.05	0.0004	0.18	0.05
10	0.06	1.73	0.05	0.05	0.05	0.0004	0.26	0.05
11	0.05	1.29	0.29	0.05	0.05	0.0004	0.18	0.05
12	0.05	1.28	0.13	0.05	0.05	0.0004	0.20	0.05
13	0.05	1.20	0.05	0.05	0.05	0.0004	0.20	0.05
14	0.05	1.32	0.05	0.05	0.05	0.0004	0.19	0.05
Average:	0.05	1.32	0.20	0.05	0.06	0.00	0.21	0.05
TCLP Threshold	5.00	100.00	1.00	5.00	5.00	0.20	1.00	5.00

Notes: Results below laboratory detection limits are presented as equal to the detection limit

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The above charts are the 2011 TCLP testing results for the ash at Semass. Where the numbers are the same, that means that the actual result was below the detection limit, and that number is the detection limit.



Fly Ash Disposal Experience: CMW Landfill

- All SEMASS fly ash has been disposed of at CMW landfill since the facility's construction in 1989.
- Original cells were ash-only (bottom ash and fly ash). Then, "ash over trash".
 - Since 2002 ash and MSW have been co-mingled in cells.
- **CMW leachate testing shows TCLP metals far below TCLP thresholds. Consistent with TCLP characterization.**

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There is 22 years of data from the CMW landfill where Semass ash has been trucked since 1989. There were segregated cells of just ash, and then "ash over trash." Throughout the quarterly testing since 1989, the CMW landfill, in "real world testing", has shown leachate far below the detection thresholds.



CMW Landfill: Annual Average Tons of Ash, MSW and C&D, 2002-2010

Disposal:

Fly Ash / Bottom Ash liner	160,897	45.6% of total
Nonprocessable MSW and Bulkies	84,314	23.9% of total
Total		69.5% of total

Cover:

SEMASS Bottom Ash	82,171	23.3% of total
C&D Fines and Other:	25,555	7.2% of total
Total		30.5% of total

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CMW Landfill: Combined Leachate

All concentrations in mg/L	1/19/2011	4/26/2011	7/20/2011	10/20/2011	TCLP				
					Threshold	GW-1	GW-3	UCL	MMCL
Arsenic	0.056	0.083	0.117	0.054	5	0.01	0.9	9	0.01
Barium	7.17	8.22	10.7	9.94	100	2	50	100	2
Cadmium	<0.04	<0.04	<0.004	<0.04	1	0.005	0.004	0.05	0.005
Chromium	<0.1	<0.1	0.03	<0.1	5	0.1	0.3	3	0.1
Copper	0.378	<0.1	<0.01	<0.1	N/A	N/A	N/A	N/A	1.3
Cyanide (Total)	<0.01	0.006	<0.025	<0.05	N/A	0.2	0.03	2	0.2
Lead	0.241	<0.1	<0.01	<0.1	5	0.015	0.01	0.15	0.015
Mercury	<0.001	0.0002	<0.0002	<0.0002	0.2	0.002	0.02	0.2	0.002
Selenium	<0.1	<0.1	<0.1	<0.1	1	0.05	0.1	1	0.05
Silver	<0.07	<0.07	<0.007	<0.07	5	0.1	0.007	1	N/A
Zinc	1.1	0.54	0.066	<0.5	N/A	5	0.9	50	N/A

GW-1 and GW-3: MCP Method 1 Groundwater Standards

UCL: MCP Method 3 Upper Concentration Limits (UCLs) in groundwater

MMCL: Massachusetts Maximum Contaminant Levels - Drinking Water

Leachate is from all cells: Open and Closed, Ash-Only and Ash-MSW.

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Summary

- SEMASS transports Bottom Ash and Fly Ash separately. Most Energy-From-Waste (EfW) Facilities combine them. All EfW Facilities generate Fly Ash.
- Bottom Ash and Fly Ash have been deposited at CMW Landfill for 21 years with no adverse affect.
- Bottom Ash and Fly Ash are non-hazardous.

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Mr. Barlow asked since they basically recycle the leachate, if it shows any evidence of increased or built-up toxicity. Mr. Grasso reiterated that the leachate is not toxic. Mr. Barrett said that if it is re-circulated in a bioreactor it can become problematic. But under these conditions it is not an issue. Mr. Andrews commented that the fly ash was much finer than the bottom ash (which appears rather gravel-like). He asked if the ash was wet down with the leachate as processing before shipment. He asked what other handling methods were used when it is brought into the landfill to minimize backtracking off the landfill. Mr. Ryan said that it is really based a lot on the management of the landfill. It is best not to cover every road with it so that every truck drives through it, and use it in a controlled manner. It is a waste product, and you'd want to treat it like any other waste. He says that it is not anything extraordinary; it comes in moist so it isn't dusty and blowing all over, and just needs to be managed like other landfill materials. Mr. Andrews asked if when the two types of ash are mixed they remain moist. Mr. Ryan said yes. Ms. Peterson commented that one of the ash samples (PBA) had more of an odor than the fly ash. Mr. Ryan and Mr. Grasso agreed, saying that the PBA has a burnt ash smell. Ms. Peterson asked what the worst potential in terms of odor could be. Mr. Grasso said that he has never smelled it any more pungent than what was in the sample containers. Because of the type of the plant that Semass is, they shred the trash ahead of time, so there generally is no unburned garbage in the ash. Ms. Peterson commented on the ash in Nantucket smelling terrible. It was pointed out that they were composting, so there was organic microorganisms in the ash. Mr. Barlow asked if, in the twenty years that Carver has been accepting ash, there has been odor problems associated with it. Mr. Ryan said no. Mr. Andrews asked if there was any product in the ash that could break down and cause odor. Mr. Grasso pointed out that Fly Ash is produced at 2000 degrees Fahrenheit; there are no organics that would be left in it. Audience member Mr. Mulvey expressed concern with the solubility of both the fly and bottom ash, and the leachate as it goes down through the biomass, would interfere with the gas generation, which would be an economic factor. Mr. Grasso stated that the ash will not generate gas, but the MSW that is in the cell with it will continue to degrade and generate methane. Mr. Grasso did agree that a cell that has more ash than MSW in it will produce less gas because ash does not produce methane. Mr. Ryan stated that the Ph value of the leachate is in the 6-7 range. Mr. Barlow asked the percentages of fly to bottom ash. Mr. Grasso stated that, by weight, it is about 55% PBA and 45% Fly Ash. Ms. Peterson asked if, in a worst case scenario, a truck full of fly ash tips over, what problems will that cause. Mr. Ryan said that it would be a messy spill, but the ash is wet so it would not be blowing all over. Unless it falls into a river, it's not going to go anywhere before a clean-up crew arrives. Ms. Coffin asked if drivers were trained in what to do if there was a spill. Mr. Grasso stated that he is not involved in the transport, so he doesn't know what procedure and training are. He did state that right now, the Fly Ash takes a five mile trip from the plant to CMW. Mr. Ryan stated that they do not own the transport trucks, so the contractor would be responsible for that. Certainly they do take a contractor's safety and environmental record into consideration when hiring. Mr. Barrett stated that, as a truck driver, they are all trained in emergency procedure. Ms. Peterson asked for small containers of the ash samples could be forwarded to the Health Office to keep on record with the Covanta file so that the public would have easy access to view them. Ms. Peterson said that the Board would vote at the next meeting (Feb 8, 2012) and asked for Mr. Barrett to drop something to the office asking for a vote on the acceptance of Fly Ash to be taken by the Board. Mr. Andrews also asked if he could include with that an operational plan be included with that request, stating how they would operate with the fly ash.

2) Pocasset Mobile Home Park : Attorney Chuck Sabatt—Discuss and vote regarding issuance if 2012 license for the PMHP

Present for this item were Attorney Chuck Sabatt and many residents of the PMHP.

Attorney Sabatt requested that the Board extend the license to the Park with the same terms and conditions that were previously/currently in place. He stated that by next week (week of Jan 27-Feb 3, 2012) he would be submitting his report to the Suffolk Superior Court on the feasibility of constructing an onsite septic treatment plant. He anticipates that feasibility of the project will be dependent upon other things falling into place, particularly in terms of the authority the Court will give the receiver in respects to the property. Regardless of the conclusion, and regardless of the authority given, the worst case scenario of the Park being closed will be a minimum of 2 years to completion because they would be legally required to give people time to relocate. There will most certainly be a process to that closure, and the residents would continue to receive services until completion. No matter what the outcome of the next few months will be, there will need to be time allowed. There is a permit in place for the construction of the plant, with the 26 acre back parcel included, which calls for the construction of additional facilities (retirement community, and some other ancillary operations) all of which would be way beyond what Attorney Sabatt could do within his receivership, and are speculative ventures. The permit they are looking at would be confined to the 149 sites currently existing at the Park. Ms. Coffin stated that the septic, at this point, has been holding its own, and is inspected every week; she witnesses that inspection every three weeks. There are still 8 leach pits that are functioning well. Attorney Sabatt stated that he has committed to replacing some of the conduits; plans have been approved by DEP. There is 1 bid in on that project, with 2 more bids on the way. This should help those leach pits to remain functioning. It is known that those pits are a temporary fix, and fingers are crossed that they will continue to hold; he felt the mild weather thus far this winter has helped. Ms. Peterson asked when he felt he would be informing the Board as to his plans. He said he would forward a copy of his report to Cindy Tuesday the 28th or Wednesday the 29th. Mr. Barlow pointed out that his report would be nice to have, but it ultimately is the judge's ruling that the Board is looking for, because the judge will be the one that decides what is to be done, regardless of what Attorney Sabatt feels should be done. Attorney Sabatt requested for a 60 day license, and he would appear before the Board before that time to review and extend. Mr. Andrews felt that this was a new application for 2012, not an extension of the 2011. He asked if Attorney Sabatt was fine with the August 2011 stipulations to be in place on the 2012 license. He said yes. Mr. Andrews felt comfortable with that. Mr. Barlow stated that he agreed with Ms. Peterson that Sabatt needed to come before the Board again within 60 days for review, but that he felt comfortable issuing the license for the year with that requirement. Ms. Peterson asked for Attorney Sabatt to come before the Board at the very next meeting after the judge's decision comes in. Attorney Sabatt stated that he would not ask the Board to make a decision "blindfolded"; he forwards his monthly reports to the Health Agent and he will provide any information that they require, as well as report to the Board as frequently as asked. Mr. Andrews pointed out that the Board can always review and revise the stipulations as needed, as they have done in the past. Mr. Barlow felt that, in his opinion, it wasn't about Attorney Sabatt, but rather for the residents that the license be renewed, to help them feel more comfortable.

Mr. Andrews made a motion to issue the license for PMHP for January 1, 2012 ending December 31, 2012, with the 8 conditions voted and amended by the Board on August 10, 2011 and that the receiver of the Park report to the Board of Health at intervals of no more than 60 days. Mr. Barlow seconded the motion. The motion to issue the 2012 license for PMHP passed unanimously.

Mr. Joe Pachico of 6 5th Ave asked for a copy of the 8 stipulations that were approved in August. Ms. Peterson provided him with a copy of the approved August minutes, rather than having them read into record again.

Diana Barth of the Bourne Enterprise asked for clarification on how often the Board wanted Attorney Sabatt to appear. Mr. Andrews stated that it was not to exceed 60 days, unless new/different information was available earlier than that.

Rosalie Cole asked how the residents of the Park would know when he is due to report. Ms. Peterson stated that the Agendas are posted, and they can call the office if to find out. She stated that the residents can rest assured knowing that he will appear at minimum every 60 days. Ms. Coffin said that she assumes that Attorney Sabatt will be continuing to schedule regular meetings with the residents. He stated that he would indeed be doing that, and that he was just sending notices for a meeting on Feb 4, 2012 at 10 am.

Ms. Furtek asked how long it may take for the judge to deliberate. Attorney Sabatt said that was unknowable. But he felt the judge is "pretty efficient", and that he expected her decision to come through within a month.

3) Pocasset Mobile Home Park—Rosalie Cole—Discuss and possible vote regarding complaint about water pressure issues

Rosalie Cole, resident PMHP, expressed concern about the water pressure at her trailer. To fill the sink, it takes forever. It takes a long time to rinse her hair. She has heard that there is a water regulator that was replaced fairly recently, but when it was put in it was turned down. She wanted to know if there was any way that the water regulator could be checked. Attorney Sabatt stated that he didn't even know what a water regulator is, but that he would have someone look into it. Ms. Coffin stated that it was installed when the main water line was redone a few years ago; it should be located where the water district line ends. She does remember there were complaints about low pressure, but recalled it being taken care of. She said that the water district should be able to assist him with that. Attorney Sabatt stated that he has not instructed anyone to turn it down, and he acknowledges that the water system is in great need of being repaired/replaced, and that is accounted for in his report to the Court. He stated that Linda Fobert, the property manager of the Park, to his understanding, had visited Ms. Cole's trailer and had not found any remarkable drop in pressure. He has not had any other complaints, but he is aware that it is an issue because of the condition of the water system. He is pretty confident that it is leaking in places, and if the Park is to remain open, it will be replaced. Ms. Cole stated that she realizes that it is expensive to check each trailer, but wondered if in the future that would happen. Attorney Sabatt explained that (for privately owned trailers) his responsibility for the water ends at the connection to the trailer. Some of the trailers have their own internal water issues that are the homeowner's responsibility. If there are leaks, he repairs it up to the connection to the trailer. *Gail Daniels, 17 1st Ave* stated that she had complained about water pressure as well. She said that every time they add a new trailer/ set one up, the water pressure gets turned down and they don't turn it back up. She said that this happened a year ago when a new trailer was added, and the manager then (Scott) informed her that the pressure would be down while they set up the trailer. She stated also that a trailer on 5th street had water running out of it for quite some time and didn't know if that had been taken care of. Attorney Sabatt stated that there was an unoccupied trailer on 5th Street that has been addressed. Ms. Peterson questioned why pressure would be turned down for a trailer installation. Ms. Daniels said she was told that it was turned down so that the pressure would be lower going into the newly connected lines. Attorney Sabatt reiterated that he would get the regulator checked. *Maggie Berg* asked about the emergency numbers that were supposed to be posted at the mailboxes. Ms. Furtek confirmed that the numbers were no longer posted and that it appeared that someone had torn them down. Attorney Sabatt said he would correct that immediately. No further action was required by the Board at this time.

Mr. Andrews moved to adjourn the meeting. Mr. Barlow seconded the motion. Motion to adjourn was unanimously passed.

The meeting was adjourned at 8:05 pm.

Respectfully submitted,

Melissa A Chase

Melissa A. Chase
Secretary

- Kathleen Peterson _____

- Stanley Andrews _____

- Galon Barlow _____

Don Uitti _____

Carol Tinkham _____

cc Board of Selectmen/Town Clerk



2012 FEB 2 PM 12:06
TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679
TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

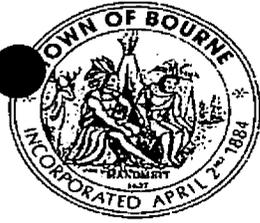
<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
February 8, 2012	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) ISWM Request for Board vote on acceptance of Fly Ash from Covanta
- 2) 6 QUIET COVE LANE: Warwick & Associates for Mark and Mary O'Donnell: request for variances for installation of new pressure dosed Title 5 septic system for proposed renovations
- 3) Discuss and Vote regarding re-approval of Tier III Beach designation for Barlows Landing Beach, Electric Avenue Beach and Monument Beach (original vote April 30, 2008)
- 4) Approval of Minutes dated January 11, 2012 and January 25, 2012

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: February 2, 2012



Cynthia A. Coffin,
Health Agent

TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0679
Fax (508) 759-0679
CLERK'S OFFICE
BOURNE, MASS



MINUTES of February 8, 2012

Members in attendance: Stanley Andrews, Vice-Chairman; Galon Barlow; Carol Tinkham

Support Staff in attendance: Cynthia Coffin, Health Agent

Meeting was called to order at 7:00 PM.

- 1. ISWM Request for Board vote on acceptance of Fly Ash from Covanta.** Mr. Andrews stated that at the last Board of Health meeting there had been a presentation from Covanta on their fly ash process and material samples were brought to the Board. Ms. Tinkham stated that she had not been at the meeting but that she had read the material that had been submitted. She did not think that there were any problems. Mr. Barlow stated that his only concern was the wheel washing aspect and making sure that the product does not get off site. Mr. Barlow asked how much fly ash was being discussed and Mr. Andrews stated that an exact amount was not discussed but that the amount would be within the daily tonnage that the landfill was allowed to take at the site. The PBA (processed bottom ash) is being used now for cover but any excess material that is landfilled is counted toward the daily tonnage of waste allowed. Mr. Andrews also stated for the record that there was no odor from the ash and the information in the presentation did not indicate that there was anything that would create an odor in the future. Mr. Andrews was also concerned about the fly ash making it off site thru truck traffic but he felt that Mr. Barrett's Operational Plan did address this issue. Mr. Barrett's operational plan stated that if it were necessary a wheel washing facility could be constructed. Mr. Barlow made a motion to approve ISWM's request to accommodate the acceptance of fly ash under the landfills daily tonnage and also stated that ISWM is encouraged to keep the migration of the ash off site in check. Ms. Tinkham seconded the motion. It was a unanimous vote to approve.
- 2. 6 Quiet Cove Lane – Warwick & Associates for Mark and Mary O'Donnell: Request for variances for installation of new pressure dosed Title 5 septic system for proposed renovations.**

Ms. Barbara Frappier was present from Warwick Engineering. She handed in the green certified mail cards. Ms. Frappier stated that she was submitting a revised site plan that shows a reduction in the size of the addition being proposed. Those plans were stamped in as received. The new proposal is smaller than what was originally proposed. In addition, she submitted a revised architectural plan which was also dated as received. Mr. Barlow asked if the property was accessed from Phinney's Point or from further up Shore Rd. Ms. Frappier stated that the access was off of Evergreen Hill which is the Phinney's Point area. Ms. Frappier stated that the cul-de-sac is shown on the plan but it is not in existence now. This land was a subdivision a long time ago and in order to subdivide the properties, the Planning Board made them put in the cul-de-sac. They are keeping it on the plan because they have to go back to the Planning Board and the cul-de-sac is going away and the lots are being combined. This project has already been approved by the Conservation Commission. Mr. Frappier stated that the property was built back in the 40's and is a small two-room camp. She submitted pictures of the property and described the area. Mr. Andrews stated that the camp is 32' x 10' and a portion is 16' x 16'. There was further discussion about how to access the property. There is a dirt drive way that will need to be widened. Currently the two bedroom camp, which has been used by the O'Donnell family for a long time, has no indoor plumbing. The owners would like to add a bathroom and kitchen area. The living space and the bedroom will remain as it is in the original camp. The proposal is to install a Title 5 system that is pressure-dosed. Ms. Frappier stated that the leaching field is only 135 feet from the flagged edge of wetlands. This is with maintaining a 10 foot setback to the property line. Ms. Frappier stated that there is no increase in the number of bedrooms. The only addition is the kitchen and bath area. She feels that the policy of the Board is being followed in that there is a 52% increase in bedroom space and that is why she is proposing pressure dosing. Mr. Barlow asked if there was town water on the property. Ms. Frappier stated that the lot was served by a well and there was a proposal to install a new well to meet the 100 foot setback. Mr. Barlow asked Ms. Coffin if she had any issues with the proposal. Ms. Coffin stated that it was her feeling that the existing camp is only listed with the Assessors as a two room camp with no plumbing and the proposal will result in a house with bedrooms, plumbing, and well water. She feels that this is basically a new construction and feels that the septic should be an alternative septic with pressure distribution. The proposal is for pressure 'dosing' only. Ms. Frappier stated that even though the Assessor's list the structure as having two rooms, they don't call out one of the rooms as a bedroom but if you looked inside the structure you would say that there is one bedroom. She stated that the project will not increase bedrooms. She also stated that there is also an existing well but she is not sure of the location. Mr. Barlow stated that he is concerned because the lot is so close to Back River and he would be more comfortable with a system that provides nitrogen removal. Ms. Frappier asked if the Board would consider not requiring nitrogen removal if the leaching were pushed further back to the property line to get it 145 feet from the edge of wetlands. The nitrogen numbers on the property are only 3.3 which is well below the 5 ppm that is the standard requirement. It is only one bedroom and the

problem is that one of the reasons that the addition has been scaled down already is for cost considerations. She feels that the addition of a Microfast might make the project undoable. Also, she feels that the proposal meets the policy standards the Board generally follows. Ms. Frappier stated that she will still provide the pressure distribution even if the system is moved back to the property line. Ms. Coffin stated that the system appears to be a three bedroom system although she does not have the second sheet of the plan. She suggested that if the system was reduced to a two bedroom system the system could be made narrower and also moved back to the property line, and this might allow the 150 foot setback to be met. Mr. Barlow stated that the Board would have to place a deed restriction on the property. Mr. Frappier agreed that this was something she could look in to. Ms. Tinkham asked if the field was reduced would that affect the amount of area for treatment. Ms. Coffin answered that it would not affect the operation of the system; it just reduces the area of the leaching because less effluent is going into the system. Ms. Frappier states that she should be able to pick up about 15 feet by reducing the size of the field and moving it toward the property line. She would then be able to meet the 150 foot setback. Ms. Coffin stated that she thinks it was Jack Landers-Cauley, who did the perc test, who had been concerned about moving the system too close to the property because of the adjacent rail bed. The adjacent property is a railroad right of way. Ms. Coffin stated that she thinks the concern was about the vibration of the tracks near the septic system and that this might loosen the soils and perhaps cause a problem with the rail bed. The members and Ms. Frappier discussed the issue and it was felt that this should not be an issue since the rail bed was actually lower than the property itself. Ms. Frappier stated that she would still have to come back before the Board to request the variance to the property line. She asked the Board if the item could be continued to amend the plan. Mr. Barlow made a motion to continue 6 Quiet Cove Road to the Board's next meeting on February 22nd. Ms. Tinkham seconded the motion. It was a unanimous vote.

3. Discuss and Vote regarding re-approval of Tier 3 Beach designation for Barlows Landing Beach, Electric Avenue Beach and Monument Beach (original vote April 30, 2008).

Ms. Coffin stated that the State came in to the office and the Town of Bourne has four beaches that are up for a new approval for Tier 3 status. Sanitary surveys will be done on those beaches. At the same time, the variances that were approved for Barlows Landing Beach, Electric Avenue Beach and Monument Beach in 2008 are up for renewal. In 2008 we had also approved Gilder Road for Tier 3 status but within the last 2 years that beach had one bathing beach sample fail so the Tier 3 status ended. Gilder Road is, however, one of the beaches that will be up for a new approval. The issue is that if any beach has not had any failures for, she believes, three consecutive years then the State DPH puts that beach on a list for Tier 3 status and as such that funds will not be allocated for the testing of that beach on a weekly basis. The Town would have to put up its own funds for that testing. With the Tier 3 status, the State will continue to pay for the testing of that beach for at least once per month. The three beaches up for review have not had

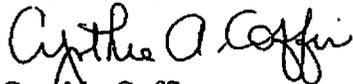
any failures for at least 6 years. Ms. Tinkham asked what the failure number for the beaches would be and Ms. Coffin stated that she believed the maximum was 104 colonies per 100 ml sample for salt water beaches. Mr. Andrews stated that all the testing for the three beaches had results well below that value. Electric Avenue's highest was in 2011 at 26; Barlows Landing has been consistent with its results are around 16; and Monument Beach has been consistently low as well. Mr. Andrews stated that nothing has changed at the beaches. We have always had the 'no dogs on beach' by law and Mr. Barlow added that we have also had portable toilets at some of the beaches over the last few years. Mr. Barlow stated that he has no problem with keeping the beaches at the Tier 3 level. Ms. Tinkham stated that she would prefer to have the beaches tested once a week but that if the funding is not there she is okay with the Tier 3 designation continuing. Ms. Coffin stated that the testing has basically indicated that there are no direct or point sources of contamination and more specifically sewage. In her opinion, even when some of the beaches have had failures it is most likely due to stormwater runoff and not a continuing source of septic pollution. She went on to state that even Patuisset Beach which had many failures in some of the past years is now up for new Tier 3 status and she feels that a lot of this is due to the new stormwater systems that were installed over the last few years. She does not believe that there is any disservice to the Town residents by continuing the Tier 3 status for the beaches being discussed. Ms. Tinkham made a motion to reapprove the Tier 3 beach designation for Barlows Landing Beach, Electric Avenue Beach, and Monument Beach as originally voted on April 30, 2008. Mr. Barlow seconded the motion. It was a unanimous vote to approve.

4. Approval of Minutes of dated January 11, 2012 and January 25, 2012.

Ms. Tinkham made a motion to approve the minutes of January 11, 2012. Mr. Andrews seconded the motion. The vote was two to approve, with one abstention by Mr. Barlow since Mr. Barlow was not present at that meeting. Then Mr. Barlow made a motion to approve the minutes of January 25, 2012. Mr. Andrews seconded the motion. The vote was two to approve, with one abstention by Ms. Tinkham since Ms. Tinkham was not at that meeting.

Mr. Barlow made a motion to adjourn. Ms. Tinkham seconded. It was a unanimous vote to approve, and the meeting adjourned at 7:30 PM.

Respectfully submitted


Cynthia Coffin
Health Agent

Kathleen Peterson _____

Stanley Andrews _____

Galon Barlow _____

Don Uitti _____

Carol Tinkham _____

cc Board of Selectmen/Town Clerk



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TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
February 22, 2012	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) Wind Turbine Regulations: Discuss and possible vote on Town Counsel's Wind Turbine Regulation revision recommendations in response to DEP comments on Bourne's WTR
- 2) 6 Quiet Cove Rd: Warwick & Associates for Mark and Mary O'Donnell: continued from Feb 8, 2012: request for variances for installation of new pressure dosed Title V septic system for proposed renovations
- 3) Pocasset Mobile Home Park: update from Attorney Charles Sabatt on Park status
- 4) Stable Regulations: Discussion and possible vote on amending stable regulations (increase licensing fee to \$30/year and due date of July 1st of each year)
- 5) Approval of Minutes dated February 8, 2012

Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: February 16, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**

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TOWN CLERK'S OFFICE
BOURNE, MASS



Cynthia A. Coffin,
Health Agent

**MINUTES
FEBRUARY 22, 2012**

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews, Vice Chair;
Don Uitti; Galon Barlow
Absent Members: Carol Tinkham

Support Staff in attendance: Cynthia Coffin, Health Agent; Melissa Chase, Secretary
Absent Support Staff: Carrie Furtek, Health Inspector

Meeting was called to order at 7 pm by Kathy Peterson.

(Agenda item 2 taken out of turn to accommodate scheduling conflict of Engineering Firm)

- 2) **6 Quiet Cove Rd: Warwick & Associates for Mark and Mary O'Donnell: continued from Feb 8, 2012: request for variances for installation of new pressure dosed Title V septic system for proposed renovations**

In attendance for this item was Barbara Frappier of Warwick & Associates. Ms. Frappier thanked the Board for accommodating her request to be moved up the agenda. She pointed out that the project had been before the Board at the last meeting (Feb 8, 2012). At that meeting, the Board had asked Ms. Frappier to revisit the system to get it back 150 feet from the wetlands, which they were able to accomplish. They also reduced the volume of the system to a 2-bedroom system. They also kept, against her recommendation/desire, a pressure dosed system. She reiterated that it is now a 2-bedroom pressure dosed system and is 150' from the wetlands, all as requested by the Board at the previous meeting. She is now asking only for the variances from the property line at the following measurements: 10 foot variance for the setback for the reserve area from the property line; 4.34 foot variance for the setback for the main leaching from the property line; and 4 foot variance for the septic tank from the property line. Ms. Peterson felt that Ms. Frappier had fulfilled the Board's requests from the February 8 meeting, and asked for a motion.

Mr. Andrews moved to approve the variances of 4.34 feet from the soil absorption system; 4 foot variance to the tank; and 10 foot variance for the reserve area for the property at 6 Quiet Cove Road with prints dated revised 2/12/12, received by the office on 2/22/12; architectural stamped received January 18, 2012 (*architecturals incorrectly identified by Mr. Andrews; newer/updated architectural are on record dated 2/7/12, received by BOH on 2/8/12*) and a 2 bedroom deed restriction to be filed prior to issuance of the permit. Mr. Barlow seconded the motion. The motion passed unanimously.

1) Wind Turbine Regulations: Discuss and possible vote on Town Counsel's Wind Turbine Regulation revision recommendations in response to DEP comments on Bourne's WTR

In attendance for this item was Town Counsel, Attorney Brian Wall. Ms. Peterson pointed out that none of the Board members spoke prior to the meeting regarding their thoughts on the matter. Attorney Wall was asked to attend this meeting to advise the Board as he had throughout the entire process. She asked Attorney Wall to go through his thoughts in order so that the Board could follow along and share their thoughts as well. Attorney Wall referenced a memo dated January 25 2012. He stated that this memo was in response to Department of Environmental Protection's (DEP) comments on Bourne's adopted Wind Turbine Regulations (WTR). The DEP had reviewed these WTR and expressed a number of comments and concerns. The first item of concern was issues arising under MGL 111-31C. Attorney Wall explained that whenever a regulatory body such as the Board of Health adopts regulations, you try to cite whatever source of authority you may have so that if there is a later challenge in Court, your "eggs are not all in one basket". He had looked at all sources of authority that the Board of Health has and said that the Board was using all that authority to support the WTR. He felt that the wording may have been too broad, particularly in citing 111-31; DEP broadened that scope to 111-31C which regulates atmospheric pollution, and over which DEP has over-site responsibilities. DEP said that it could not determine, based on certain provisions of the regulation whether it complied with their purview or not. Attorney Wall felt that a simplistic approach would be to delete it as a reference as to what authority the Board has. He believes the Board was not treating the noise and flicker as air pollution, but as a nuisance, and does not need that citation as authority to support the regulation. The removal of this citation would also clear up an issue (later in the memo) in regards to fines and enforcement. Ms. Peterson asked if Attorney Wall agreed with Ms. Coffin's suggestion to remove the words "and all other authority vested in the Board of Health". He agreed, and suggested removing reference to 31C as well. Ms. Coffin pointed out that 31C is not reference by the WTR, but rather that the DEP assumed it under the "all other authority"; sections 31, 122 and 143 are the only specific sections cited. Ms. Peterson asked Attorney Wall if the DEP can assume that the Board is thinking 31C. Ms. Coffin agreed, pointing out that in the first section of the WTR, those are the Sections cited, but DEP's comments include 31C, showing that assumption. Attorney Wall again stated that the best way to handle it is to remove the "all other authority" phrasing, and to leave just the specific cited sections. He felt that the Board's authority is well covered under those sections. Mr. Andrews said that 31C was never cited. Wall agreed, but said by having the "all other authority" phrasing, every single thing under which the Board could possibly cite as authority is encompassed, including 31C. Ms. Peterson read the revised phrasing as: "Wherefore, acting pursuant to MGL Chapter 111, Sections 31, 122, and 143, the Board determined that reasonable regulations should be adopted for the protection of the public health and safety of the residents of Bourne, and on August 10, 2011, voted to adopt these regulations regarding WECS". Ms. Coffin stated that there will also be phrasing added to reflect the date of revision/amended after the final vote. Mr. Andrews stated this would follow the original intent. Attorney Wall felt the discrepancy was his fault because he had inserted that caveat. His intent was to keep the Board covered should there be future challenges to their authority in regards to the WTR. He felt it was good draftsmanship, but that it triggered unforeseen problems, and is not necessary. By removing the phrasing, two problems (authority and fining) are solved. Mr. Barlow said that these regulations have not been in effect as of yet because DEP has not accepted them, and asked Attorney Wall if they needed to be re-advertised as if they are new regulations, or if they can simply be revised. Wall asked if the Board was aware of any projects having been filed; Mr. Andrews said the Board has not been made aware of any. Wall stated that strictly speaking, the Board does not have to re-advertise. DEP *allegedly* found a flaw. If the Board amends and removes that clause, and includes the severability clause, it should be fine. In an abundance of caution, it would not be detrimental to publishing them again as revised regulations. Ms. Peterson made reference to Section 143, which give the Board authority to regulate the citing of any trade employment which might constitute a nuisance or be harmful to the public, but also gives the person who is being permitted by the Board the right to appeal to DEP on any Board decision made. Ms. Coffin had questioned if that should be looked at as well. Ms. Peterson asked Attorney

Wall's opinion/thoughts on that. Ms. Coffin wondered if a project came before the Board and a negative decision was made, it could be appealed to DEP. Attorney Wall felt that a wind turbine was not a trade or employment, so it might not even be applicable. Ms. Peterson said the Board has the right to regulate what could be perceived as a nuisance, and that is why Section 143 was picked up. Attorney Wall stated that he would like to look further into the right of appeal to DEP, and will send a memo in that regard. The next comment of concern from DEP was in regards to the WTR applicability for WECS of less than 75 feet height. Ms. Peterson was in agreement with Attorney Wall that there was no need for clarification on this point. Mr. Andrews also felt it was quite clear that anything in excess of 75 feet or 10KW needed a study done prior. Mr. Barlow thought the confusion might be if it was over 75 feet but under 10KW. Attorney Wall thought that the Board's intent was not to regulate those less than 75 feet, that phrase could be eliminated from the submittal requirements, but keep the 10 KW exemption. The WTR as written state under applicability that *"No person shall construct or install a WECS higher than 75 feet in the Town of Bourne unless in compliance with these Regulations."* Ms. Peterson asked Attorney Wall how it should read, because she doesn't understand what the confusion is. Ms. Coffin stated that she felt the problem is not really this statement, but rather with the submittal requirements. These read that all WECS must provide notice to the BOH with a list of requirements, but the applicability seems to state that only WECS 75 feet and up are covered by the regulations. The interpretation is that if they are not regulated, the rest of the information should not need to be submitted. Basically what is needed is wording to mesh the "applicability" and "notice to BOH" sections. It was suggested by Ms. Coffin to remove the "higher than 75 feet" from the applicability section so that all WECS of any height must submit to the regulations, but the smaller ones will remain exempt from the ambient noise study. Mr. Andrews stated that there are parts of the regulation (noise, shadow flicker) that apply to WECS of all heights and KW. Attorney Wall then agreed that Ms. Coffin was correct in saying that the applicability needs to be amended. He felt that removing the "75 feet" from the applicability would address the DEP concern. Ms. Peterson asked Mr. Andrews how he wanted the applicability to read. He stated: *"No person shall construct or install a WECS in the Town of Bourne unless in compliance with these Regulations."* Attorney Wall pointed out that this will now be changing the adopted regulations, so they will need to be published when they are voted in. Ms. Peterson then referred to DEP's concern that the term "adverse health effects" under the notice section of the WTR is not defined, nor are "noise" or "nuisance" included in the definition section. In response to Mr. Barlow's belief that it is the DEP's opinion of what they believe are "adverse health effects" and how it may or may not include effects of noise pollution, Ms. Coffin pointed out that these words are not defined in the WTR. Ms. Peterson agreed with Ms. Coffin that the term "noise" needs to be defined, and "noise pollution" removed. Attorney Wall agreed as well, stating that the Board should consider defining "noise", "adverse health effects" and "nuisance." Ms Peterson read Ms. Coffin's suggestion for definition of "noise" as being *"unwanted or disturbing sound, or infrasound, that either interferes with normal activities such as sleeping, conversation, or disrupts or diminishes one's quality of life"*. Mr. Barlow thought this was a sufficient definition. Ms. Coffin felt that there "adverse health effect" also needs to be defined. She gave the general definition as being *"any change in body function or structures of cells that can lead to disease or health problems"*, with a more specific definition from Environmental Health Perspectives as *"the causation, promotion, facilitation and/or exacerbation of a structural and/or functional abnormality, with the implication that the abnormality produced has the potential of lowering the quality of life, contributing to a disabling illness, or leading to premature death."* Attorney Wall felt that including the basics that the Board had heard testimony/evidence on (loss of sleep, annoyance, frustration, depression, etc) may be good to include as examples of adverse health effects, along with the general definition. Ms. Peterson pointed out that those types of examples are included under the "purpose" section of the WTR. Attorney Wall stated that he felt that the DEP was concerned that "adverse health effects" was not clearly defined. Ms. Coffin pointed out, too that there is a definition of "noise pollution" instead of "noise", and the term "noise pollution" is not used in the WTR. Mr. Barlow felt that keeping the term "noise pollution" out all together and keeping "noise" would eliminate the conflict with DEP; he also liked both the "adverse health effect" definitions from Ms. Coffin, stating that the brief definition was just as all encompassing of the health effects as the longer definition. Ms. Coffin felt the two could be combined to gain the desired elements of each. Ms. Peterson

seemed to feel that an addition of the actual health effects (i.e.: *including, but not limited to, loss of sleep, frustration, depression, etc*) after a general definition. Attorney Wall felt that this type of definition would assist the Board when they are reviewing an application, to give them support to back up a refusal due to non-compliance to the WTR; it would all tie back to the definitions. Ms. Peterson moved on to the next DEP concern, the performance standards. Attorney Wall stated that he felt this was something that the Board has "grappled with" since the beginning, where to draw the limit for "noise". DEP comments indicate that they are not clear how the cap value of noise is determined (ambient noise only or ambient noise + turbine). Mr. Andrews asked if a clearer definition of "cap" was needed. Mr. Barlow felt that the Board had intended for it to be the existing ambient noise plus the additional noise of the turbine. Mr. Andrews stated that the cap was placed to "cap" the amount of ambient noise + the turbine noise. Attorney Wall asked if the Board would like him to refine the language to reflect that objective. Ms. Peterson said yes. Ms. Peterson felt the DEP had more of a problem with the nighttime cap than the daytime cap. It was felt that "cap value" should be included in the definitions as "*the value, measured in decibels, of the total of ambient noise and the noise generated by the WECS*" to eliminate confusion. In regards to the Enforcement section, it was felt that as long as all 31C references have been removed, as the proposed amendments will accomplish, the enforcement section can stand as is. Ms. Peterson asked if there were any further changes desired. Mr. Andrews felt it was mostly just adding definitions, and removing the one phrase that DEP connected to 31C despite the Board not having intent to use such authority. Ms. Peterson asked if there were any questions or comments from the audience in regards to the WTR. *John Greer* (?) of Bourne stated that he was looking at the State regulations, and found that the State has a table broken down for "sound pressure level" for both day and night for industrial, commercial and residential. Their sound pressure level for night in residential area is 37. He felt that any increments over that would be where the Board determined their acceptance to bring up to the cap. Ms. Peterson stated that the Board was not encompassing only residential areas, but any WECS that may come in front of the Board for permitting. Mr. Greer felt that the range listed in the State regs may help the Board in determining their cap. Mr. Andrews addressed Attorney Wall, asking if the Town regulations can be stricter than, but not less than, State regulations, and asked if the Board would need to re-write or if they would automatically revert to the State guidelines. Attorney Wall agreed, and said that if the State changes their regs to become stricter, the Board would need to revisit their own WTR because theirs would basically be rendered moot. He recommended that the Board periodically revisit the WTR to make sure everything is in line with the State. Ms. Peterson thanked Attorney Wall and Ms. Coffin for their work on the DEP concerns. Ms. Coffin brought up a final concern of hers under the "enforcement" section, in reference to the fines. She recommended adding the phrase "*and pursuant to the Board of Health Fine Regulation,*" which would give the Board the back up to incorporate the "all other" kind of thing. She also checked with Linda Marzelli (Town Finance Director) and any fines currently that come in go to the Town general fund. Ms. Coffin would like to look into seeing how to set up a separate fund for WECS fines accessible by the BOH for enforcement of the WTR, etc. She suggested wording such as: "*Any fines imposed under the provision of this regulation shall be turned over to the Town's Finance department to be placed into an account set up by the BOH for enforcement of this regulation.*" Ms. Peterson remembered the Board had talked about this at the beginning of the writing process, and talking to the Town Administrator about it, and he was unsure of the procedure for doing such. Mr. Barlow wasn't sure of the legality of the Board setting up such a dedicated fund without going to Town Meeting for approval. Mr. Andrews suggested looking into the process for future reference, but didn't feel it was necessary right now. Attorney Wall also said he wanted to look into it.

Ms. Peterson felt that there was sufficient attention paid to the DEP concerns, and that amongst Ms. Coffin, Attorney Wall and herself they should be able to clean it up enough to acceptable. She asked for Attorney Wall to write a letter to DEP once the revised draft is done, explaining that the concerns have been addressed and the BOH WTR no longer fall under their guidance. **She stated that no vote or action would be taken this evening, but at the next meeting on March 14, 2012, the Board will discuss and vote on the final revisions to the WTR, and they will then be advertised.**

3) Pocasset Mobile Home Park : update from Attorney Charles Sabatt on Park status

In attendance for this item were Attorney Chuck Sabatt and approximately 20 PMHP residents. Attorney Sabatt stated that inspections have been performed on a weekly basis as per the Board requirements instituted in the fall. He has been conferring with Ms. Coffin, DEP, and the AG's office every 2 weeks. He was pleased to report that there had been no septic incidents and no water incidents in the past 30 days, making it the best 30 days since he took over as receiver. He stated that he had talked with Bill Gilpin about the leaching trenches installed last spring. There is an ongoing concern that they will not hold much longer. Mr. Gilpin has suggested that there may be a need for adding more trenches in the spring as an additional temporary measure. Attorney Sabatt has broached the matter with Brian Dudley from the DEP during that last conference call, and will coordinate with DEP on this. Attorney Sabatt has also had plans prepared for additional conduits to be installed to help relieve the system; there is a bid for that, and he plans to go through with that project. Ms. Coffin explained that the pipe work would basically be off the tanks and distribution lines. There currently is not a lot of pitch in the main tank down to the leaching area, and this causes back up into the main tank and the liquid level remains over the inlet. By doing these lines, the problem should be eliminated. The lines are planned to be placed in such a way that they can be reused should the treatment plant be built. DEP has reviewed the plan and are in concurrence. Attorney Sabatt stated again that this is intended to be a temporary fix to keep things functioning adequately until the final decisions are made. In terms of the future, Attorney Sabatt stated that he has begun the work on all the options that are on the table. He has informed the residents of the options that have been proposed, and he feels he made it clear to them what needs to be done. He has had a discussion recently with Mr. Danforth from CDI, which is an organization from Western Massachusetts that assists residents with buying parks. Part of what Mr. Danforth would do involves some of Attorney Sabatt's recommendations. It is Sabatt's hope that an ultimate solution will soon be found. In summary, Attorney Sabatt reiterated that the maintenance regime has been successful over the past few months, and he has hopes of a resolution to be coming at some point in the near future. Ms. Peterson asked Attorney Sabatt when he felt the judge from Suffolk Superior would be letting him know of her decision. He stated that he didn't know, but that he was going to speak with the clerk to schedule a conference with the Judge. He felt that if he requests a conference, they will schedule one. Ms. Peterson asked if there were any questions from the Board or from the audience. There were none. Ms. Peterson asked the Board when they wanted Attorney Sabatt to come back. It was decided that he would be placed on the agenda for the second meeting in March (March 28, 2012). Attorney Sabatt felt confident that the Judge will have come back with a decision by that point. Mr. Andrews stated he was pleased with Attorney Sabatt's recent presentation to the residents, and was glad to see the open communication going for them.

4) Stable Regulations: Discussion and possible vote on amending stable regulations (increase licensing fee to \$30/year and due date of July 1st of each year)

Ms. Coffin explained that this was basically just "housekeeping". The stable regulations had been redone recently. When the fees were increased in September, she had forgotten that the fees schedule was written right into the stable regulations and would need to be amended. There had also been a change in the due date of the license to January. That due date hadn't been followed through on and the stable owners are used to the July 1st due date, so Ms. Coffin felt putting it back to July 1st would eliminate confusion.

Mr. Uitti made a motion to amend the stable fee to read \$30 and amend the due date to July 1st. Mr. Andrews seconded the motion. The motion passed unanimously.

5) Approval of Minutes dated February 8, 2012

Mr. Andrews stated that he had a couple of corrections on the Minutes. Under item 1, there was a reference to a statement by Mr. Barrett in regards to a wheel washing facility being constructed. Mr. Barrett was not in attendance at the Feb 8 meeting; the statement was actually part of his operational plan submitted to the Board. (*Feb 8 minutes were amended to read "Mr. Barrett's operational plan stated that if it were necessary a wheel washing facility could be constructed."*) Mr. Andrews' next issue was with a typographical error in the last line of item 2; the date was incorrectly typed as January 22 instead of Feb 22. (*Feb 8 minutes were amended to read "Mr. Barlow made a motion to continue 6 Quiet Cove Road to the Board's next meeting on February 22nd"*).

Mr. Andrews moved to approve the Minutes as amended for February 8, 2012. Mr. Barlow seconded the motion. Mr. Uitti and Ms. Peterson abstained because they was absent at the February 8 meeting. The Minutes were approved.

Mr. Andrews made a motion to adjourn. Mr. Barlow seconded the motion. The motion passed unanimously. The meeting adjourned at 8:15 pm.

Respectfully submitted,

Melissa A. Chase

Melissa A. Chase
Secretary

Kathleen Peterson

Kathleen Peterson

Stanley Andrews

Stanley D. Andrews

Galon Barlow

Galon Barlow

Don Uitti

Don Uitti

Carol Tinkham

cc Board of Selectmen/Town Clerk



2012 MAR 8 AM 11 26
TOWN OF BOURNE
BOARD OF HEALTH
 2624 Perry Avenue
 Buzzards Bay, MA 02532
 Phone (508) 759-0615 x1
 Fax (508) 759-0679
TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
 Health Agent

WORKSHOP NOTICE
 Board, Committee, or Commission: **BOARD OF HEALTH**

<u>Date</u>	<u>Time</u>	<u>Place</u>
March 14, 2012	5:30 pm	Board of Health Office 2 nd -Floor Bourne Town Hall 24 Perry Ave Buzzards Bay MA 02532

Workshop on NIMS 700 Training for Board members

MEETING NOTICE
 Board, Committee, or Commission: **BOARD OF HEALTH**
 Schedule of Meeting

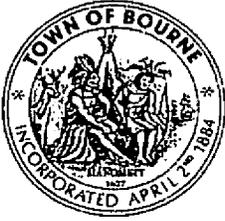
<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
March 14, 2012	7:00 pm	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) Discuss draft revisions of WindTurbine Regulations as proposed at February 22, 2012 meeting
- 2) Discuss and Vote regarding Tier III Beach designation for Gilder Road, Patiusset and Sagamore Beach
- 3) Approval of Minutes dated February 22, 2012

cc Board of Selectmen/Town Clerk

Signed: *Melisse A Chase*
 Title: Secretary
 Date: March 8, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

**MINUTES
MARCH 14, 2012**

2012 MAR 29 AM 8 49
TOWN CLERK'S OFFICE
BOURNE, MASS

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews, Vice Chairman; Don Uitti; Galon Barlow, Carol Tinkham
Support Staff in attendance: Cynthia Coffin, Health Agent; Carrie Furtek, Health Inspector; Melissa Chase, Secretary
Meeting was called to order at 7 pm by Kathy Peterson.

After calling the meeting to order, Ms. Peterson informed the audience that the members of the Board had attended a workshop at 5:30 pm to take the NIMS 700 (National Incident Management System) Training course. *This course is sponsored by the Federal Emergency Management Agency (FEMA) and is a requirement for all Board members and staff to complete.*

1) Discuss draft revisions of Wind Turbine Regulations as proposed at February 22, 2012 meeting

Ms. Peterson offered copies of the draft to anyone audience members who wanted them. Attorney Wall had left her a message stating that he had reviewed everything and thanked the office staff for "an excellent job" getting everything off to him quickly. He made some changes that are listed on his memo. Ms. Peterson stated that there would be no vote on accepting the draft as the final regulation, but asked the Board to look at it to make sure that the changes are agreeable. If the changes are acceptable, Ms. Coffin would be directed to publish the draft in the newspaper, and they will be voted into record at the March 28, 2012 meeting. Mr. Andrews "was happy" with the adjustments and corrections, and felt that Attorney Wall did a good job with some "housekeeping" (grammar corrections, alphabetizing, etc). He felt confident that the Board had accomplished what they set out to do by making the regulations. He understands that there are members of the public that may wish for other items to be addressed, but those may be addressed in the future. Ms. Peterson stated that concerns may be brought to the office at any time to be addressed. Mr. Barlow felt Town Council did a good job addressing the concerns of the DEP. Mr. Uitti had no concerns. Ms. Tinkham questioned why the "higher than 75 feet" had been removed from applicability section. She was reminded by Mr. Andrews that it was decided to remove it because the regulations were intended to be applicable to all WECS, not just those over 75 feet. There had been so many draft revisions that it got placed back in inadvertently. After the explanation, she stated that she thought the draft looked great and was happy with it. Ms. Peterson stated again that Attorney Wall had expressed thanks to the Office for the preliminary work completed before it reached him; it helped him get the changes the Board desired done quickly. She asked if there were any audience members that wanted to address the issue. *Chris Kapsambelis of Pocasset* expressed confusion as to whether the applicant would need a permit from the Board of Health, or if it was just a notification. Mr. Andrews explained that it was not a permit process, but a notification. There are certain requirements that must be submitted along with that written notification. Mr. Kapsambelis stated that he understood that, but didn't understand the purpose of the "ambient noise study"; he felt the phrase "ambient study" didn't

give any indication that they have to meet any sort of a standard. Mr. Andrews pointed out that the regulations state that the applicable industry standards must be utilized. Ms Coffin stated that the having the baseline of the ambient study in place and knowing what the cap amount is allows the Board a tool for compliance enforcement. Mr. Andrews further explained that in the notification process, the applicant would be required to show the Board what the ambient noise of the site is *prior* to development of the WECS, and they are given the maximum cap which cannot be exceeded. It is up to the applicant to do the work to make sure they can conform to the standard. Mr. Kapsambelis stated that he finally understood that the ambient noise study was to be performed prior to the installation of the WECS. Ms. Peterson asked for MS. Coffin to have the revised regulations published on the newspaper and to have the WTR on the agenda for the March 28, 2012 meeting to be voted in as the finalized regulations. No further discussion was needed on the WTR revisions.

2) Discuss and Vote regarding Tier III Beach designation for Gilder Road, Patiusset and Sagamore Beach

Ms. Coffin explained that these were 3 additional beaches that can be allowed to have Tier III status, which allows them to be tested only every 30 days. They have had good samplings for 3 years. Her only concern was-for-Patiusset. Although-it-has tested-good recently, there have been problems in the past. She has spoken to the testing agency, and it is an option for it to be tested every 14 days and still be covered by the DPH program that allocates funding to the county. Ms. Coffin stated that she believes there is going to be a new dingy dock going in at Hen's Cove. She felt there would not be a problem with Gilder Rd and Sagamore Beach with 30 day testing, but feels that it would be beneficial to have Patiusset tested every 14 days.

Mr. Barlow made a motion to accept the Tier III Beach designation for Gilder Road, Patiusset and Sagamore Beach, with 30 day testing for Gilder Road and Sagamore Beach and 14 day testing for Patiusset. Mr. Andrews seconded the motion. The motion passed unanimously.

3) Approval of Minutes dated February 22, 2012

Mr. Andrews made a motion to accept the Minutes dated February 22, 2012 as submitted. Mr. Uitti seconded the motion. Ms. Tinkham abstained because she had been absent at the meeting. The motion to accept the Minutes as submitted passed.

Mr. Andrews made a motion to adjourn. Mr. Barlow seconded the motion. The meeting was unanimously adjourned at 7:15pm.

Respectfully submitted

Melissa A. Chase
Secretary

Kathleen Peterson

Stanley Andrews

Galon Barlow

Don Uitti

Carol Tinkham

cc Board of Selectmen/Town Clerk

BOARD OF HEALTH MINUTES MARCH 14, 2012



2012 MAR 22 AM 8 52
TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Bourne, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
March 28, 2012	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Bourne, MA 02532

AGENDA ITEMS:

- 1) Monument Beach Marina: DNR Director Tim Mullen: Request for variances for septic upgrade for Monument Beach Marina
- 2) Cape Cod Regional Tobacco Control Program (CCRTCP): Bob Collett: Discussion of tobacco issues and possible amendments to current tobacco regulations
- 3) Pocasset Mobile Home Park: Attorney Chuck Sabatt: Update on Park status
- 4) Wind Turbine Regulations—Discuss and vote on revised draft
- 5) Approval of Minutes dated March 14, 2012

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: March 22, 2012



**TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue**

2012 MAR 26 Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

**TOWN CLERK'S OFFICE
BOURNE, MASS**

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

**Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting**

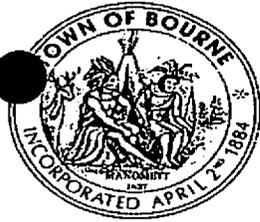
<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
March 28, 2012	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) **Monument Beach Marina: DNR Director Tim Mullen: Request for variances for septic upgrade for Monument Beach Marina**
- 2) **Cape Cod Regional Tobacco Control Program (CCRTCP): Bob Collett: Discussion of tobacco issues and possible amendments to current tobacco regulations**
- 3) **Wind Turbine Regulations—Discuss and vote on revised draft**
- 4) **Approval of Minutes dated March 14, 2012**
- 5) **Pocasset Mobile Home Park: Attorney Chuck Sabatt: Update on Park status
~Possible Executive Session concerning issues related to PMHP litigation strategy**

cc Board of Selectmen/Town Clerk

Signed: *Melissa Chase*
Title: Secretary
Date: March 22, 2012



Cynthia A. Coffin,
Health Agent

**TOWN OF BOURNE
BOARD OF HEALTH**

2012 APR 26 AM 8:25
1 Perry Avenue
Buzzards Bay, MA 02532

TOWN CLERK'S OFFICE (508) 759-0615 x1
BOURNE, MASS Fax (508) 759-0679



**MINUTES
MARCH 28, 2012**

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews, Vice-Chairman; Galon Barlow; Carol Tinkham

Absent: Don Uitti

Support Staff in attendance: Cynthia Coffin, Health Agent; Melissa Chase, Secretary

Absent: Carrie Furtek, Health Inspector

Meeting was called to order at 7 pm.

1) Monument Beach Marina: DNR Director Tim Mullen: Request for variances for septic upgrade for Monument Beach Marina

Present for this item were Bourne DNR Director Tim Mullen and Brian Yergatian of BSC Engineering.

Mr. Mullen stated that the septic upgrade is part of the reconfiguration permit that was applied for a few years ago that got approved last year. This is the first phase of the work to be done. Funding was approved in an Article at Town Meeting in the spring of 2011. Mr. Yergatian gave a brief overview of the system. The proposed system is based on Title V design flows: 99 slips, 20 restaurant seats, and public access at 5 gallons/day per parking space= total design flow of 2080 gallons/day. The proposed system will be outside of the resource areas (the current system is within a coastal dune). The system itself is an Innovative Alternative (IA) which includes a recirculating sand filter with proprietary parts by Orenko Systems. Basically, it is a 5:1 recirculation. Mr. Yergatian explained that when effluent comes in, it will go into a 7000 gallon tank. From there, it will go into a 2000 gallon recirculation tank and be pumped up into a sand filter bed. The bed is a completely closed system approximately 30 inches high with sand and pea stone with an impermeable liner around it; effluent trickles down through the bed, is treated and will be collected in an underdrain and routed back to the recirculation tank. This will happen 5 times before it is transferred into the 3000 gallon pump chamber. From that point, effluent will be discharged by pressure dosing into the proposed leaching field, which will be raised up 36-40 inches above the existing grade. He requested variances of the local 150 foot setback requirements: 99 feet from the coastal dune (bringing it down to 51 feet); 58 feet from the shallow fresh water marsh (bringing it down to 92 feet); and 57 feet from the coastal beach (bring it down to 93 feet). Mr. Barlow asked if it was by mechanical or electronic means that the system "knew" the effluent had circulated 5 times. Mr. Yergatian stated that it was mechanical, by means of a ball valve float that blocks the flow back to the tank when the level is at a certain amount. Ms. Peterson asked what happens if the mechanism breaks down or malfunctions, if will there be a

program in place for it to be regularly checked and maintained. Mr. Yergatian stated that that is most definitely an option. There are pumps involved and there are high water alarms. The system itself requires very little maintenance, which is an advantage of the system. Mr. Andrews asked if there was an alarm light for the system, an indicator light for when the system is off. Mr. Yergatian stated that there are both audible and visual alarms, but he would look into the type of alarm the Mr. Andrews was requesting. Ms. Peterson asked Mr. Mullen if he would be able to write in a visual check of the alarm system into his daily protocol with his department. Mr. Mullen said that, particularly in season (May-Nov), there is someone out there 7 days a week and they need to regularly check the gasoline monitoring system, so it can easily be worked in to the routine. Ms. Peterson requested for that to be actually written into the daily protocol checklist, and a copy of that to be sent to the office to have on record. Audience member *Mort Toomey* asked Mr. Yergatian for the average flow per day; Mr. Yergatian stated 2080 gallons/day. Mr. Toomey asked any particular wastewater treatment plant needed to operate it. Ms. Coffin stated that there will be a wastewater operator contracted for the recirculating sand filter, as the State requires for system maintenance, but it is not considered a wastewater treatment plant because it is less than 10,000 gallons/day. Mr. Toomey asked where the system backwash goes. Mr. Yergatian explained that there is no backwash as there would be in a typical in a water/waste water treatment plant, but after the effluent trickles down, it is collected by a slotted PVC pipe which is routed back into the recirculation tank 5 times before it is discharged into the leaching field.

Mr. Barlow made a motion to approve the requested variances of local requirements of 150 setback by DNR director Tim Mullen for the septic upgrade at the Monument Beach Marina as follows: variance of 99 ft from the coastal dune; variance of 58 ft from the shallow fresh water marsh; and variance of 57 ft from the coastal beach. Plans are drawn and submitted by BSC Engineering, received by the office March 22, 2012. Additionally, the Board requests the institution of the Board's standard testing policy for Alternative systems. Mr. Andrews seconded the motion. The motion passed unanimously.

**2) Cape Cod Regional Tobacco Control Program (CCRTCP): Bob Collett:
Discussion of tobacco issues and possible amendments to current tobacco regulations**

Present for this item were Bob Collett from the Barnstable County Dept of Health & Environment and CCRTCP; and Judith Coykendall with the Tobacco Free Community Partnership of Seven Hills Behavioral Health, working with 59 communities in Southeastern Massachusetts to assist with policy development. Mr. Collett came before the Board to touch base since it has been some time since he had spoken with them. He stated that his primary focus this year has been policy development at local communities across the Cape, and the program has expanded up to Kingston, Middleboro, Carver, Acushnet, Marion, Rochester and Wareham. He wanted to share with the Board a model regulation (Wareham's regulation) that many of the local communities have adopted or are considering adopting, either in whole or in part, to amend their own regulations. If the Bourne BOH were to adopt these regulations, it would represent some significant changes to the local youth access to tobacco. He stated that the last time that Board revisited the regulations was a couple years ago with the addition of the amendment concerning the use of electronic cigarettes. One of the particular regulations that Mr. Collett was sharing with the Board addresses not only the *use* of, but also the *sale* of electronic cigarettes, which is now "fairly rampant" in some areas. The cost of e-cigarettes has dropped significantly from \$60-80 to \$10-20. Some retailers don't ask for identification for the sale of the e-cigarette, even though they are a nicotine delivery product. He pointed out that the Wareham regulation has a definition of Nicotine Delivery Product (NDP) (*Nicotine Delivery Product: Any article or product made wholly or in part of a tobacco substitute or otherwise containing nicotine that is expected or intended for human consumption, but*

not including a tobacco substitute prescribed by a licensed physician or a product that has been approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Nicotine Delivery Product includes, but is not limited to, e-cigarettes.) There are a variety of new products on the market that fall under the definition of NDP, including dissolvable nicotine products that look like candy (Altoids, Tic-Tacs) that can easily be mistaken as such, making them fairly undetectable in a school setting. There is also a high potential for overdose because they taste pretty good and are taken at will. There are also little packets like chewing tobacco, but that do not cause the salivation effect like traditional chewing tobacco so it can be stuck in the mouth undetected; there are also nicotine gels. Mr. Collett stated that another of the big changes calls for the prohibition of all tobacco products in health care institutions, to include pharmacies. This prohibition has been done in 26 communities across the state, including Boston, Worcester, Springfield, Fall River and New Bedford, constituting about 50% of the statewide population. He stated that the reasoning for this is that a pharmacy is a place where people go to obtain products/medications to improve health, and it is an obvious contradiction to walk past a wall of tobacco products on the way back to the medication counter. He says it is highly supported by the professional organizations of pharmacists across the US, and certainly across the state of MA, and has been met with no resistance to date in any of the communities that have adopted or considered adopting this regulation. This would prevent the sale of tobacco products in any store that has a pharmacy in it, including stores like Wal-Mart. Ms. Coffin asked Mr. Collett if BOH regulations are passed if it goes to the Attorney General's office to see if it is legal, as regulations passed in Town Meeting do. He said San Francisco was the first municipality in the US to pass this sort of regulation. There was a legal challenge, and it was defeated so the precedent has been set. Ms. Coffin stated that she understands the goal of the regulation, but feels that it kind of steps outside of what the BOH job should be. Ms. Peterson agreed, saying that business is hard enough, and she would want representatives from all the stores that would be affected (Wal-Mart, CVS, etc) to come to a public meeting and tell her that they don't have a problem with it. She stated that she has no problem with the "don't sell them to a minor"- period- end of story. She felt that immediate loss of license for being caught selling tobacco products to a minor was not a problem for her. Ms Coykendall stated that the argument has come up a lot, and no pharmacy has stepped forward ever. Ms. Peterson asked why they agree to sell them. Ms. Coykendall stated that basically, pharmacies do not want to sell them, but they do not want to insult their smoking customers and lose their business. A regulation that is put in place takes the onus off of them because they are just following the regulations. Many pharmacies are becoming mini-medical centers, offering minor health care services, and should be considered "health care institutions", meaning they should fall under that heading in the regulations. Mr. Barlow felt that the Board needed to know how many businesses would be affected by this regulation. He also felt it should be submitted to Town Counsel for review. Ms. Coffin stated that there are 2 pharmacies in town with a 3rd coming into the new Market Basket. Mr. Collett stated that the only one that sells tobacco right now is CVS. Ms. Coykendall stated that she has not seen tobacco products in any of the Market Baskets that she has seen. Ms. Peterson again stated that she would like public input on the matter, as well as Town Counsel review. Mr. Collett stated that, nationally, the sale of

tobacco products in pharmacies constitutes less than ½ of 1% of their profits. Ms. Peterson said she would like to see the Board institute a policy of immediate loss of license for 30 days to any retailer that sells to a minor; no warnings, just immediate loss for 30 days. Mr. Collett stated that only 2 countries in the world allow tobacco sales in pharmacies: the US and India. He acknowledged that it was a topic with divided opinions, but reiterated that it has met no resistance in communities that have instituted the change. Ms. Coffin asked how the regulations that Mr. Collett shared with the Board compare to the current ones. He said that it tweaks some of the definitions and wording, but does not contain anything about the burgeoning business of the "roll your own" machines that are becoming available to retailers. Businesses that purchase the approx. \$30,000 machine obtain a right to exclusivity within a 3-5 mile radius that would exclude another purchase of a machine within that range. Consumers buy a bag of tobacco, and have a carton of cigarettes rolled for about \$30 or less, as opposed to \$70-80 of name brand cigarettes. He strongly advises adopting language specific to this as quickly as possible into the regulations, banning the machines. Ms. Coffin felt that even if it was not outlawed, there would most definitely need to be huge limited access restrictions. Mr. Collett stated that the owner of the machine could be required to be the sole operator of the machine, which would slow down the process. Mr. Barlow asked for clarification as to whether Mr. Collett was basically asking the Board to ban the sale of tobacco/NDP in pharmacies or everywhere. He said just in pharmacies because they fall under the definition of health care institutions. Mr. Barlow felt it was discriminatory against pharmacies, and felt that Town Council would really need to be consulted. Ms. Peterson said she would like the Board to compare Bourne's regs to the provided Wareham regs, highlight changes and incorporate them into an amended regulation, including some restrictions on cigarette rolling machines. She also wanted the fine/loss of license for sale of tobacco products to minors to be made stricter. She invited Mr. Collett and Ms. Coykendall to return when the regs are drafted to look and comment before they are voted on. Ms. Coykendall stated that there was a concern of a tax evasion issue around the rolling machines because neither the consumer nor the vendors are paying a cigarette tax. Ms. Peterson said that she didn't feel that the Board would adopt the ban in pharmacies. Ms. Coffin asked if it was actually enforceable to pull a license for 30 days. Mr. Collett said "absolutely". Mr. Andrews asked for a comparison of the 2 regs. Mr. Barlow said he would like to see a requirement of a sign posting that the offender lost their license for 30 days for selling to a minor. Mr. Collett stated that the state has reduced the amount of required compliance checks to half of the retailers, so some towns aren't getting any checks, some are getting partial, and some of the new towns are full checks. The compliance rate has been high; non-compliance has only been at 7.8 over the past two to three years across the state. The DPH felt that spending more effort in the retail environment, educating the retailers, making sure they have the required signage, product is behind the counter. He stated that there are many products now on the market that are inexpensive, undetectable and, because the cigarette market has outpriced the youth market, these less expensive NDP are becoming more prevalent among youth. Small cigars and blunt wraps are being utilized for marijuana use (tobacco removed and replaced with marijuana). Ms. Coykendall said that these flavored wraps are specifically targeting the youth market. Ms. Coffin asked if these products also have to be behind the counter. Affirmative response, so these product sales have to show ID as well. Ms. Peterson asked if perhaps Mr. Collett and Ms. Coykendall would come back

to review the Board's changes to the regulations at the second meeting in May (May 23, 2012) before the Board may take a vote on them. Mr. Mulvey asked if there was a pattern of the by-law to go by (affirmative). He also asked if Barnstable had developed their own regulations yet. Mr. Collett said both Barnstable and Yarmouth have regulations in the works, and that the pharmacy ban is at the top of their changes.

3) Wind Turbine Regulations—Discuss and vote on revised draft

There were no audience members in attendance in regards to this item. Ms. Peterson asked for a vote on the regulations as they have been presented.

Mr. Andrews moved to adopt the revised WECS regulations. Mr. Barlow seconded the motion. The motion passed unanimously.

Ms. Peterson thanked the Board, the Office and Town Counsel for all their work on the regulations; and stated that they are now on the books and are now enforceable. Copies are available through the office.

4) Approval of Minutes dated March 14, 2012

Mr. Andrews moved to accept the Minutes dated March 14, 2012 as presented. Mr. Barlow seconded the motion. The motion passed unanimously.

**5) Pocasset Mobile Home Park: Attorney Chuck Sabatt: Update on Park status
~Possible Executive Session concerning issues related to PMHP litigation strategy**

In attendance for this item were Attorney Chuck Sabatt and 12+ Park residents. Attorney Sabatt stated he would like to divide his report into 2 parts: one concerning the current status of the Park; the other concerning the status of the Court proceedings. In respect to the Park, the last time Sabatt was before the Board, he had stated how pleased he was to report that there had been no issues during that 30-day reporting period. There have now been several backups, mostly due to encroachment of roots into older lines. The areas have been excavated and old lines replaced with PVC. The other septic issue relates to the leaching fields. It has been reported to Sabatt by Mr. Gilpin that the D-Box at a level above invert pipe, which indicates that the leaching tanks are reaching capacity. Gilpin has recommended installing additional relief tanks in the area. Sabatt has approached this with DEP. The plan is to have Mr. Gilpin and Attorney Sabatt, along with Ms. Coffin, and hopefully Brian Dudley of DEP and Brian Yergatian of BSC, meet on site sometime after Monday the 9th to discuss again some further relief in the leaching field areas without further permitting through DEP. Sabatt feels that the DEP will approve it. As to the court proceedings, Sabatt had a conference with the judge on March 21st, along with Mr. Austin's attorney and a representative from the Attorney General's Office. He was unable to go into specifics because of the legality of doing so, but generally stated that he has given his recommendation to the judge as to the best option for moving forward with a resolution to the "Park issue". His sense is that the Court is willing to move in the direction he recommends. There is a process that has to be taken, and Mr. Austin, regardless of public opinion, does have the same legal rights as anyone else. They are in some uncharted legal territory at this point, and they need to move carefully. The Attorney General's office has a motion being served to Mr. Austin's attorney and will be presented to the Court. It relates to financial matters and is part of the process. It is trying to get a handle on some financial resources, through which they may be able to move forward to resolution. The feasibility report that has been filed by Sabatt had not, at this point, been docketed at the Court. *(note: the Office had received email notification from Tracey Triplett at the AG's office that the feasibility study was now public record and could be*

given out). The issue in all of this is money. No matter what the outcome, finances are needed. If the Park closes, state law requires a 2-year notification of residents; tenants/residents must be either bought out at the appraised value of the unit or paid relocation costs. If the Park is left open and the treatment plant is built, the price tag is somewhat staggering. So, the issue is money and where to get it from. Sabatt has presented options to the Court, and has made his recommendations. The legal process has to be followed, which is complex. There must also be a practical process of implementing the options laid out. Sabatt felt it was his feeling that he and the Court recognizes that the Park is a place where people live, and they just can't say they will close it and be done with it. He feels they have to implement a resolution and be able to continue to provide housing for the people that live there. He felt all that he could do right now was to continue to remediate problems to the best of his ability and continue to maintain the financial integrity of the operation as best he can so that the resources will remain available as issues arise. Sabatt feels he is doing a good job of keeping up with the repairs as they come up. He stated that he is headed back to Court on April 10th for another conference with the Judge. An opportunity was given to Mr. Austin's attorney to consult with Austin in regards to the options that are on the table for moving forward. Attorney Sabatt asked for any questions. *Mort Toomey* asked what caused 3 pipes to fail at once. Ms. Coffin explained that the biggest problem that has been an ongoing battle is root intrusion into the old pipes. The repairs that are being done meet Title V code. Attorney Sabatt feels that the mild winter and early spring may be contributing to the growth all at once. Ms. Coffin stated that the D-box in question is not the main box in the field itself, so it isn't quite a panic situation, but feels that it is good to be proactive. There are still 7 or 8 dry pits. *Charlie MacDonald of 4th Ave* asked if the filed documents were in regards to the Court injunction that was done 10 months ago against Charlie Austin. Sabatt explained that it was the feasibility study, and that he had asked for it not to be made public until the Judge had a chance to look it over and until he had an opportunity to speak with the residents. As of March 21, it was agreed that it could be made public. The injunction that Mr. MacDonald was referring to is the injunction that placed Attorney Sabatt into receivership of the Park. *Diana Barth of the Enterprise* asked if there was a separate issue between the septic system (which was the original reason the AG's intervened) and the roads and electricity and other issues. She wondered if some parts were going to be easier to resolve and fund. Sabatt stated that it was all together on one price tag. *Jim Mulvey* stated that he would like to see a chart with figures of estimates of what it would take to fix the infrastructure, as well as what the income projections for the Park might be. Sabatt stated that all of that information is in the feasibility report, including a plan of allowing the residents to purchase the Park with the requirement of building the wastewater treatment plant. *Joe Pacheco of 5th Ave* asked if Attorney Sabatt had any plans to meet with the residents again. Sabatt stated that he was planning to meet with the residents on the 14th of April, which would be after his conference with the Judge.

Attorney Sabatt at this time withdrew his request to enter into Executive Session, and would like to reconsider it for the after his meeting on April 10. He originally wanted to provide the Board with more specific information as to where he felt they were standing, but after some consideration, felt it would be best to postpone that information until after the next meeting with the Judge, allowing him to talk to the AG's Office as well. Ms. Peterson expressed some displeasure with his request to withdraw. Mr. Barlow stated that he didn't want to see Attorney Sabatt's argument to the Court deteriorate because of information being given to the Board, and would rather wait. Sabatt agreed, saying that he didn't want to prejudice anything. He did reassure the Board and the residents that the Judge is very much on top of the issues. Mr. Andrews asked for clarification as to the availability of the Feasibility Report to the public. Sabatt stated that it should have been in the file. Ms. Coffin stated that she had received email confirmation from Tracey Triplett that the document was released for public viewing. *Park resident Robin Harris* stated that she had already received an emailed report from Tracey Triplett. Ms. Peterson asked Attorney Sabatt to send a letter to the Office stating why he withdrew his request for executive session so that the office will have it on file. Ms. Coffin asked when Attorney Sabatt would like to be on the Agenda again after his April 10 meeting. He requested to be on the April 25, 2012 Agenda to give him time to discuss other issues with Mr. Gilpin. He apologized again for withdrawing his request. Mr. Barlow commended Attorney Sabatt for his hard work at

trying to resolve the issues at the Park. There were no further questions or discussion on this item at this time.

Mr. Andrews moved to adjourn. Mr. Barlow seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:09 pm.

Respectfully submitted

Melissa A Chase

Melissa A. Chase
Secretary

Kathleen Peterson

Kathleen Peterson

Stanley Andrews

Stanley D. Andrews

Galon Barlow

Galon Barlow

Don Uitti

Carol Tinkham

Carol P Tinkham

cc Board of Selectmen/Town Clerk

**TOWN OF BOURNE
BOARD OF HEALTH
BOURNE, MASSACHUSETTS**

2012 APR 10 PM 12 59

WIND ENERGY CONVERSION SYSTEM REGULATIONS
TOWN CLERK'S OFFICE

BOURNE, MASS. The Bourne Board of Health held multiple public hearings during the winter, spring and summer of 2011 on the subject of possible adverse health effects caused by wind turbines. After receiving a substantial amount of testimony and documentation from interested members of the public, the Board determined that there can be adverse health risks associated with wind turbines including, but not limited to, noise and shadow flicker. In addition, the Board determined that the fluids and substances used in wind turbines/wind energy conversion systems can present a threat to public health and safety if not properly regulated. Further, the catastrophic failure or abandonment of wind turbines may present adverse effects to public health and safety.

Wherefore, acting pursuant to Massachusetts General Laws Chapter 111, Sections 31 and 122 the Board determined that reasonable regulations should be adopted for the protection of the public health and safety of the residents of Bourne and, on August 10, 2011, voted to adopt these regulations regarding wind energy conversion systems (WECS). On March 14, 2012, the Board further voted to amend the Wind Energy Conversion Systems (WECS) regulations so that they provide as follows:

1. Purpose

The purpose of these Regulations is to protect the public from adverse health effects and nuisances that can be associated with WECS. Chronic or repeated exposure to excessive noise is recognized by public health experts as a hazard to both physical and mental health. In addition to being an annoyance, it may cause a number of ailments including emotional stress, fatigue, high blood pressure and, at high levels, hearing loss. The Bourne Board of Health declares excessive noise and flicker a nuisance.

Recognizing that people have a right to and should be ensured an environment free from excessive sound, vibration, shadow flicker and catastrophic failures of these systems capable of jeopardizing their health, safety or welfare or of degrading their quality of life, this regulation is enacted to protect, preserve and promote the health, safety, welfare and quality of life for the citizens of Bourne. Present state and local regulations are in the opinion of the Board inadequate to protect the residents of Bourne from the unique health risks associated with WECS. The Board therefore, after numerous public hearings and due consideration, hereby adopts the following regulations.

2. Applicability

No person shall construct or install a WECS in the Town of Bourne unless in compliance with these Regulations.

3. Definitions

Abandonment: A WECS shall be considered abandoned if not operated for 365 consecutive days.

Adverse Health Effects: Any change in body function or the structure of cells that can lead to disease or health problems. Adverse Health Effects include, but are not limited to, sleep disturbance, temporary or permanent hearing loss, dizziness, and anxiety.

Aerodynamic Amplitude Modulation (AAM): As related to wind turbines is the sound pressure from aerodynamic action of the turbine blades. This sound is sometimes distinguished as a swishing noise or thumping. AAM noise is characterized by the fluctuation in sound amplitude (rotational speed of the hub multiplied by the number of blades).

Cap Value: The value, measured in decibels, of the total amount of ambient noise plus the noise generated by a WECS.

Daytime: The period between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, except holidays observed by the Town of Bourne.

Height: The highest point reached at any time by any part of the WECS.

Infrasound: infrasound is sound that is lower in frequency than 20 Hz (Hertz) or cycles per second, the "normal" limit of human hearing.

Nighttime: The hours between 7:00 p.m. and 7:00 a.m. on weekdays, together with all hours on Saturday, Sunday, and holidays observed by the Town of Bourne.

Noise: Unwanted or disturbing sound, or infrasound, that either interferes with normal activities such as sleeping and conversation, or disrupts or diminishes one's quality of life.

Wind Energy Conversion System ("WECS"): All equipment, machinery and structures utilized in connection with the conversion of wind to other forms of energy.

Shadow Flicker: The effect of the sun being blocked by an object that is in motion, casting a shadow that is intermittent.

4. Notice to Board of Health

Any person who intends to construct or install a WECS must first provide written notice to the Board of Health. The notice must be accompanied by adequate information

for the Board to review the potential that the WECS has for causing adverse health effects and shall include, at a minimum, the following:

- Basic information about the applicant, including the history/experience of applicant in relation to wind turbines;
- An existing conditions plan;
- Land uses of properties abutting the site of the proposed WECS;
- Manufacturer's specifications;
- Manufacturer's operation and safety manuals;
- Abandonment plan/Decommissioning plan;
- Security plan;
- Emergency contact plan;
- Ambient Noise Study – to be performed by a qualified engineer that is in the business of sound engineering and containing a certification that the study was performed utilizing applicable industry standards and procedures. No ambient noise study is required for WECS with the capacity of less than 10 KW or less than 75 feet in height, whether commercial or private use WECS. A copy of a concurrent application to another regulatory board or authority may be submitted in order to decrease duplicity of requirements.

5. Performance Standards

A WECS shall comply with the following performance standards.

A. Noise.

Daytime: The noise generated by a WECS shall not exceed 6 dB(A) above ambient or and with a cap value of 65 dB(A) at the closest property line. The Board may allow a greater dB(A) where the applicant has demonstrated proven at a public meeting no inhabitants will be adversely affected.

Nighttime: The noise-generated-by-a-WECS-shall not exceed 6 dB(A)-above ambient and with a cap value of 40 dB(A) at the closest property line. The Board may allow a greater cap value of 65 dB(A) where the applicant has proven at a public meeting no inhabitants will be adversely affected.

B. Modulation.

The amplitude modulated noise measurable in overall A-weighted sound pressure level shall not exceed 4 dB peak to trough at the closest property line. A higher AAM may occur only if the applicant has demonstrated to the Board of Health that no inhabitants will be adversely affected.

C. Shadow Flicker

Shadow flicker shall not extend beyond the lot lines of the property upon which the WECS is located. A variance may be obtained to allow shadow flicker to extend beyond the lot lines as provided for in the section on Variances. A shadow flicker of 3 to 60 hertz shall never be allowed. Shadow flicker shall not create a nuisance.

D. Abandonment

Whenever a WECS is abandoned as defined by these Regulations, all fluids and hazardous materials shall be removed within 30 days. An owner of a WECS that is shut down for maintenance or mechanical failure for more than 30 days must notify the Board and may be required to appear before the Board of Health to provide information regarding the reasons for the prolonged shutdown.

E. Emergency Access

The Board shall have a Knox box available, model to be determined at a public meeting, at the gate with an emergency shutdown switch to deactivate the WECS in the case of an emergency. This device shall also be available for other safety personnel as required. Training manuals and sessions are to be provided prior to activation for emergency personnel, Board of Health Agent, Fire and Police.

All turbines located in the Town of Bourne must have a ten (10) foot chain link fence with barbed wire around the base of turbine or provide the Board with sufficient facts that the WECS cannot be accessed by personnel not authorized.

F. Security

The Board may require the posting of security in the form of a proper bond, deposit of monies or other security sufficient in the opinion of the Board to secure decommissioning or to remediate health concerns. Security that is required by another Town Board or authority may be utilized to satisfy this requirement if the Board of Health has direct, unencumbered access to the security and the amount is deemed adequate by the Board.

6. Variances

Any applicant may request a variance from these Regulations. Such a request must be in writing. The Board may grant a variance from the provisions of these Regulations if the applicant demonstrates to the Board's reasonable satisfaction that there will be no nuisance created that will affect any property within three times (3X) the radius of the height of the WECS.

A variance request must be in writing and include sufficient information for the Board to determine that no nuisance will be created as described above.

7. Enforcement

The Board of Health or its agent shall enforce these Regulations. The Board may issue enforcement orders requiring compliance with these Regulations. In the event of noncompliance with an enforcement order, the Board may seek and obtain injunctive orders in Superior Court restraining violations of these Regulations. The Board may levy fines upon any individual who violates the provisions of these Regulations.

Whoever violates any provision of these Regulations may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D, and pursuant to the Board of Health Fine Regulation.. Alternatively, the Board may levy fines and collect same by filing a criminal complaint in District Court.

Any fines imposed under the provisions of this bylaw shall inure to the Town of Bourne for such use as the Town may direct.

8. Severability

If any provision of these regulations is deemed invalid, the remaining provisions shall remain in effect.



TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

2012 APR 19 AM 10 44
TOWN CLERK'S OFFICE
BOURNE, MASS

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date: April 25, 2012

Time:
7:00 P.M.

Place:
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. 35 Park Street – Don Bracken for Jack and Ann Wood- Request a variance
2. 45-47 Cove Lane - Request to extend variance, originally granted April 27, 2011.
3. Ron Suchecki - Hoot systems, LLC- Request to approve new alternative technology, for piloting
4. Pocasset Mobile Home Park – Update on status of PMHP by receiver, attorney Chuck Sabatt
5. Approval of Minutes – March 28, 2012

cc Board of Selectmen/Town Clerk

Signed: *Carm Jentes*
Title: Health Inspector
Date: April 19, 2012



**TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue**

2012 APR 20 AM 11:17
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

**TOWN CLERK'S OFFICE
BOURNE, MASS**

Cynthia A. Coffin,
Health Agent

**AMENDED
MEETING NOTICE**

**Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting**

Date: April 25, 2012

Time:

7:00 P.M.

Place:

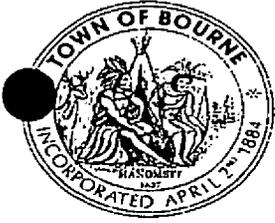
**Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532**

AGENDA ITEMS:

- 1. Dan Barrett- ISWM- Discuss and vote on hiring of engineer to review alternative energy RFP's**
- 2. Dan Barrett- ISWM- update on COVANTA**
- 3. 35 Park Street – Don Bracken for Jack and Ann Wood- Request a variance**
- 4. 45-47 Cove Lane - Request to extend variance, originally granted April 27, 2011.**
- 5. Ron Suchecki - Hoot systems, LLC- Request to approve new alternative technology, for piloting**
- 6. Pocasset Mobile Home Park – Update on status of PMHP by receiver, attorney Chuck Sabatt**
- 7. Approval of Minutes – March 28, 2012**

cc Board of Selectmen/Town Clerk

Signed: *Carrie Fintot*
Title: Health Inspector
Date: *April 20, 2012*



TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532 AM 10 15
Phone (508) 759-0615 x1
Fax (508) 759-0679
TOWN CLERK'S OFFICE
BOURNE, MASS



Cynthia A. Coffin,
Health Agent

MINUTES

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews, Vice-Chairman; Galon Barlow; Carol Tinkham
Absent: Don Uitti

Support Staff in attendance: Carrie Furtek, Health Inspector; Melissa Chase, Secretary
Absent: Cynthia Coffin, Health Agent

Meeting was called to order at 7 pm.

1. Dan Barrett- ISWM- Discuss and vote on hiring of engineer to review alternative energy RFP's

Chairman Peterson began the meeting by stating that she had asked Town Manager Tom Guerino to provide the BOH with a letter stating that it was ok for the Board to enter into and vote for an engineer without approval from the Board of Selectmen. He gave verbal confirmation that it was perfectly legal, but written confirmation had not yet been received by the office. The Board proceeded on the verbal confirmation, and the secretary was asked to remind Mr. Guerino that a letter is requested to be placed in the file. Mr. Barrett apologized to the Board for the delay in getting the information about the process to them. He handed out to the Board the request for quotes that was sent out to each of the engineers they had scoped out; they waited for letters from interested parties. They did not pick any of the "usual suspects" because they surveyed people that were specialists in odor, as that is a major concern in any work done out at the site. Three candidates were chosen and approached for availability and interest. The process has 2 stages (*outlined in the scanned document following; this evening's vote on an engineer would be for Stage One*) A strong preference was given towards people who have experience with odor, odor mapping and air quality testing, as well as landfill operational experience. The three candidates were chosen right away. The first was SCS, whom ISWM has worked with before and is looking to work with again because they do a lot of landfill gas management. The second was TechEnvironmental, which was recommended by the emissions monitoring group TetraTech. They have an extensive resume in odor control and they are also solid waste people. The third was TRC out of Connecticut. At

this point, SCS and TRC are unavailable. TechEnvironmental is willing and available. This choice would take care of Stage 1. The chosen engineer works as part of a group which includes the working group, ISWM and the BOH, but they are working for the BOH, and it has been made clear that they are to look from the BOH viewpoint. At Stage 2 (*outlined in the scanned document following*), the BOH is in charge and the working group/ISWM becomes the proponent. At that point, the BOH can stick with the chosen engineer for familiarity or change to another contractor of their choice. This is why ISWM went neutral with the engineer choices and went outside the usual choices. Ms. Peterson asked Mr. Barrett if he had looked into legal counsel as to how that contractor will be picked. Mr. Barrett confirmed that he has looked into counsel. That decision is still a ways down the road so it is a bit premature to engage counsel, but he assured the Board he has looked into it so the Board will have proper and good representation. He stated that there are a lot of good law firms that specialize in this type of work. Mr. Barlow stated that the Board may want a different engineer once the RFPs are received; he felt it is hard to pick an engineer for a project when the project isn't even known yet. Mr. Barrett stated that he felt that the Board's scope of review would be pretty much the same no matter the final project. Mr. Barrett stated that 6 RFPs were received; 3 were disqualified. Two of the 3 were accepted were leachate treatment. The third was Harvest Power, which is the only comprehensive of the 3: they would take the leachate, the landfill gas, and will develop an anaerobic digester. All 3 RFPs are well written and easy to get through. They are concise and to the point. The 2 leachate are pretty straight forward; the Harvest Power is a bit more complicated because of the integration. He felt that any engineer chosen would be able to handle all of the tasks. Ms. Peterson asked if the engineer chosen at this meeting would only be for the initial review of the RFPs; Mr. Barrett confirmed that it would be just for the initial review. Ms. Peterson stated that, for the initial review, she felt that TechEnvironmental, having passed Mr. Barrett's review, would be acceptable. She also feels that working with TechEnvironmental would give the Board a feel for what they are looking for in an engineer for the final project. Mr. Barlow stated that the Board should get all the information that the engineer is getting as far as project plans, ideas, etc. so that they are well informed before they have meetings with the engineer. Mr. Barrett said that the Board would get those things before the engineer does. Mr. Andrews asked for affirmation that this was an environmental consultant for Stage One only, not Stage Two at all. Mr. Barrett confirmed. Mr. Andrews asked if, at Stage Two, the Board was going to have write specifications of what they are looking for to be posted out there. Mr. Barrett stated that the working group could assist with the writing of that posting, but just could not be involved in the review and hiring of anyone that responds. Ms. Peterson expressed interest in having some Town representation, as well as some representation from the County level, present at meetings to be part of the questioning process; even if they have no power to vote, there may be some other valuable viewpoints. This project is not going to affect just Bourne, but rather the entire local area, and she doesn't want it to be solely the decision of the local BOH without input from members outside the Board, even though it is ultimately the BOH decision. Mr. Barrett asked for the Board's permission to approach the County (new waste water management person), and he would leave the Town people up to the Board. Ms. Peterson felt that another project of this size would not be happening in Barnstable County any time soon; she feels that it would be very informative for the new person in that position,

as well as helping the Board with access to resources that might not be available to them otherwise. Mr. Andrews felt that the proposed schedule was a bit tight. Mr. Barrett felt that there were fewer proposals than expected, but the schedule could be adjusted as needed.

Mr. Barlow moved to approve TechEnvironmental as the engineer consultant for the Stage One RFP review, based upon Mr. Barrett's recommendation. Mr. Andrews seconded the motion. The motion passed.

(Mr. Barrett stated that the RFPs in 3-ring binders would be delivered to the office for distribution; Ms. Peterson requested 3 copies for herself)

It was also discussed that the first meeting with TechEnvironmental should be held at the Landfill so that Board can visualize the plan with the consultant and start off on the same page. The meeting will be publically posted by the office.

(the following is a scanned copy of the information handed out by Mr. Barrett to the Board and was referred to several times during the meeting)

April 24, 2012

**Request for Quotes to Provide Consulting Services to the
Town of Bourne Board of Health**

Introduction

The Town of Bourne (the Town) acting through its Department of Integrated Solid Waste Management (ISWM), recently issued RFPs and received proposals for installation of waste management equipment and/or facilities on property owned by the Town, where activities are subject to the terms and conditions of a site assignment issued by the Bourne Board of Health (BOH). The process of developing the RFPs was deliberative and was led by an internal Working Group comprised of representatives from the Board of Selectmen, Board of Health, Finance Committee, Energy Advisory Committee and a Member-at-Large.

The Town's RFPs had contemplated two stages of oversight for the Board of Health prior to the start of equipment installation or facility construction as outlined below. This quote pertains to work for Stage 1. The Board of Health will determine how to proceed with Stage 2 and may or may not use the same consultant.

- **Stage 1-** As part of the review of Non-Price Proposals, the Board of Health would conduct an independent evaluation of whether proposals are worthy of additional technical review – that is, whether the proposal concept appears acceptable and does not contain features that constitute fatal flaws such as odor-management-issues, other nuisance conditions or operational concerns. This review would occur after an initial screening of the Non-Price Proposals by ISWM. The entity conducting the review would not have access to information contained in the Price Proposals.
- **Stage 2-** Subsequently, proposed facilities would need to be reviewed and approved by the Board of Health prior to construction. That approval would address transfer of operational responsibilities and, depending on the nature of the facilities, might include a limited re-opening of the site assignment to accommodate the proposal and to clarify applicability of the conditions.

Based on its initial screening, the Town has identified three proposals to be reviewed by the Board of Health. Two of the proposals involve equipment to treat landfill leachate. One of these

proposals would use heat from landfill gas combustion to evaporate the leachate; the other proposal would use reverse osmosis and membrane technology to separate clean water from concentrated residuals. In both cases, residual materials would be sent to the landfill for disposal. The third proposal would involve an integrated facility involving anaerobic digestion of source-separated organic materials, including biosolids; processing of digestate into fertilizer; generation of electricity from a mixture of bio-gas and landfill gas; and destruction of the landfill leachate and process wastewaters through a combination of evaporation and use of reverse osmosis technology.

Consultant Scope of Services

The Town is seeking a consultant to perform an initial review, of these three proposals on behalf of the Board of Health. As stated above, the objective of the review would be to advise the Board of Health whether the proposed equipment and facilities appear acceptable and do not contain features that constitute fatal flaws. The Town anticipates that the scope of services would involve the following tasks:

1. Initial meeting with the Board of Health or its designee(s) to discuss issues of general concern. The consultant would also review and become familiar with the conditions of the existing site assignment as an indication of past concerns of the Board of Health. Such issues are likely to include potential adverse odor impacts, other potential nuisance impacts, and other potential adverse impacts on public health or the environment in general.
2. Screening-level review of the Non-Price Proposals. The consultant would identify the features of the proposals related to the approach to design and operation of equipment and facilities likely to be of concern to the Board of Health. The intent is to identify specific design features and operating practices that might (a) require detailed review and/or specific conditions as part of a subsequent limited re-opening of the site assignment, and modification of conditions, to accommodate the proposal; and (b) be considered fatal flaws that would render the proposal infeasible unless modified to accommodate specific enumerated concerns. It is expected that the consultant will review all materials supplied by the Town, and contact references if necessary to gain the best understanding of the proposed technology and/or process.
3. Preparation of a brief report that identifies the features of concern and any fatal flaws for each proposal, and provides recommendations regarding the worthiness of and conditions for review of each proposal during the Site Assignment hearing. It is anticipated that the consultant would prepare one draft version of the report for review and comment by the members of the Board of Health or its designee(s) and one final version of the report that incorporates comments on the draft report.

The Town will provide the following information:

- Text of the RFPs issued by the Town,
- Copy of the proposals in electronic form,
- Copy of the Site Assignment,

- Copy of questions prepared by ISWM and its consultant and sent to the proposers. Once written responses are received back, you will be provided with a copy.

As appropriate, the consultant can work with ISWM staff to obtain additional clarifying information from the proposers in accordance with the requirements of the evaluation process. However, the consultant's analysis is expected to be independent of any analysis conducted by ISWM and shall be responsive exclusively to the concerns of the Board of Health. All proposals and related materials are to be kept confidential during the review process.

Quote

The quote shall include a budget to perform the Consultant Scope of Services, along with hourly rates, an estimate of the invoiced hours and elapsed time to perform work. The quote shall identify all applicable conditions, limitations or restrictions on the effort to complete the Consultant Scope of Services within the required budget and schedule.

Quotes should be provided to:

Phil Goddard, Environmental Manager
Town of Bourne, ISWM Department
24 Perry Avenue
Buzzards Bay, MA 02532
p. 508-759-0651
pgoddard@townofbourne.com

Budget

The Town anticipates that the scope of services can be accomplished within a budget of \$10,000. This amount is a not-to-exceed budget.

Schedule

The Town anticipates that this screening review will occur in accordance with the following schedule (subject to change):

- | | |
|----------|---|
| April 25 | Provide an expression of interest to ISWM via an e-mail along with a brief statement of qualifications by 3:00 p.m. |
| April 25 | ISWM to update Board of Health and discuss consultant selection process. |
| April 27 | Provide written quote to ISWM for consideration. |
| April 30 | Work is awarded based on BOH selection process approval. |
| May 9 | Consultant provides draft report to the BOH. |
| May 10 | Consultant visits the ISWM facility and sits-in on proposer interviews (9 AM – 4 PM). |
| May 18 | Consultant provides final report for distribution to the BOH. |
| May 23 | Board of Health accepts the final report. |

Related Work Experience

Provide a brief description of your experience and capabilities, address related operations. Also include at least one reference.

2. Dan Barrett- ISWM- update on COVANTA

Mr. Barrett handed out the following document to the Board:

TO: Bourne Board of Health
FROM: Dan Barrett, General Manager
Town of Bourne, ISWM Department
DATE: April 25, 2012
RE: Covanta Contract Update.

After a series of presentations by the ISWM staff and its consultant George Aronson of CRMC to the Board of Selectmen in joint sessions with the Board of Health, Finance Committee and Energy Advisory Committee discussing the future of the ISWM facility the ISWM Professional Staff and the Working Group presented the Board of Selectmen with an opportunity to enter into two long term Solid Waste Agreements with Covanta SEMASS LLC. A brief overview of the agreement follows.

These agreements consists of:

- a. A 10-year contract to accept ash for disposal and cover use at the landfill at favorable rates. Bourne will retain 30,000 TPY of capacity to manage MSW.
- b. A 15-year contract (with a 5-year extension to be executed pending town meeting approval) to accept the Town's trash after the landfill closes until at least December 31, 2042.

Highlights

- Predictable revenue for the remainder of the landfill life.
- Provides a wastestream easier to manage with less truck traffic, reduced potential for off-site odor migration, birds and litter.
- Creates a long-term partnership with a major solid waste company, Covanta.
- Builds on an existing relationship and provides opportunity to collaborate on other projects.
- Provides a 20-year contract for our own MSW after the landfill closes at least until 2042.
- Bourne maintains control of the landfill and the site.
- Does not conflict with recycling and diversion goals.
- Allows Bourne to market 30,000 tons annually.

Next Steps

These decisions to move forward in partnership with Covanta, along with the outcome of the pending RFPs will set ISWM on a long-term course toward sustainability well beyond the life of the landfill.

Mr. Barrett was pleased that the contracts were concise and straightforward. He felt that the press got a little ahead of ISWM before they were able to get notification to the Board. *(Copies of the signed contracts were sent to the Office the next day)* Ms. Peterson asked for a signoff page for the Board members to be placed on any future contracts so that the Board members may sign off that they have seen and accepted the contract. This will prevent any question in the future, as well as letting the Selectmen know that everyone is aware of the contract. Mr. Barrett said he would do so.

Mr. Barrett explained that the contract is a calendar year contract. The first 3 years (which begins with the current year Jan 2012) the landfill will take 90,000 tons of ash and will continue to take 123,000 tons of MSW (garbage). In the 4th year of the contract, they will switch gears and will take 89,000 tons of ash, with 30 thousand tons of MSW (6000 tons of that is dedicated to the town, which gives 24 to 25000 to use into market). The biggest priority right now is the Intermunicipal agreement that has been entered into at the Otis transfer station, along with Sandwich, Falmouth and Mashpee. They are our partners and priority will be given to them. The town is also ¼ owner of the Otis transfer station. Mr. Barrett feels that the town is in a real good position. He pointed out the highlights as listed in the above document, but did state that the downside will be a decline in the gas curve. The landfill will obviously not be producing as much gas as they would if they were to continue in the MSW business. Working with Covanta has the town partnering with a 1.5 billion dollar/year world-wide company. The landfill has an expected lifespan of about 10 more years, with Covanta providing MSW coverage for 20 years after closure. When Mr. Barrett came to the landfill 12 years ago, the Board of Selectmen told him they would like the revenue stream to become steady, would like the landfill to last forever, and for no one to lose their jobs. He has done his best to fill those goals. The revenue is guaranteed and the MSW is taken care of for the next 30 years. **No action was needed at this time.**

3. 35 Park Street – Don Bracken for Jack and Ann Wood- Request a variance

In attendance for this item was Zack Basinski, engineer with Bracken Engineering, representing Jack & Ann Wood.

Mr. Basinski requested a variance from the local Board of Health regulations in order to construct a new septic system within 150' of a resource area. The applicant is looking to raze the existing home and rebuild a new 4 bedroom home. The new septic system will be comprised of a 1500 gal septic tank, 1000 gal pump chamber and a new 4 bedroom soil absorption system. The system, based on the lot size and proximity to the resource areas, has been set in as close as possible to Park Street; they are requesting a 30' variance (to 120') from the defined coastal bank. The project has been reviewed and approved by both the Conservation Commission and Zoning Board of Appeals. Mr. Andrews questioned the architectural drawings which show the 4 bedrooms, but also show a "laundry room" that measures 27' by 12', which he felt was an awfully large laundry room. Mr. Basinski confirmed that that was the owners' intent. It will have a cased opening. Ms. Furtek stated that she had spoken with the Health Agent regarding the requested variance. Ms. Coffin expressed to her that she had no issue with the variance to the resource. Ms. Furtek also consulted the Conservation Agent and confirmed that his Board had no issues with the variance.

Mr. Andrews moved to approve system at 35 Park Street with the 30' variance for the soil absorption system from the defined coastal bank. The engineered plans marked received March 28, 2012, drawn on Feb 27, 2012. Architecturals are dated 1/20/12; modified architectural drawings showing the laundry room with a minimum 4' cased opening to be stamped and accepted by the office prior to the issuance of the permit. Mr. Barlow seconded the motion. The motion passed unanimously.

4. 45-47 Cove Lane - Request to extend variance, originally granted April 27, 2011.

In attendance for the item was homeowner Thomas LeBlanc. Ms. Furtek stated that Ms. Coffin had given her the letter requesting the extension. Ms. Peterson stated that the requested deed restriction was recorded, and asked Mr. LeBlanc if an extension to November 1, 2012 would be sufficient. He agreed.

Mr. Barlow moved to grant an extension of the variance for 45-47 Cove Lane originally approved April 27, 2011 to November 1, 2012. Mr. Andrews seconded the motion. The motion passed unanimously.

5. Ron Suchecki - Hoot systems, LLC- Request to approve new alternative technology, for piloting

In attendance for this item were Ron Suchecki, Hoot Systems Representative; George Heufelder from MassTech; and prospective pilot program candidate homeowner Thomas LeBlanc. Ron Suchecki provided the following PowerPoint presentation: *(presentation is visually available on electronic version of Minutes)*



**Town of Bourne Health Department
Bourne, MA**

April 25, 2012

Hoot Systems, working today to protect tomorrow's environment

Mr. Suchecki explained that the company has been around for 30-35 years. They currently have a system that is approved in Massachusetts for general and remedial use. They have been working to develop a system that breaks the "magic 10 number". Their Advanced Nitrogen Reduction technology (ANR) is added onto the core technology that is already developed in their earlier series of Hoot systems. They are the first system that has completed a certification process that gets below 10mg/liter, which is the federal drinking water standard. Their system uses up to 70% less energy to run compared to some of the comparable technologies currently approved in Massachusetts. One of the ways they can get approval in Massachusetts for Nitrogen Removal is to conduct a pilot installation that can be tracked/monitored. They have a potential customer in the area (*visually indicated Mr. LeBlanc as the potential client*) that would like to swap out the alternative system already approved by the Board for the pilot installation of the Hoot ANR system. Mr. Suchecki has met with Dana at Mass DEP. The state says that the Town can allow for an individual pilot. It will still go to Mass DEP to be approved and reviewed. Mr. Andrews asked what the expected life span of the carbon system used is, and how often it needs to be replenished. Mr. Suchecki explained that the carbon source is delivered via a peristaltic pump that doses a few ounces a day of the carbon source; there is a 6 gallon reservoir within the system. Those 6 gallons should last about a year at full flow. Checking it would be part of the regular maintenance schedule. Mr. Andrews asked for clarification on the use of electricity, and was told 2.1 kilowatt hours/day, which here on the Cape equals about \$100/year compared to a competitor that runs about \$350/year locally. Mr. Andrews asked what other maintenance items there are in the system. Mr. Suchecki explained that the system is designed for 6 month maintenance intervals. There is a low level sensor in the carbon reservoir that gives about a 2 week notice before running out. Standard alarms are audio and visual, and can also be hooked up to telemetry. Ms. Furtek asked what happens to the system if the homeowner doesn't refill their carbon. Mr. Suchecki explained that the homeowner is not responsible for that, but rather the maintenance entity. They are pumped systems, so the carbon is regularly monitored and adjusted to keep level proper. If the system is not maintained properly, the system would be their standard Hoot system without the ANR. Their goal is to pilot a system so they can see if they can get down to that "magic 10". Mr. Suchecki felt that a pilot installation in this area is ideal because it is manufactured in Pocasset (approx 2 miles from potential client) and MassTech Research Center is approx 5 miles from the site, making it an ideal area for close monitoring. Mr. Heufelder stated for the record that he was at the meeting as a service to the Board, not for Hoot. He explained that this is a site specific pilot. In essence the local Board of Health needs to give the nod to the State DEP that they are willing to allow the pilot in the town; DEP then sets the parameters for monitoring and testing. As it comes forward from the State, they (the County) will enter the information in the tracking system that is already in place for the Town. Mr. Basinski (Bracken Engineering) asked if there was storage capacity in the second compartment for emergency storage in case of power outages. Mr. Suchecki said yes, it is a 1000 gal pump tank built onto the system, rated at 450 gal/day (4 bedroom house). Mr. LeBlanc of 45-47 Cove Lane expressed interest in being the site specific pilot location. Mr. Heufelder suggested that a letter from the local Board saying that they have heard the presentation on the technology and, in concept, agree to an installation of a site specific pilot. Mr. Mulvey asked if there was some sort of performance guarantees that if the system goes in

that it would perform according to specs. Mr. Suchecki explained that there was a 3 year warranty on the components of the system, and it would certainly be their intent to have the system perform according to specs. Mr. Heufelder said that with a site specific pilot, if it doesn't work, it has to be replaced with other technology that is currently approved. Mr. Suchecki also answered a question from Mr. Mulvey in regards to startup time for the system; the Hoot ANR gets up and functioning in about 3 weeks.

Mr. Andrews moved to approve the request by Hoot Systems to use their ANR system in a piloting project in the community knowing that a site specific would have to come back before the Board. Ms. Tinkham seconded the motion. The motion passed unanimously.

Ms. Peterson reminded the Inspector that a letter would need to be addressed to DEP, as well as a copy to Mr. Heufelder and Mr. Suchecki, stating that the Board has given approval for a site specific piloting project to be conducted in the community.

6. Pocasset Mobile Home Park -- Update on status of PMHP by receiver, Attorney Chuck Sabatt

Attorney Sabatt stated that he had been before the Court the previous Friday for a conference. He summarized the meeting as basically being in the process of developing for the Judge a budget that will be needed for funding to proceed with the plan for the Park. That will be the number that they try to get from Mr. Austin in order to fund the Park going forward. He apologized for being ambiguous, but intended to be so since a final decision on the exact approach for building the plant or closing the Park. The Judge does have under consideration both of those options. The cost of building the plant has been established, but the cost for the other alternative (closure) is also being established. There will be a significant cost either way. They are in uncharted territory, and are treading carefully. They are still trying to determine the Court's authority to require Mr. Austin to turn over assets for the purpose of ameliorating the Park. On the other side of the case with the Government is pursuing Mr. Austin for violations of health laws. An order has just been obtained from the Court requiring Mr. Austin to disclose his assets. The purpose of that is for the gov't to be able to assess penalties against him. In Attorney Sabatt's opinion, those penalties should be applied to help the Park situation, but he doesn't believe it will work that way. He is waiting for a date to be assigned to return to the Court, so he feels they are moving closer to a resolution. Attorney Sabatt stated that, in terms of the Park itself, he is moving forward with the installation of additional replacement pipes (*these have been discussed at previous meetings*). It has been a slow process getting alternative estimates, but he is going with the lowest estimate. He also wants to meet at the Park with Gilpin, DEP, Ms Coffin, and the BSC Engineer to talk about the emergency tanks installed last spring to see what needs to be done and see what DEP will allow. Things are holding; there have been no significant issues to report. At this point, Ms Peterson asked for future meetings to have the PMHP put at the beginning of the agenda so the many residents that regularly attend the meetings do not have to sit through so much. **Gail Daniels of 17 1st Ave** expressed frustration at the dates being pushed ahead with the Court and asked Attorney Sabatt what the Court date is at this point. Attorney Sabatt did not have the date written down but recalled being told by Tracy Triplett saying that it would be assigned. Ms. Daniels asked when the next meeting with the Residents would be; Attorney Sabatt expressed intention to meet on

May 5th. Ms. Peterson asked if emergency contact numbers have been remaining posted. Attorney Sabatt said they had, and that he also sent a letter containing the number to all the residents. Ms. Peterson stated that the Board has to keep having Attorney Sabatt return until the issues are resolved; he understood. He explained that this is an unprecedented scenario with a receiver operating a mobile home park, as this is the first Park of the 19 that DEP has listed in this same sort of situation that has been put in receivership. Ms Peterson asked Attorney Sabatt to return for the second meeting in June (June 27, 2012); he agreed. Mr. Andrews added on that if any news comes before that point, that Attorney Sabatt could be put on at an earlier time. Ms. Peterson asked Attorney Sabatt if he had any plan in place to grate the roads before the summer. He stated that he was looking into it with Mr. Valeri, particularly in respect to the main entrance road.

7. Approval of Minutes – March 28, 2012

Mr. Barlow moved to approve the Minutes dated March 28, 2012. Mr. Andrews seconded the motion. The Minutes were approved unanimously.

Mr. Andrews moved to adjourn the meeting. Ms. Tinkham seconded the motion. The meeting was adjourned at 8:33 pm.

Respectfully submitted,

Melissa A. Chase

Melissa A. Chase
Secretary

Kathleen Peterson _____

Stanley Andrews _____

Galon Barlow _____

Don Uitti _____

Carol Tinkham _____

cc Board of Selectmen/Town Clerk

Board of Health Minutes April 25, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679



2012 MAY 17 PM 1 00

**TOWN CLERK'S OFFICE
BOURNE, MASS**

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

**Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting**

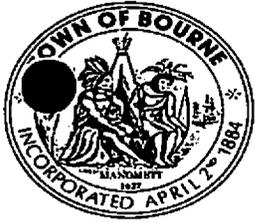
<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
May 23, 2012	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1. 211 President's Road: Warwick & Associates for Paul Medeiros: request waiver to continue use of existing system for proposed renovations**
- 2. 7 Gainesboro Dr: Bracken Engineering for Ian & Joan Davies: request for variances to install a new sewage disposal system for proposed renovations**
- 3. Rose Kazaryn: 1077 County Road: request to amend/increase number of horses allowed**
- 4. 45-47 Cove Lane – Brad Birtolo- JC Engineering for Thomas LeBlanc- amend septic plan of record to include Provisional Hoot system for nitrogen removal.**
- 5. Approval of Minutes dated April 25, 2012**

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: May 17, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532 9 55
Phone (508) 759-0615 x1
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TOWN OF BOURNE OFFICE
BOURNE, MASS



Cynthia A. Coffin,
Health Agent

**MINUTES
MAY 23, 2012**

**Members in attendance: Stanley Andrews, Acting Chairman;
Don Uitti; Galon Barlow**

Support Staff in attendance: Cynthia Coffin, Health Agent; Lisa Collett, Secretary

Meeting was called to order at 7:00 P.M.

**1. 211 PRESIDENT'S ROAD: WARWICK & ASSOCIATES FOR PAUL
MEDEIROS: Request waiver to continue use of existing system for proposed
renovations:**

Ms. Coffin stated that even though Ms. Frappier was unable to attend this meeting due to an injury she felt obligated to bring this forward because they were initially on the agenda the last time as the only item and agreed to be continued on this agenda as long as they are first. This is before the board because Mr. Medeiros submitted the building permit. Ms. Coffin stated that she was unable to discuss her concerns with Ms. Frappier from Warwick & Associates prior to this meeting. There is a little discrepancy in the design that Ms. Coffin said needs to be dealt with. There are two buildings on the property which is serviced by one septic system. The original permit back in 1995 was for 5 bedrooms according to design. The drywells calculation was only for 4 bedrooms. Ms. Coffin stated that the existing system is only designed for 4 bedrooms (based on maximum 2 foot sidewall). Mr. Andrews ask for architectuals for the main house but none were submitted. Ms. Coffin stated that the assessor's card also states only 4 bedrooms in the main house. Ms. Coffin stated that the main house has 4 bedrooms so to add 2 bedrooms to the carriage house, 2 bedrooms would need to be removed from the main house. Mr. Barlow stated that there is not enough information submitted for a decision to be made by the board.

Mr. Barlow made a motion to deny without prejudice, to give the applicant time to submit more information. Mr. Uitti seconded the motion. All in favor and the motion passes to DENY. This item will appear on the next agenda dated June 13, 2012. No need to re-notify any abutters.

2. 7 GAINSBORO DR: BRACKEN ENGINEERING FOR IAN & JOAN DAVIES: Request for variances to install a new sewage disposal system for proposed renovations:

Mr. Basinski stated the owners are looking to renovate a portion of the house by turning an existing closet into a bathroom. Mr. Basinski stated when the owners filed for a building permit they were informed that the existing cesspool needed to be upgraded to a Title 5 septic system. Mr. Basinski stated he is proposing a new soil absorption system. Mr. Basinski stated that the design has been placed on the lot as far away from the resource area as possible. Mr. Basinski stated the soil absorption system will be 71 feet from the high water mark of Buttermilk Bay resulting in a 79 foot variance and 38 feet from the coastal bank resulting in a 112 foot variance. Mr. Basinski stated there will be no increase in bedroom space. Mr. Andrews stated that the 100 foot buffer is in the corner of the plans presented by Mr. Basinski. Ms. Coffin stated there is a huge hill down to the water. Ms. Coffin stated that it is only a bathroom addition; she feels getting a new Title 5 septic system is a good swap. Ms. Coffin stated there was discussion to move the system a bit but because of the well and existing gas lines, this was the best spot for the system. Ms. Coffin stated the elevation is approximately 24 feet above sea level. **Mr. Barlow made a motion to approve the request for variance for 7 Gainsboro Drive received May 3, 2012 with the architectuals dated April 23, 2012 and April 18, 2012 for the septic plans from Bracken Engineering. Mr. Barlow added to approve 112 foot variance from the reduction to setback distance from the proposed soil absorption system to a coastal bank from 150 feet to 38 feet. Mr. Barlow added a reduction in the set back distance from a high water mark of Buttermilk Bay from the proposed soil absorption system of 150 feet to 71 feet which is a 79 foot waiver. Mr. Barlow stated that these variances are much larger than what is usually granted by the board but the proposal is for a new system to replace cesspools.** Ms. Coffin stated the assessor records show 2 bedrooms and the plan shows 3 bedrooms. Ms. Coffin stated there should be a site visit to verify number of bedrooms. **Mr. Barlow modified the motion to include Ms. Coffin doing a site visit to verify the correct number of bedrooms. Mr. Uitti seconded the motion. All in favor and the motion PASSES unanimously.**

3. ROSE KAZARYN: 1077 COUNTY RD: Request to amend/increase the number of horses allowed.

Ms. Coffin stated she contacted Ms. Kazaryn because on November 9 the board approved 2 horses at the property of 1077 County Road. Ms. Coffin stated that the board did not reference any sets of building plans for the barn and the barn ended up having more stalls. Ms. Coffin stated that she informed Ms. Kazaryn if the intent is to have more horses then she should probably come before the board and discuss before any problems are created. Ms. Coffin stated that the pasture has been maintained. Present for discussion is Rose Kazaryn and her son Victor. Mr. Andrews asked if a new set of building plans has been submitted. Ms. Coffin stated when the board approved the plan it did not indicated number of stalls. Ms. Kazaryn stated that when the project started, she only intended on having 2 horses but during construction she decided to go bigger. Ms. Kazaryn stated that she now has 3 horses. One is owned and the other 2 are boarded. Mr. Andrews asked if any complaints or issues were on record. Ms. Coffin stated that

she has not been able to do an actual site visit but the yard is in good shape. Ms. Coffin asked Ms. Kazaryn how many horses total is she planning on having. Ms. Kazaryn stated there are 6 stalls all together. Victor stated that they are planning on getting licensed for therapeutic riding. Ms. Coffin stated that there is potential for 5 horses here. Victor stated that is correct. Ms. Coffin stated that the one large pasture will be crowded for 5 horses. Victor stated that he is clearing up the back section and adding a riding rink. Ms. Coffin asked if there were any houses in the back. Victor stated the property is next to conservation land. Mr. Andrews asked about the size of the property. Victor stated approximately 2.5 acres. Victor stated he has been working with the owners across the street and they have allowed for him to bring the horses over. It's the Ballentine property. Ms. Coffin stated she has concern about the manure. Victor stated that way in the back of the property there is a pit. He clears the pasture and dumps the manure into the pit. Victor stated that once per month he has a man come and dispose of the manure with a backhoe. Ms. Coffin stated that her only condition would be that the manure is being removed from the site properly. Mr. Andrews stated that he believes the applicants are very aware of the boards concerns and that as long as the property is kept neat there should be no problems. Ms. Coffin stated that the build-up of manure from 5 horses can become difficult and a once a month pick up may not be enough in the summer. Victor stated that there will be no problem with having his person with the backhoe come anytime he calls him.

Mr. Barlow made a motion to amend the number of horses on the property at 1077 County Road, Cataumet from 2 to 5 providing the maintenance is kept up. Mr. Uitti seconded the motion. All in favor and the motion PASSES unanimously.

4. 45-47 COVE LANE – BRAD BIRTOLO – JC ENGINEERING FOR THOMAS LEBLANC: Amend septic plan of record to include Provisional Hoot system for nitrogen removal:

Mr. LeBlanc stated that the board already approved a microfast system and he is now proposing to add the HOOT system. Ms. Coffin stated that the HOOT system has not been approved in this State so it is provisional. Ms. Coffin is still waiting to hear from the DEP. Ms. Coffin stated that she told Mr. Leblanc to come back to the board with an amended plan to re-record with the registry. Mr. Andrews stated that the system had a great sales pitch at the last meeting. Mr. Andrews asked what kind of testing will be required. Ms. Coffin stated that the state will probably have additional testing. Ms. Coffin stated that the testing is pretty strict. Mr. Andrews stated he would like to see the strictest testing requirements allowed. Mr. Andrews stated he would like to see this additional testing input into the county system so the board can keep a much better track on this system. Ms. Coffin stated that Priority Waste Management is the company that submitted O&M for the Biomicrobics Fast but she still needs a contract for the HOOT system. Mr. Barlow stated that the septic system is already approved so the board is just amending the septic plan of record.

Mr. Barlow made a motion to approve the change of technology from the microfast to the HOOT system for Thomas LeBlanc at 45-47 Cove Lane in Pocasset. Plan revision number 6 is a HOOT system to replace microfast and the plan was received by the Board of Health on May 17, 2012 with the last revision date of May 16, 2012. Mr. Barlow added that the system was already approved at a previous meeting so

this is to approve the amendment, which is a substitution of technology. Mr. Uitti seconded the motion. All in favor and the motion PASSES unanimously.

5. APPROVAL OF MINUTES DATED APRIL 25, 2012

Mr. Barlow made a motion to approve the minutes dated April 25, 2012. Mr. Andrews seconded the motion. Mr. Uitti abstained. All in favor and motion PASSES to Approve.

Mr. Andrews moved to adjourn the meeting. Mr. Uitti seconded the motion. The meeting was adjourned at 7:35 pm.

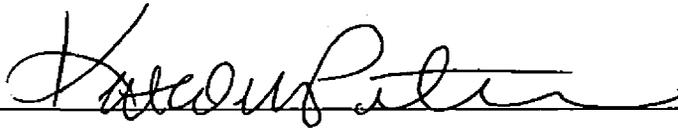
Respectfully taped and typed by,


Lisa M. Collett
Secretary

Reviewed and approved by

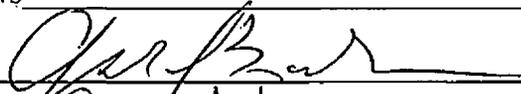

Cynthia A. Coffin
Health Agent

Kathleen Peterson



Stanley Andrews

Galon Barlow



Don Uitti



Carol Tinkham

cc Board of Selectmen/Town Clerk



**TOWN OF BOURNE
BOARD OF HEALTH**

24 Perry Avenue

Buzzards Bay, MA 02532
Phone (508) 759-0615 x1

TOWN CLERK'S OFFICE
Fax (508) 759-0679
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

June 13, 2012

Time:

7:00 P.M.

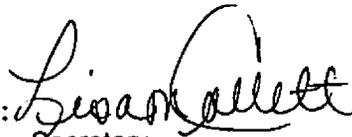
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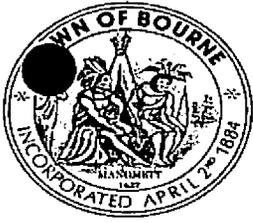
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1. 211 President's Road: RE-FILE - Warwick & Associates for Paul Medeiros: request waiver to continue use of existing system for proposed renovations**
- 2. 62 Old Plymouth Road: Winokur, Serkey & Rosenberg, PC for Holly L. Harrison and Michael R. Lundholm: Appeal State Sanitary Code Violation**
- 3. 135 Circuit Ave: Bracken Engineering for Norman and Katie Wagner: request variances**
- 4. John Gavin – Per request of Health Agent, Cynthia Coffin, discuss and possible vote regarding unpermitted Title 5 septic system installation at 67 Depot Rd. (Hearing on possible suspension or revocation of installers permit pursuant to Title5, 310 CMR 15.019):**
- 5. Approval of Minutes dated May 23, 2012**

cc Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: June 7, 2012



Cynthia A. Coffin,
Health Agent

**TOWN OF BOURNE
BOARD OF HEALTH**
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2012 JUL 27 AM 9 34
TOWN CLERK'S OFFICE
BOURNE, MASS

**MINUTES
JUNE 13, 2012**

Members in attendance: Kathy Peterson, Chairman; Don Uitti; Galon Barlow

Support Staff in attendance: Cynthia Coffin, Health Agent; Lisa Collett, Secretary

Meeting was called to order at 7:00 P.M.

- 1. 211 PRESIDENT'S ROAD: Re-file – Warwick & Associates for Paul Medeiros: Request waiver to continue use of existing system for proposed renovations - Ms Frappier stated that this project has already been before the board but was continued. Ms Frappier stated that the existing system is for 5 bedrooms and the plans are for no more than 5 bedrooms. Ms. Coffin stated that on May 29, 2012 she did a site visit and met with Mr. Medeiros who took Ms. Coffin through the main house. Ms Coffin stated that the Assessor's records have four bedrooms in that dwelling. Now there are 3 bedrooms upstairs and the fourth bedroom downstairs is no longer a bedroom. It has at least a 5 foot cased.**
Ms. Coffin stated that there will be 2 bedrooms in the accessory dwelling.
Ms. Coffin stated that the question as to the size of the septic system came up because in 1995 Mr. Louis Gallo presented a plan for the septic upgrade for a five bedroom septic system. Ms. Coffin stated that under the code, the maximum that was allowed was 2 feet of stone and there was actually 4 feet with 2 feet below. The proposal was for a five bedroom system, but legally she could only give them credit for four bedrooms. She did have the applicant dig up the system to verify see how much stone is really there. Ms. Coffin stated that the design capacity is indeed for a 5 bedroom septic system, even though legally they could only get credit under Title 5 for four bedrooms. The system was dry at the inspection. Ms. Peterson asked if the architectuals are on file. Ms. Frappier said that there are plans on file. Ms. Coffin stated that after doing the site visit she did verify the number of bedrooms. Mr. Barlow stated that all of the board's questions were address and answered at the last meeting. **Mr. Uitti made a motion to approve the requested waiver to use the existing system for proposed renovations. Mr. Uitti referenced the architectuals dated April 18, 2012. Mr. Barlow seconded the motion. All in favor and the request is PASSED.**

2. **62 Old Plymouth Road: Winokur, Serkey & Rosenberg, PC for Holly L Harrison and Michael R. Lundholm: Appeal State Sanitary Code Violation** – Ms. Peterson stated that Ms Coffin will begin with a brief summarization of the history of this item. Ms. Coffin stated that she will only speak of the new issues at this time. Ms. Coffin stated that Ms. Furtek, the Health Inspector, did an inspection at 62 Old Plymouth Road on May 10, 2012 and at the time, after some rain, there was some dampness on the floor. Ms. Coffin stated that there were different areas in the basement that were damp. Ms. Coffin stated that reviewing Ms. Furtek's report; she wrote a letter to the new owner, Ms. Harrison, on May 17, 2012. Ms. Coffin stated that Ms. Harrison then contacted Ms. Coffin by phone and asked how she would appeal the order as work by the previous owner had already been done to extend drain pipes and put in stone around the foundation to intercept rain water. Ms. Coffin stated that she gave Ms. Harrison the instructions and shortly after the office received a letter from Mr. Serkey, Ms. Harrison's Attorney, stating that the issues, as he understood, is that the Harrisons purchased the house with the intent to live in the house so he is appealing the order to have to correct the issues for the tenant because the house is now owned by Ms. Harrison to live in, not the tenant. Mr. Serkey stated that he has several background documents that he would like submitted to the Board of Health for the file. First being the Deed. Ms. Coffin stated that these documents are already on file and a copy has been given to the board for discussion at this meeting. Mr. Serkey stated that on April 2, 2012, Ms. Harrison and Mr. Lundholm filed a declaration of homestead at the registry of deeds which signified their intention to occupy the property as their home. Mr. Serkey stated that on May 11, 2012, he prepared a notice to quit to be served by constable upon the tenants, Ms. Spencer and Mr. Storer and has the return of service which shows service on May 11, 2012. Ms. Peterson asked that Mr. Serkey explain what a notice to quit is. Mr. Serkey stated that in order to begin eviction proceeding to remove a tenant, the law requires that the tenant is served with a notice prior to beginning any eviction proceeding within the court. Mr. Serkey stated that from May 15, 2012 to June 14, 2012 is the 30 day period. Mr. Serkey stated that technically speaking, the rent had not been paid from April 30, 2012 through May 15, 2012. Only one month was paid but still gave a 30 day notice instead of a 14 day notice to quit. Mr. Serkey stated that after May 11, 2012, on the day the tenants were served, Ms. Harrison received the notice from Ms. Coffin indicating that there was an inspection on May 10 which revealed signs of dampness on the basement floor. Mr. Serkey stated that on May 18, 2012 Ms. Spencer sent a notice to Ms. Harrison claiming that because these violations may impair the health or safety and well being of the occupants living in the house they are withholding their rent. Ms. Peterson stated that the Board of Health does not take into consideration any monetary problems. Mr. Barlow stated that the Board deals with health issues. Ms. Peterson instructed Ms. Coffin to stamp in the emailed document from Ms. Spencer regarding the rent withholding to become part of the file. Mr. Serkey stated that as of May 21, 2012 he has submitted these documents: a letter of appeal, a notice to quit, declaration of homestead, the deed and a request for a hearing. Mr. Serkey stated that Ms. Harrison had acquired this property in order to live here. Mr. Serkey stated he has tried to work with the current occupants and will try again after this meeting. Ms. Spencer stated that there have been issues with this house going back 2 years. Ms. Peterson stated the previous history will not be discussed. Ms. Peterson stated that all the issues have been addressed corrected and completed to

Ms. Spencer's satisfaction. Ms. Peterson stated that Ms. Spencer signed off on all the issues. Ms. Peterson stated that nothing will be discussed tonight prior to May 10, 2012. Ms. Spencer stated that on May 9, 2012 Ms. Furtek came out to the property again to see more water in the cellar. Mr. Barlow asked if Ms Coffin was present at the inspection on May 9, 2012. Ms. Coffin stated she was not. Mr. Barlow asked if the dehumidifier and the pump system were still activated. Ms. Coffin stated that she recalls Ms. Furtek stating to her that both the dehumidifiers were not on. Mr. Barlow stated that obviously there will be a moisture problem if the dehumidifiers are not running. Ms. Spencer stated that the dehumidifiers were not turned off. Mr. Barlow stated that when he and Mr. Uitti did an inspection the dehumidifiers were on and working well and that Ms. Spencer signed off on this inspection. Mr. Barlow stated that someone shut the dehumidifiers off and he does not know who would shut them off but of course there would be a moisture build up in the cellar. Ms. Peterson asked Ms. Spencer what she would like the Board of Health to do regarding this problem because this problem has been addresses with new walls, new drainage, new electrical. Numerous items have been fixed. Ms. Peterson stated that she does not understand what Ms. Spencer is asking of the Board tonight. Ms. Spencer stated that she can only say that she still has a water problem. Ms. Peterson stated that she does not like to get involved with tenant/owner problems and does not like the board getting involved either. Ms. Spencer stated that she understands that the new owners want her out of the property but she still lives here now and right now there is still a water problem. Ms. Peterson stated that there is a dampness problem based on the letter from the Health Agent. Ms. Peterson stated that unfortunately the Health Inspector is not present at tonight's meeting to discuss the size of the pool of standing water. Ms. Coffin read from the actual inspection notes. Ms. Coffin stated that the reason this is being appealed is that it is the owners' intention to occupy the property, and if they want to live with dampness in the basement then they do not have to fix the water problem on their own property. Mr. Barlow stated that from what he observed a year ago, an adequate system was designed to handle the moisture in the cellar. Mr. Barlow stated that if that system was changed, or shut off, obviously it wouldn't work. Mr. Barlow stated that this is a stone foundation and will leak moisture without the dehumidifier operating. Ms. Spencer stated that she actually was in the basement earlier this day after some heavy rain and found the dehumidifiers are working. Ms. Peterson asked what the condition was like. Ms. Spencer stated that the cellar was damp with no pooling water. Ms. Peterson asked if Ms. Spencer is allowing the owners onto the property. Ms. Spencer stated that she would allow it, but the owners have not requested to be on the property. Ms. Peterson asked Ms. Harrison if she has requested permission to access the property. Ms. Harrison stated that, in an email, Ms. Spencer asked that she not come to the property. A copy of the email has been submitted and stamped in for the file. Ms. Peterson read from the e-mail dated May 11, 2012 which stated that the tenants are looking for a new home and in the mean time they request that the owners please stop coming to the home and interfering with their use of the property as tenants. Ms. Peterson stated that after the complaint was made on May 9 or 10th, there was no way the owner could come to the property to address the issues because of the email dated May 11, 2012. Ms. Spencer stated that the email was written because Ms. Harrison was showing up on a daily basis. Ms. Coffin stated that the reality is if it is not a rented property then the owner does not have to fix the issues. Ms. Peterson asked if that was written anywhere. Ms. Coffin

stated that she does not generally order a homeowner to fix their own property issues. Only if the owner intends on renting the property. Mr. Barlow stated that this property is over a year old and the owners before Ms. Harrison made a good faith effort to resolve the problems with the tenant and they did successfully until just recently. The Health Inspector went out on a complaint call and found the dehumidifiers not working properly which in his opinion is not a Board of Health issue. Mr. Barlow stated that Ms. Spencer and the Board were satisfied back then that the issues here had been resolved. Ms. Peterson stated that she agrees with the Health Agent, Cindy Coffin, that if the property is not for rent then the current issues are not issues the Board of Health can get involved with. Mr. Uitti asked why the owner cannot go to the property and fix it. Ms. Coffin stated that the owners don't want to fix it because they are going to live there. Mr. Serkey stated that the tenants' issues are going to be resolved elsewhere and not at the Board of Health meeting. Mr. Serkey stated that he is looking for the appeal to be granted and the order issued by the Health Agent be rescinded. Mr. Serkey stated that if not, when they move to court, he is worried that this pending Board of Health matter could be used against the proceeding Ms. Harrison. Ms. Harrison is only trying to get control and occupancy of her property. Ms. Peterson stated that she understands what Mr. Serkey is looking for but the problem is she does not have anyone present telling her that Ms. Spencer has a legal right or not to make this accusation about the property because Ms. Peterson is not sure if Ms. Spencer is a legal tenant or not. Mr. Serkey stated that issue whether the tenant is there legally or not is not so much the question. Mr. Serkey stated that the question is whether or not, given the fact that the property is owned by someone who wants to move in and make it her home, and given the past history that has been recited, the order under these circumstances was proper and if not whether the appeal can be granted so that when they go to the next stage of the housing court Ms. Spencer cannot tell the judge that there is an issue with the condition of the property that should prevent Ms. Harrison from gaining occupancy to her own property. Mr. Serkey stated that this hearing is being used to set up a potential defense in an eviction case. Mr. Serkey stated that he does not want this to become an issue in the housing court. Mr. Barlow stated that as he recalls there was a significant amount of rain during the month of May. Mr. Barlow stated that maybe there was more dampness than normal but both Ms. Spencer and the board were satisfied that the dehumidifiers and the pump out system worked adequately. Mr. Barlow stated that he does not believe that the system that was approved just last year is not good. Mr. Barlow stated that he thinks the system is good and works. Mr. Barlow stated that maybe something did happen to the system which caused Ms. Furtek to go back out and do another inspection and maybe Ms. Furtek could not hear that the dehumidifiers were not working at the time of her inspection but he was not present at the inspection so he does not know. Mr. Barlow stated that he has not talked with Ms. Furtek about it. Ms. Spencer stated that she respectfully disagrees with Mr. Barlow. Ms. Peterson stated that she wants to know when the complaint was prior to this last one so she can see how long the system was working before it stopped working before she is ready to ask for a vote. Ms Peterson asked if the parties wanted to step away and come back at the end of the meeting if they feel they can come to some sort of agreement that would be ok. Mr. Serkey stated that he will try to do that but would like an answer to the question first. Mr. Barlow stated that there is an error on the Homestead Act document. Ms. Harrison stated that it has already

been corrected. Mr. Barlow stated that the document he is reading from is not correct. Ms. Harrison stated it was corrected with Dubin and Reardon. Ms. Harrison stated it was corrected yesterday (June 12, 2012). Ms. Harrison stated it will be re-filed. Mr. Serkey stated that the book and page though that is listed under A-1 which is 26209 page 73 is in fact the book and page of the deed but there is an error which has been corrected. Ms. Coffin stated that she reviewed the minutes of October 12, 2011 and October 26, 2011 which is when the Board of Health took the vote. She read from a few sections. Ms. Coffin stated that Ms. Furtek received information regarding the down spouts after the October 12, 2011 meeting. Ms. Coffin stated that as of the next meeting dated October 26, 2011 it is clear in the minutes that both the Board of Health and the Tenant, Ms. Spencer, are in agreement that all the corrections have been made. Ms. Peterson stated that she wanted a few minutes to review the minutes of October 26, 2011 before continuing. Ms. Peterson stated that she is in agreement with Mr. Barlow and everything was finished and all parties were happy. **Ms. Peterson suggested that the parties step off to try and reach an agreement to avoid having the Board of Health take a ruling. All parties are in agreement and this item is moved to the end of the meeting.**

3. 135 CIRCUIT AVE: Bracken Engineering for Norman and Katie Wagner:

Request variance – Mr. Bracken stated that the Wagners have owned this property since 2006 and have lived here year round for the past 6 years. Mr. Bracken stated that the building was constructed in 1945 and is currently a 2 bedroom dwelling. Mr. Bracken stated that he has submitted existing floor plans and proposed floor plans. Mr. Bracken explained the different sets of plans to show an idea of the project. Mr. Bracken stated that he has highlighted the resource area on the designs. Mr. Bracken stated that Hen's Cove is the high water mark and there is also a coastal beach above the high water mark along with beach grass and dunes. Mr. Bracken stated that to the east of the property is primarily a coastal bank. Mr. Bracken stated that it is not an eroding coastal bank subject to normal wave action but a coastal bank per the Department of Environmental Protection definition. Mr. Bracken stated that there is an existing vertical concrete retaining wall that the water comes right up to. Mr. Bracken stated that there is still the existing cesspool near the existing parking lot which was probably installed back in 1945. Mr. Bracken stated that this is also in a flood zone at elevation 16. Mr. Bracken stated that it is not in a velocity zone. Mr. Bracken stated that the first mission was to get an easement for the existing septic system and for the potential upgrade of the septic system that is proposed this evening. Mr. Bracken stated that he has been through the Town Manager and the DPW who confirmed there is no conflict for the town's needs within this area. Mr. Bracken stated that this project has been to Town Meeting which was approved. Mr. Bracken stated that he is still waiting to hear about an approval from the Attorney General's Office. Mr. Bracken stated that this proposal would be contingent upon getting approval from the Attorney General's Office and having the easement rights to it. Mr. Bracken stated that the proposal is to raze the existing dwelling which is in disrepair. Mr. Bracken stated that he is also replacing the wall at the base with a sloped stone wall. Mr. Bracken stated that this will reduce the lawn area which will affect the nitrogen loading calculations. Mr. Bracken stated that knowing how sensitive the area is, the septic system design is the most high tech system that is available on the market today and is approved by the Department of Environmental Protection. Mr. Bracken stated that the

system consists of a Micro-fast, which the Board is very familiar with, going into a pump chamber which goes into a drip irrigation type system that is pressure dosed. Mr. Bracken stated that he does have a photograph that shows what the drip irrigation system looks like. Mr. Bracken stated that there are ½ inch tubes with small weep holes and the effluent builds up in the pump chamber and in this case it is approximately 40 gallons of effluent gets pumped, pressurized in the tube and the effluent weeps out into the bed. Mr. Bracken stated that there are several advantages to using the drip irrigation. Mr. Bracken stated that the biggest advantage in this case is the Department of Environmental Protection allows a 5 foot setback to a foundation. Mr. Bracken stated that this is more of a dampening of the soil and not a buildup of flow. Mr. Bracken stated that saturation does not have a chance to build up with this type of system. Mr. Bracken stated that he has added an impervious barrier to the foundation wall as added protection. Mr. Bracken stated that the other advantage is the square footage is the same as what would be required for a field under a regular Title 5 system. Mr. Bracken stated he has kept the system as small as he possibly could. Mr. Bracken stated that for remove and replace because of the unsuitable soil here, 8 or 9 feet has to be removed and replaced with sand, typically 5 feet is removed around the soil absorption system. Mr. Bracken stated that with a drip irrigation system you only have to remove below the field itself. Mr. Bracken stated that this is important in this case because it is so close to the road way. Mr. Bracken stated that another advantage to this system is the ground water separation because the system is only ½ inch deep. Mr. Bracken stated that it can be within 12 inches of grade which is what is proposed in this case so there is almost an 8 foot separation to ground water. Mr. Bracken stated that when the percolation test was done he set a monitoring well and left it in over a full moon tidal cycle so he could get the absolute maximum water elevation. Mr. Bracken stated that he took the 50% reduction which is typical for a denitrification system and the nitrogen loading calculations under the existing condition is 5.7 parts per million and under the proposed conditions it will be 3.5 parts per million which is very acceptable. Mr. Bracken stated that he used an area which is approximately 17,000 square feet from the high water mark up to the edge of the pavement. Mr. Bracken stated that he chose that area because the septic system is within this area and there is a lot of lawn area. Mr. Bracken stated that typically he stops at the property line so this is applicable to use this area in this case. Ms. Coffin stated that she has visited this property numerous times in the past and can say that as you step out the front door you are at town road layout. Ms. Coffin stated that this is an older house and something needs to be done. Ms. Coffin stated that years ago nothing could get done in the road layout because of all the work being done on the drainage systems near Conservation Pond. Ms. Coffin stated that everything that is going to be done with the drainage has been done, so Mr. Tellier at the DPW said he had no problems with anyone doing anything here. Ms. Peterson asked if there is a letter from the DPW stating that it is ok with Mr. Tellier to work here. Mr. Bracken stated that he does have correspondence from DPW and will have it provided to the Board of Health. Ms. Peterson stated that the easement needs to be recorded at the registry of deeds along with the vote from Town Meeting. Mr. Bracken stated he is aware of all of that. Mr. Bracken stated that this should all be in compliance sometime in July. Mr. Bracken stated that the foundation footprint has slightly decreased a little bit from 1198 square feet to 1177 square feet. Mr. Bracken stated that overall there is an increase because of the proposed second floor

addition. Mr. Bracken stated that the first floor will be open and have a kitchen, great room, office area and bathroom and the second floor will have the 2 bedrooms and a game room completely open to the stairway. Mr. Bracken stated that the numbers broken down between habitable and non-habitable is a 19% increase in habitable and 158% increase in non-habitable; total combined is an average of a 112% increase. Ms Coffin stated that the space is now called bedroom and non-bedroom space for future filings which is exactly the same as habitable and non-habitable but the board recognizes bedroom and non-bedroom space. Mr. Bracken stated the variances he is looking for is an 81 foot variance from the 150 foot setback to mean high water which obviously is the resource area that we are all trying to protect. Mr. Bracken stated that he is requesting a 135 foot variance which results in a 15 foot setback to the coastal bank off the south west corner of the system to the bank that comes up along the west side of the house. Mr. Bracken stated that he feels the variances are justified because of the reduction in nitrogen loading and because of the type of the system being proposed and the reduction of the lawn area. Mr. Bracken stated that this property has been used as a year round residence for the past 6 years and will continue to be used as a year round residence. Mr. Bracken stated that the structure will now conform to flood plain requirements. Mr. Bracken stated that this is safer for the abutting properties and for the environment. Mr. Barlow asked if the town has ever approved this type of drip system. Ms. Coffin stated there is another one out in Gray Gables but it did not need to come before the board for approval. Ms. Coffin stated it is a pretty interesting installation. Ms. Coffin stated that the added benefit is the nitrogen uptake from the upper horizon which may even get more of a nitrogen reduction than what is already stated. Ms. Coffin stated that there is still pressure dosing so you will still get the virus attenuation. Mr. Bracken stated that he has designed and installed 4 systems already; one of which has been working for 2 years and has been fine. Mr. Barlow stated that this location is a great place to put one so that the board can watch it through the years. Ms. Peterson stated that she has no questions but is looking for a 2 bedroom deed restriction and the alternative testing procedure to be put into place. **Mr. Barlow made a motion to grant the variances requested for 135 Circuit Ave because this is a good location for the system. Mr. Barlow stated that this is a little bit more of a variance that the board grants which is usually 75 feet from mean high water. Mr. Barlow stated that this is an 81 foot variance so the reduction in setback from the distance from the proposed soil absorption system to the mean high water mark at Hen's Cove from 150 feet to 69 feet. Mr. Barlow stated that he is in favor because the distance to ground water is over 4 feet. Mr. Barlow stated that the reduction in the setback from the propose soil absorption system to a wetland resource the coastal bank, is from 150 feet to 15 feet which is a 135 foot variance. Mr. Barlow referenced the plans received May 31, 2012 by the Board of Health for architectural and the engineered plans were dated May 30, 2012 with a received date of May 31, 2012. Mr. Barlow added a 2 bedroom deed restriction to the motion and also the alternative testing requirements imposed on this micro-fast system. Mr. Uitti seconded the motion. All in favor and the motion PASSES.**

4. Ms. Peterson stated that that board will hear item #4, John Gavin. Mr. Gavin stated he did not mind waiting until the end of the meeting to be heard. Ms. Peterson called Item #2, 62 Old Plymouth Road to continue to be heard.

62 OLD PLYMOUTH ROAD – CONTINUED – Ms. Peterson asked if an agreement had been met. Mr. Serkey stated there was not. Mr. Serkey stated he drafted the following proposal for the board's consideration. Mr. Serkey read the draft proposal to the board. The appeal granted and ordered May 17, 2012 is rescinded due to two factors. One--, documentation dated October 26, 2011 showing that all issues pertaining to the condition of the premises had been satisfactorily addressed to the tenants' satisfaction, including the placement of dehumidifiers in the basement. Two-- acquisition by landlord of property on March 30, 2012 and declaration of Homestead by landlord on April 2, 2012 evidencing landlord's intention to occupy the property as a domicile. Mr. Serkey stated those are the two main points that were made. Mr. Barlow noted that the Homestead is for 62 and not 26 Old Plymouth Road. Ms. Peterson stated it does not matter because the Homestead law is very complicated and refers to the book and page numbers that are stated. **Mr. Barlow made a motion to grant the appeal to the Board of Health order issued May 17, 2012. That order is hereby rescinded due to documentation dated October 26, 2011 showing that all issues pertaining to the condition of the premises had been satisfactorily addressed to the tenants' satisfaction, including the placement of dehumidifiers and a pump in the basement; and the acquisition by the landlord of the property on March 30, 2012, Declaration of Homestead by the landlord on April 2, 2012 evidencing landlords intention to occupy the property as a domicile. Mr. Uitti seconded the motion. All in favor and the motion PASSES.** Mr. Peterson added that very explicit records are kept regarding 62 Old Plymouth Road because of the long drawn out process. Ms. Peterson added the board went through numerous meetings. Mr. Serkey added that he will eventually need copies of the files. Ms. Peterson stated that the board did organize the file for the record. Mr. Serkey stated he would like to request the copies now. Ms. Coffin informed Mr. Serkey that a request for copies must be put in writing.

5. **JOHN GAVIN – Per request of Health Agent, Cynthia Coffin, discuss and possible vote regarding unpermitted Title 5 septic system installation at 67 Depot Road. (Hearing on possible suspension or revocation of installers permit pursuant to Title 5, 310 CMR 15.019):** Mr. Gavin stated that he has some information he would like to submit to the board. The board members read over what has been submitted. Ms. Coffin stated that Mr. Gavin came into the office to take out the septic permit when he stated that the system has already been installed. Ms. Coffin stated that this totally falls in the face of anything that the board has ever allowed. Ms. Coffin stated that in her twenty-six years she has only had one other person install without a proper septic permit. Ms. Coffin stated that the situation gets worse because she learned that the system was installed before any engineered plans were drawn. Ms. Coffin stated that Mr. Gavin told her he was pressured but Ms. Coffin said it would have only taken a phone call if there was a real issue that the deal was going to fall through. Ms. Coffin stated that she has even gone out on weekends if there was a closing. Ms.

Coffin feels there is a huge issue with a flagrant disregard to the rules of Title 5 and the Town of Bourne rules and could not just look the other way. Ms. Coffin stated that Mr. Gavin called in for an inspection before he back filled and there were some issues, i.e. the vent was not put on, the sand was not around the contactors. Ms. Coffin stated she feels the project was a mess from start to finish. Ms. Coffin stated she contacted the engineering firm and was told they too were called out after the system was already in the ground. Ms. Coffin stated this should not have happened. Ms. Peterson stated she has a problem with the owners. Ms. Peterson stated they pressured Mr. Gavin from the beginning. Ms. Peterson stated she does not like the letter submitted by the owners. Ms. Peterson stated that ultimately this is the owners' fault. Ms. Peterson stated she disagrees, which her own personal opinion. Ms. Coffin feels an installer knows what Title 5 is; they know what legally they should or should not do. Ms. Coffin stated if Mr. Gavin felt as though he was being pressured he still should not have done anything without a plan and should not have gone beyond that without a permit. Ms. Coffin stated she may be simplifying things but feels this is not the homeowners' issue. It is the issue of the installer. Ms. Peterson stated that she feels the whole thing was a mess from the beginning and just snowballed. Mr. Gavin stated that unfortunately for him there is a good chance that he may be asked to pay the \$30,000.00 or \$40,000.00 deposit that the owners put down to buy this property and with this delay from the beginning he absolutely can't stand this and this will not happen again. Ms. Peterson stated that she just does not understand, knowing how much and how long Mr. Gavin has been at this, that he just went ahead. Ms. Peterson stated she knows Mr. Gavin said he felt pressured. Ms. Peterson stated that she understands pressure. Mr. Gavin stated that it was not just the pressure. It had to pay legal fees on top of that and pay for a lost deposit because he did not get the job done. Mr. Gavin stated that he didn't get the job done because the engineer that he normally uses had a knee replacement and did not inform Mr. Gavin that he could not get to it until 10 days had gone by. Mr. Gavin stated that this engineer's father-in-law just passed away and he just started working with Chris Costa's firm. Mr. Gavin stated that Mr. Costa has fired him. Mr. Gavin stated that in the future he will not be responsible for the engineering; he will only be responsible for his own work. Mr. Gavin stated that all the jobs that he does, he also does the engineering. Mr. Gavin stated that he does not accept engineered plans unless it is paid for by someone else. Mr. Gavin stated that there have been too many problems over the years with him not being involved in what is being quoted to put in the ground on a piece of property. Mr. Gavin stated that he has done several systems over the years. Ms. Peterson stated that her problem with this is if the board lets this go by then anyone will think they can put a system in without plans and claim that the Board of Health won't care. The Board also needs to back the Health Agent. Ms. Peterson stated that she does not know what the protocol is regarding a situation like this. Ms. Coffin stated that according to Title 5 regulations, the board would need to bring the installer to court in order to enforce a fine. Ms. Coffin stated that she is not sure what the answer is. Ms. Coffin stated that the board could revoke Mr. Gavin's installer's license or suspend the license for a month. Ms. Coffin stated that she

does not want this taken lightly. Ms. Coffin stated that she is really bothered by this situation because Mr. Gavin always states he goes by the book and tends to criticize other installers' but then he went and installed the system with a plan or approval. Mr. Gavin stated that this was not his choice to do this. Mr. Gavin stated that he was forced into a monumental squeeze. Mr. Gavin stated that this has never happened before and it will never happen again. Ms. Coffin stated that an installer should not bid on a job until there are a set of engineered plans to look at. Mr. Gavin stated that was not true. Mr. Gavin stated that he has drawn his own plans for years. Ms. Coffin stated that an installer cannot do work in this town without a set of engineered plans. Mr. Barlow stated that it seems that Mr. Gavin bid on the job before he saw the engineered plans with a reasonable idea of what the system would be designed for. Mr. Barlow made it clear to Mr. Gavin that this cannot ever happen again. Mr. Barlow stated that something does need to be done because the Board does not want other installers to claim that Mr. Gavin got away with this so they may also try it. Mr. Barlow suggested suspending his installer's license for a time. Ms. Coffin stated that maybe a month would be sufficient. Mr. Gavin stated that he has a contract in the Town of Bourne on Old North Road to upgrade a septic system. Mr. Barlow asked when Mr. Gavin is scheduled to start this other job. Mr. Gavin stated once he is finished with this current job. Mr. Barlow stated the Board really needs to suspend his license for a time so maybe in September he would be eligible to get his license back. Mr. Barlow stated that this is a first offense and the board could set precedence. Ms. Peterson suggested putting the installer on probation for 1 year. Mr. Peterson stated Mr. Gavin can still keep his permit and his license and continue to work in the Town of Bourne but if there are any infractions during that year, the board has the right to go back and revoke the license. **Mr. Uitti made a motion to put Mr. Gavin on probation for one year. Mr. Uitti stated that Mr. Gavin can keep his installer's license but if Mr. Gavin does anything wrong within the year the license can be revoked.** Mr. Gavin stated that he needs to be able to give the homeowner a certificate of compliance. Ms. Coffin stated that once Mr. Gavin submits an as-built she can sign the certificate of compliance since the board voted on a form of discipline. **Mr. Barlow seconded the motion. The motion passes with the understanding that if there is another infraction then Mr. Gavin loses his installers license from the Town of Bourne.**

- 6. Approval of the Minutes dated May 23, 2012 – Mr. Uitti made a motion to approve the minutes dated May 23, 2012. Mr. Barlow seconded the motion. All in favor and the motion PASSES.**

Mr. Uitti moved to adjourn the meeting. Mr. Barlow seconded the motion. The meeting was adjourned at 8:25 pm.

Respectfully taped and typed by,

Lisa M. Collett
Secretary

Reviewed and approved by

Cynthia A. Coffin
Health Agent

Kathleen Peterson

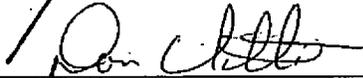


Stanley Andrews

Galon Barlow



Don Uitti



Carol Tinkham

cc Board of Selectmen/Town Clerk



TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

June 27, 2012

Time:

7:00 P.M.

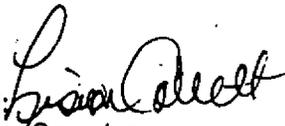
Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

THE BOARD OF HEALTH MEETING SCHEDULED FOR
JUNE 27, 2012
HAS BEEN CANCELLED

cc Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: June 21, 2012

2012 JUN 21 PM 3 25
TOWN CLERK'S OFFICE
BOURNE, MASS



TOWN OF BOURNE
BOARD OF HEALTH 2012 JUL 5 PM 12 29
24 Perry Avenue
Buzzards Bay, MA 02532 TOWN CLERK'S OFFICE
Phone (508) 759-0615 x1 BOURNE, MASS
Fax (508) 759-0679

Cynthia A. Coffin,
Health Agent

JOINT MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

July 10, 2012

Time:

6:30 P.M.

Place:

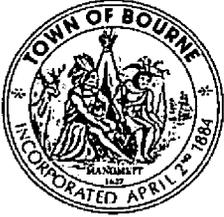
Bourne Middle School Library
77 Waterhouse Road
Bourne, MA 02532

AGENDA ITEMS:

- 1. Joint Meeting with Board of Sewer Commissioners, Planning Board , Board of Health, Finance Committee, Capital Outlay Committee and Energy Committee with the Wastewater Advisory Committee.**

cc Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: July 5, 2012



Cynthia A. Coffin
Health Agent

TOWN OF BOURNE BOARD OF HEALTH

24 Perry Avenue
Buzzards Bay, MA 02532

Phone (508) 759-0615 x 1

Fax (508) 759-0679



Board of Health meeting minutes
July 10, 2012—Joint meeting with
Board of Selectmen, Planning Board,
Finance and Wastewater Advisory Committee

2012 JUL 27 AM 9 33
TOWN CLERK'S OFFICE
BOURNE, MASS

The meeting was scheduled for 6:30 P.M. but the joint meeting started at 6:45. Members of the Board of Selectmen, the Planning Board, Finance Committee, and Wastewater Advisory Committee were present. Board of Health members present were: Kathleen Peterson, Stanley Andrews, Galon Barlow, Donald Uitti, and Carol Tinkham. Cynthia Coffin, Health Agent was also present.

The Board of Selectmen had appointed a Wastewater Advisory Committee to address the present and future needs of sewerage in the Buzzards Bay Downtown district. The presentation was turned over to Vice Chairman Bill Locke as Chairman Sallie Riggs was unable to attend the meeting. Mr. Locke stated that the Committee was formed on June 6, 2011. They met multiple times throughout the last year in order to discuss wastewater and water supply needs in light of the Growth Incentive Zone as in the Local Comprehensive Plan. In the present Phase 1, decisions need to be made in order to proceed with future buildout plans. The Town needs to look at water supply and demand, existing infrastructure, and also do a buildout analysis. There are also opportunities for an increased tax base from the commercial sector with new growth. Mr. Locke stated that Downtown Bourne could be like Newport. However, there are impediments to growth that the Town has been able to address with changes in zoning, addressing development in flood zones, developing architectural standards, looking at the regulatory environment, the towns streetscape and wastewater capacity. In Phase 1 there is the buildout of 265,000 square feet of commercial space and 128 residential units.

The presentation was turned over to Glenn Cannon of the Cape Cod Commission. Mr. Cannon stated that the first job was to assess the present Drinking Water supply and demand. The 4 yr annual average use is 470,000 gallons per day. For any future buildout, the Water District needs to bring a new well online. The permitting process for a new public drinking well can be a lengthy process. The Cape Cod Commission will help in that process. The second issue to look at is existing wastewater infrastructure. Presently the Town of Wareham will take up to 200,000 gallons per day of wastewater from Bourne. 60,000 gpd comes from Hideaway Village and 140,000 gallons per day come

from Downtown Buzzards Bay. At 180,000 gallons the Town of Wareham is requiring that planning to increase capacity be undertaken. From 2003-2005 there was an average discharge of 106,000 gallons per day to the Wareham plant and from 2009-2011 there was a decreased output of 87,000 gallons per day to the Wareham Plant. There is a new senior living complex, Optimus Senior Living, which is expected to generate an additional 23,000 gallons of sewage. Theoretical maximum buildout projections for Downtown Bourne are 1,803 residential units and 3,244,928 square feet of commercial space.

Mike Dominica of CH2MHill continued with the presentation. He stated that there were several issues that need to be addressed with any wastewater facility siting. The criteria for identifying potential wastewater treatment and subsurface disposal sites are: appropriate size to meet disposal and treatment flow requirements, adequate soil permeability, groundwater depth greater than 6 feet, must be located outside of Zone II's, must be located outside of Sensitive Habitat, Wetlands, or Water Bodies, must be located outside of the 100 year flood plain, and must be undeveloped or open space. For any site the key issues are the construction of the wastewater treatment plants, the specific technology used and where the discharge will take place. He said that the committee, CCC, and CH2MHill decided early on that there would be no open tanks or leaching beds used in treatment and that any technology would have odor control. Various sites for the siting of the treatment plant and the subsurface leaching were ranked and weighted based on various criteria like being downgradient of wells and water bodies, cost of acquisition of property, possibility of expansion, and competing land uses. Then a sensitivity analysis of the weighting was done and the choices of the sites did not change that much. The disposal sites that were looked at were the Kramer property at Hideaway Village, the Town property on Scenic Highway, Town property at Queen Sewell Park, and Town property behind the Community Building. For the actual construction of the treatment plant there were 26 possible sites and these were also reviewed and weighted based on various criteria. There were 5 sites that were chosen. The Kramer property, Scenic Highway, Town owned property on Deseret Drive, State owned property at Belmont Circle, and the privately owned Sandford property in Buzzards Bay. After this, the committee looked at the various technologies for wastewater treatment. Membrane bioreactors, sequencing batch reactors, and package plants were looked at in relation to cost of construction, reliability, expansion capability, and nitrogen removal capability. It was decided that the MBR's were the latest technology, more reliable, capable of removing nitrogen, even though it was slightly more expensive. It was also decided that anything sited in the downtown area would not receive septage for treatment. Package plants are generally more useful when there is less than 50,000 gpd of sewage so these types of plants are not feasible if you look at the whole flow to be generated. The various technologies were rated and ranked by odor, reliability, nutrient removal, and costs. The committee also looked at the land requirement for the various treatment options. The preferred method of wastewater treatment, in the Downtown area, was determined to be the membrane bioreactor, with the primary choice for the plant site being Belmont Circle or the Sandford Property and the primary choice for the disposal site being Queen Sewell Park and the behind the Community Building. If the facility and leaching are to be out of the Downtown area, the primary choice for the plant and the leaching area is the Scenic

Highway Parcel. Mr. Dominica explained that the Scenic Highway option was probably the most flexible and might be the one preferred by DEP. The costs for any of the options run in the millions, from 6-17 million for Downtown depending on the amount of flow (from 50,000- 335,000 gpd) and from 4-6 million for Hideaway Village alone.

The Committee also looked at regional wastewater options. One possibility was to send flow to the Massachusetts Maritime Academy treatment plant but this is infeasible since the MMA plant is constrained by existing capacity issues. Also they are planning a campus expansion and will have to upgrade their plant anyway and they will have to do nitrogen removal. There could also be additional flow to the Wareham plant but there would be the need for sewer expansion in Wareham. Also the Town could send flow to the Mass Military Reservation Plant but a pipe under the canal would have to be installed. Also if the MMA took any of Bourne's sewage they would do something regionally and have to take Sandwich, Mashpee, and Falmouth too and they only have about 140,000 gpd additional capacity.

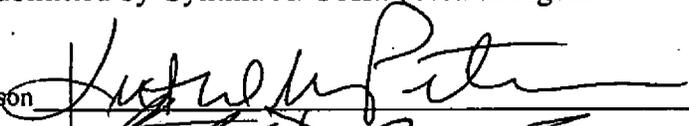
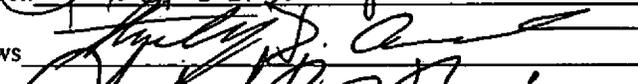
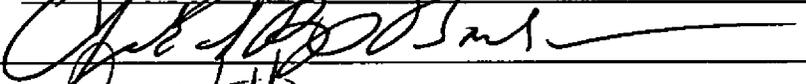
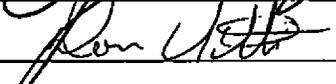
The Committee's proposed Action Plan is to implement a phased approach. Other key action points are to utilize the remaining capacity at the Wareham Treatment Plant, request that DEP review and comment on the Wastewater Committee's report, talk with private developers, review the choices of siting, have consultants undertake hydraulic studies of the various sites, and look into funding mechanisms.

Mr. Locke stated that the Town needs to act now to control its own destiny. The only way to revitalize the downtown area is to find a way to increase wastewater treatment and disposal capacity. There is also a four year timeline for implementation of the plan. The Cape Cod Commission will have to look in to whether they can continue to help the Town do this kind of work without any further costs to the Town. It was discussed by the Selectmen that the Town needed to have a plan in order to be able to request any funding and now we at least have a plan. There were various questions asked of the presenters. Mr. Dominica stated that the Cape Cod Commission and his group can come up with costs for implementation of the Action plan. It was decided that this cost assessment would be provided to the Board of Selectmen at their meeting the first week of August.

The Finance Committee stated that it might be better for the Town to try and secure its own funding based on interest rates. Mr. Barlow stated that the Town also needs to look at the costs for the proposed work and what other possible uses of the Town land and future development could be that would not require an increase in wastewater flows. The residents in the Downtown district already pay high sewage betterment fees and probably cannot take any additional costs. Selectmen Ford said that it certainly would not go over well if the residents on the other side of the bridge were asked to pay betterment fees for wastewater treatment that they were not even a part of. There was other discussion as to how to fund the expansion. Mr. Mulvey, from the audience, stated that the Town should really consider whether they want to increase discharge of leachate to the ground at all. It was decided that the town needs to review the plan further to decide what the next step should be. The Committee recommended the hiring or appointment of an individual to spearhead work on the plan, but there were no volunteers at the time.

The meeting adjourned around 9 P.M.

Typed and submitted by Cynthia A. Coffin, Health Agent

Kathleen Peterson 
Stanley Andrews 
Galon Barlow 
Don Uitti 
Carol Tinkham _____

cc Board of Selectmen/Town Clerk



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue 2012 JUL 5 PM 12 24
Buzzards Bay, MA 02532
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BOURNE, MASS
Fax (508) 759-0679

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

July 11, 2012

Time:

7:00 P.M.

Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

THE BOARD OF HEALTH MEETING SCHEDULED FOR

JULY 11, 2012

HAS BEEN CANCELLED

cc Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: July 5, 2012



TOWN OF BOURNE
BOARD OF HEALTH 2012 JUL 19 PM 2
24 Perry Avenue
Buzzards Bay, MA 02532 TOWN CLERK'S OFFICE
Phone (508) 759-0615 x1 BOURNE, MASS
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: **BOARD OF HEALTH**
Schedule of Meeting:

Date:

July 25, 2012

Time:

7:00 P.M.

Place:

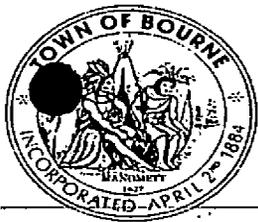
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. ISWM –
 - Dan Barrett – General Update
 - Presentation by Michael T Lannan, P.E. on RFP's for alternative waste handling, leachate management and landfill gas utilization.
 - Discuss and Possible Vote regarding Covanta's request to dump ash in the landfill until 4:00pm on Saturdays and from 7:00am until 12:00 pm on Sundays
2. POCASSET MOBILE HOME PARK - Receiver Attorney Chuck Sabatt – Update on park septic system and court case
3. TOBACCO REGS – CYNTHIA A. COFFIN – Discuss and possible vote on revised tobacco regulation -
4. 2 HILL STREET – BRACKEN ENGINEERING FOR LINDA GUDAS & MIKE SAYLER – Request Variances
5. APPROVAL OF MINUTES DATED JUNE 13, 2012
6. APPROVAL OF MINUTES DATED JULY 10, 2012

cc Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: July 19, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**

2012 SEP 27 PM 1:25
24 Perry Avenue
Bourne, MA 02532

Phone (508) 759-0615 x1

TOWN CLERK'S OFFICE
Bourne, MA
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

**MINUTES
JULY 25, 2012**

**Members in attendance: Kathy Peterson, Chairman; Stanley Andrews; Don Uitti;
Galon Barlow**

Support Staff in attendance: Cynthia Coffin, Health Agent; Lisa Collett, Secretary

Meeting was called to order at 7:03 P.M.

1. ISWM -

• DAN BARRETT - GENERAL UPDATE -

Mr. Barrett stated that the phase 4 constructions, the liner itself, portion of the construction is nearly complete. Mr. Barrett stated that all liner components are in place including drain, sand, all liner material and insulation testing has been done. Mr. Barrett stated that the leachate pumps have been installed and hooked up. Mr. Barrett stated that the liner leak test was to be finished today, July 25, 2012. Mr. Barrett stated that he hopes to submit the authorization to operate at location to DEP early next week. Mr. Barrett stated that he anticipates construction at the entrance, including the scale and the paving to be completed sometime late September of 2012. Mr. Barrett stated that this is a 2 portion project. The liner being the first and foremost part of the project. Mr. Barrett stated that concrete has been poured on the scale and messing up traffic kind of as a filler. Mr. Barrett stated that the concrete is all poured and now must wait 21 days for the concrete to cure because there is so much of it. Mr. Barrett stated that the scale house is 90% complete. The only thing left is wall board and things like that. Mr. Barrett stated that the paving needs to be done. As part of that there will be new gates installed which will probably take the rest of August 2012 and into September 2012 to complete. Mr. Barrett stated that he is looking forward to the completion of this project. Mr. Barrett stated that the public has been very patient and has received very few complaints. Mr. Barrett stated that looking into the future, the phase 2A, 3A final cap project. The landfill major modification and corrective design has been submitted by ISWM. ISWM has received conditional approval from Mass DEP to move forward. Mr. Barrett stated that this project encompasses 12.5 acres and includes the installation of 6

new vertical gas collection wells. Mr. Barrett stated that the plans have been put out for bid. The bid opening is scheduled for August 8, 2012. Mr. Barrett stated that he hopes to have the construction begin early this fall focusing on the installation of the remaining gas collection system. Mr. Barrett stated that when ~~that is done, he will come back before the Board of Health to inform of the plans~~ which include 6 wells and a limited amount of piping. Mr. Barrett stated that a majority of this project was completed last winter. Mr. Barrett stated that those wells are active. Mr. Barrett stated that in the fall of 2012 he will come back before the board with a plan on how to handle the drilling and the potential odor. Mr. Barrett stated that it is worth noting that this is the capping of the valley fill which he has had so much trouble with over the last five years and he is very excited about this project being completed. Mr. Barrett stated that he anticipates the DEP's issuing the authorization to operate into Phase 4. Mr. Barrett stated that it is tuff to say with covering vacations and such but hoping to have that permit by the end of September 2012. Mr. Barrett stated that there is approximately 6 to 8 weeks of air space left on top at the current rate they are filling. Mr. Barrett stated that they are in good shape. Mr. Andrews asked if all the area of 2A and 3A will be capped off. These areas are the ones that had problems in the years past. Mr. Barrett answered yes. Mr. Barrett stated that they are working north by the flare and working south all the way up to the intersection of phase 4 so that is going to include the entire landfill to be capped except for phase 4 and the south slope of 2A and 3A which is very small. Mr. Barrett stated that at that point 90% of the landfill will be capped and have gas extractions in it at that point then they will start with phase 4. **No action taken at this time.**

- **PRESENTATION BY MICHAEL T. LANNAN, P.E. ON RFP'S FOR ALTERNATIVE WASTE HANDLING, LEACHATE MANAGEMENT AND LANDFILL GAS UTILIZATION.**

Mr. Barrett stated that he feels very confident that the board will be happy with what Mr. Lannan presents tonight. Mr. Barrett stated that he hopes to be able to accomplish and questions and concerns that the board has. Mr. Barrett stated that the board has been given a copy of the report for review already. Mr. Barrett stated that he is hoping to come back to the board in as early as 2 weeks with the final report. Mr. Barrett stated that the drafts are before the board tonight. Members' questions or concerns can be addressed tonight; then the final report can be presented at the next board of health meeting for approval. Mr. Barrett stated that this is still in a preliminary process and feels Mr. Lannan struggled a bit because he had technical questions that the designs have not yet incorporated yet. Mr. Barrett stated that this is very early in the design phase. Mr. Barrett stated that the vendors are not willing to invest any more money into the design of the project until it moves forward a bit more. Mr. Barrett stated that it's important to get Mr. Lannan's questions and the boards questions out on the table right now. Mr. Barrett stated that the board will not be voting on a process, or a vendor or a technology. Mr. Barrett stated that the only thing the board will be voting on is to

allow the process to move forward. Mr. Barrett stated that the next stage of the process is if the vendors pass this next step then he will be able to enter into an agreement to move forward. Mr. Barlow stated that there is nothing on the agenda that states the board will be voting on anything tonight. Mr. Barlow stated that the board will listen to the presentation. Mr. Bassett stated that he understood. Mr. Barrett stated that at the meeting dated April 25, 2012, the Board of Health approved the selection of Mr. Michael Lannan P.E., Vice President of Tech Environmental, to sit in on and participate as a consultant for the Board of Health in the review process for the responses of the RFP's for alternative waste handling technologies, leachate management and landfill gas utilization. Mr. Barrett stated that Mr. Lannan has actively participated in the non-price review of the RFP's with the working group subcommittee. Mr. Barrett stated that the ISWM professional staff and the consultants. Mr. Barrett stated that he would like to turn the presentation over to Mr. Lannan. Mr. Lannan stated that he is part of a firm that specializes in air quality, odor, noise and dust. Mr. Lannan stated that his company focuses on those nuisance type issues across many types of industries. Mr. Lannan stated that his focus is to make sure that there is a great understanding of what is necessary from our stand-point; especially in this case. Mr. Lannan stated that they should talk about the history of the odor problem and if people are sensitized to the odor, then that needs to be worked into the equation. Mr. Lannan stated that there are 3 firms that made proposals. Mr. Lannan stated that 2 of the firms are very specific on what they will supply. Mr. Lannan stated that the Rochem which is the reverse osmosis to deal with the leachate alone and then there was the Shaw proposal which is the drying out of the leachate, evaporating the leachate to reduce the size. Mr. Lannan stated that there is a big cost when associating with leachate so attacking leachate in its virgin form is often very expensive. Mr. Lannan stated that so trying to reduce the amount of leachate is a great idea. Mr. Lannan stated that he came up with ideas that he felt need to be incorporated into a design and permitting process. Mr. Lannan stated that he wants the firms to know that there is an expectation of these ideas happening then everyone will be able to move forward and the board of health is have the assurance that is needed that all the nuisance criteria will be fully managed. Mr. Lannan stated that the third proposal is the Harvest Power one. Mr. Lannan stated that this is a totally different animal from the other two. Mr. Lannan stated that this is a large proposal which will deal with not only the landfill itself but bringing in its own supplemental energy sources to help supplement the gas. Mr. Lannan stated that it is proposed to take the landfill gas and create their own bio gas to create energy from a combined system. Mr. Lannan stated that going back to the Rochem proposal on page 6. Mr. Lannan stated that reverse osmosis is basically taking the leachate and pushing it through filters to get clean water out one side and the stuff remaining on the original side is more concentrated. Mr. Lannan stated that the whole idea is to reduce the amount of volume of leachate that has products that should not be discharged. Mr. Lannan stated that realistically they have a bunch of mechanical systems that will concentrate the leachate so the real odor potential will come from the leachate and the concentrated solution. Mr. Lannan stated that the mechanical

system is very contained with some pumps relative to noise but as long as the noise assessment is complete it should not be a big deal. Mr. Lannan stated that the real concern will be if they concentrate the stuff and its odorless can they put some sort of added odor control technology. Mr. Lannan stated that this can easily be done with this system. Mr. Lannan stated that out of the 3 proposals, this is the one with the least potential for odor in the future therefore will be the easiest to address. Mr. Lannan stated that if the board were to approve to move forward with this option there would not be any concerns and clearly there are no fatal flaws with what is being proposed right now. Mr. Lannan stated that he can go through each item separately or just give a general summary of each item. Ms. Peterson stated that a general summary will be ok. Mr. Andrews stated that he has one question with one piece of the proposal. Mr. Andrews stated after hearing the report about the residuals, where would these go, back into the landfill? Mr. Barrett answered yes. Mr. Andrews asked about the odor control, transporting it back and forth with a cover that would be required. Mr. Andrews stated this will all need to be hammered out. Mr. Barrett stated that was correct. Mr. Barrett stated that he would look into bulking it and at that point doing some odor mitigation efforts whether it is adding lime to it or whatever it takes. Mr. Barrett stated that it is not a lot of volume and is easily handled. Mr. Andrews asked how much volume it is? Mr. Barrett stated that in tons wise it is much better to discuss it in volume because one of the questions that was proposed to Rochem was from an operational stand point, is the concentrate going to take up anymore air space. Mr. Barrett stated the result is it will be very minimal. Mr. Barrett stated that no air space will be taken. Mr. Andrews stated that he is referring to volume transporting from one location up on to the south. Mr. Barrett stated that it will be in an enclosed tank. Mr. Lannan stated that if this does become an issue, there are ways to treat it. Mr. Barrett stated that in Chicago, they are actually using this system. Mr. Barrett stated that the landfill director told him it was nothing and encouraged Mr. Barrett to come out and take a look at the process. Mr. Barrett stated he felt that was not necessary. Mr. Barrett stated that he would be inclined to view some videos to see how the process works. Mr. Barlow asked about how much volume is the landfill looking to process. Mr. Barlow referred to the heavy rain and stated the leachate just sky rockets because of the run off. Mr. Barlow stated that right now it can't be handled and would like to get that number before this goes too far ahead. Mr. Barlow stated that the volume must be worthwhile to do. Mr. Barrett stated that the maximum they are producing right now is 60 million gallons per year. Mr. Barrett stated that in the proposal he request that they design a system to handle that amount. Mr. Barrett stated that he anticipates that the volume will decrease once 2A and 3A are capped. Mr. Barrett stated that there is a 207 thousand gallon storage tank that he can use as a buffer. Mr. Lannan stated that the worst case scenario will be to off load it and move it. Mr. Barlow stated that he does not want to abandon any thoughts of carting it out of there thinking it will all get evaporated because that is not likely to happen. Mr. Lannan stated that he was glad Mr. Barlow brought up evaporation because that is a great segue to the Shaw system. Mr. Lannan stated that the Shaw system is basically a system where they are evaporating the leachate. Mr. Lannan stated

that they are using the energy from the landfill gas to convert the leachate and thicken it to almost to a point of a solid. Mr. Lannan stated that there would be more water than solid but will be more like a solid. Mr. Lannan stated that he has more concerns with this system because they are taking it through evaporation and there is a lot of agitation. Mr. Lannan stated that there is the potential of hydrogen sulfide being omitted from this system. Mr. Lannan stated that he did look into what the potential was and it was not all included in the original spreadsheet so he asked for more information. Mr. Lannan stated that they did talk a little bit about what their sulfide omissions would be. Mr. Lannan stated that the information was readily available in the RFP. Mr. Lannan stated that he is not sure why this was not part of their examination but his feeling is that this is one of the drawbacks. Mr. Lannan stated that it may need some sort of auxiliary treatment. Mr. Lannan stated that the other issue he is concerned with is if you are volatilizing all these compounds, what are volatilizing besides just water. Mr. Lannan stated that the air/odor omissions from the evaporator are really the number one issue. Mr. Lannan stated that odor potential from the leachate handling is addressed because there is an enclosure for the system but the tanks do exhaust to the outside. Mr. Lannan stated that there will also be noise impact from this system which has not been fully addressed. Mr. Lannan stated that it is a much larger combustion system. Mr. Lannan stated that he is a bit concerned about the pure tones but there is not any new information yet whether or not it will have a single tone that might become an issue. Mr. Lannan stated that the proposal has been presented at other places and has worked. Mr. Lannan stated that this could work for Bourne but there are a number of other things here to address that. Mr. Lannan stated that he would like to draw the board's attention to item number 3. Mr. Lannan stated that this system will not meet some of the odor criteria that the board is concerned about. Mr. Lannan stated that on the last page on page number 9, talks about the hazardous air pollutants. Mr. Lannan stated that this is an area that needs to be explored. Mr. Lannan stated that generically this has been addressed in the major application to the DEP. Mr. Andrews asked what the similarities are to the Turnkey system. Mr. Barrett stated that it is basically along the same line as the Shaw system. Mr. Barrett stated that either one of the systems that is chosen will be located right up by the leachate tank now. Ms. Peterson asked if the plan is to use all three systems. Mr. Barrett stated no. Mr. Barrett stated that Rochem and Shaw are both buying for the same thing which is leachate treatment. Mr. Barrett stated that further evaluation needs to be done before deciding which of the two for leachate handling. Mr. Barrett stated that Harvest Power is the only comprehensive one which is a little bit different. Mr. Barrett stated that the board may see 2 out of the 3 proposals. Mr. Lannan stated that there is a pretty in depth RFP on the larger system. Mr. Lannan stated that there was a lot said in the report but not a lot of design information. Ms. Peterson stated that there was enough information to give a basic idea and that is all the board is looking for right now. Mr. Lannan stated that after going through the report there was clearly not enough information to determine if there was going to be any flaws at the time. Mr. Lannan stated that they have asked for more information and there was a little bit of a stone wall at

the time with a catch 22 and not giving out too much information until they have a signed contract. Mr. Lannan stated that they did information on how the system would be ducted and so on. Mr. Lannan stated that there are still a number of items that need to be addressed. Mr. Lannan stated that they are very interested in doing what needs to be done to address the concerns of the Board of Health. Mr. Lannan stated that there are a number of things that need to occur and it's important for these to be laid out for them now so that they understand that these need to be worked out along the process. Mr. Andrews stated that Harvest Power was before the board a couple of years ago and did a presentation on the process and after reading through the proposal it was a different animal than what was proposed. Mr. Andrews stated that it was yard waste, food waste etc and now it is coming through as 50% bio-solids. Mr. Andrews asked what bio-solids are. Mr. Lannan stated that bio-solids are wastewater residuals. Mr. Andrews asked what potential if any are there for this to release through any of the digestion process. Mr. Lannan stated that there is a common concern with digesters because they are heated up and this creates a methane gas. There are going to be air quality concerns. Mr. Lannan stated that the digester is not the concern. What is important is how the material is handled before the digester and how the material is handled after the digester; as well as how the gas is combusted and turned into energy. Mr. Lannan stated that the digester itself is very self contained for safety reasons. They are designed to not allow any air infiltration into the system. Mr. Lannan stated that relative to bio-solids the concerns are typically related to metals. Mr. Lannan stated that the metals will not be an issue for this site because they are very low and generally do not release into the air through the processing. Mr. Lannan stated that the concerns here are not the bio-solids. Mr. Andrews asked about the waste that is not turned into a final product that runs back into the landfill. Mr. Lannan stated that the digestate will contain some of the metals and some of those metals will be recycled back into the landfill and those will go through the leachate but there is really no release point for that until it goes to discharge so the reverse osmosis or evaporation is how you would get rid of the liquid end. Mr. Andrews stated that it will just continue in a loop delivered through under the building out into the landfill back to the leachate back to the landfill etc. Mr. Lannan stated that he understands what Mr. Andrews is asking and technically that is true but when you are talking about parts per trillion levels when things are circulating and we are not talking about half is metal and half is sludge. Mr. Lannan stated it is not like that, these are very very very trace amounts. Mr. Lannan stated that in some cases lower than what is in drinking water. Mr. Barrett stated that Mr. Andrews brought up to good point and they are looking at the concentration and certainly other forms of landfilling namely bioreactors have seen that type of activity. The more circulated the more concentrated they get. Mr. Barrett stated that these are trace amounts, very small trace amounts. Mr. Barrett stated that one of the components in the RFP's was we need to talk about what that concentration factor is going to be over a length of time. In other words, are we going to be subject to any increase? Mr. Barrett stated that the last thing he wants is the leachate become difficult to dispose. Mr. Barrett stated that the consideration is in there. Mr. Lannan stated that it is very

important if they go that route that they demonstrate that there will be no harm to any of the solid waste or the leachate or the air. Mr. Lannan stated that they will need to do that demonstration that they wouldn't have to do if they didn't have bio-solids. Mr. Lannan stated that it's a decision they will make whether it's worth it to them. ~~Mr. Andrews stated that as far as odor control, they have not~~ addressed all the potentials on delivery and the process at this time. Mr. Lannan stated that they have provided an air flow diagram which is a pencil sketch with a single line of duct work running through the system over to the odor control systems. Mr. Lannan stated that there are 3 optional ways for the odor control to work. Mr. Lannan stated that it is a conceptual drawing because this is at a conceptual phase. Mr. Lannan stated that the good thing about it is that they have every process that they talked about in their proposal and everyone was inside the building and everyone of them had a duct pickup to the primary system and everyone one of them was enclosed with a secondary system for capturing fugitive odors from this process. Mr. Lannan stated that a truck comes in, dumps something that more of a solid into a bin, the hatch opens, there is going to be some release into the room. How that is all fits together is yet to be determined but they are willing to do it. Mr. Lannan stated that this is not a fatal flaw. Mr. Lannan stated that if they are willing to do it they understand that anything that comes before you better have that in it or else they will not get approved. Mr. Lannan stated that frankly they know they need to do that stuff for odor control. Mr. Barlow stated that when talking about the compost, the tonnage that Harvest Power may take from the landfill to have something somewhere we are not going to increase the tonnage just to have something else over there. Mr. Barlow stated that Mr. Lannan may want to look at how the balance of tonnage is going to work because we have already sold the tonnage to the landfill. Mr. Barrett stated that through the process as we work through with the working group and at the joint meetings he has always mentioned that as we move forward with these, we have positioned ourselves through traffic studies reconstruction at the entrance structure meeting with DOT we may ask to increase the tons. Mr. Barrett stated that he will not ask for an increase of tons going into the landfill but will ask for an increase into the facility in and out. Mr. Barlow stated that this needs to be looked at more carefully because if you plan on trucking in sludge it generally does not smell that great and the idea of hauling it all the way down MacArthur Blvd. because you increased the tonnage and they are going to close that. Mr. Barlow stated that there are a whole lot of things to be considered here. Mr. Lannan stated that the board has hired the right guy for this job. Mr. Lannan stated that he absolutely agrees with Mr. Barlow's concerns. Mr. Barrett stated that one of the reasons why we said this on April 25, 2012 that was kind of a hurried up process too but we asked for quotes to get a consulting engineer for the board of health and Mike popped up on the radar because of his extensive background in solid waste as well as bio-solid, composting etc. That is why he is here tonight. Mr. Barrett stated that he is fully aware of these operations, should they move forward, Harvest Power for example, should that process move forward we are more than likely as part of that opening and re-opening of that site assignment will include an increase in tons. Mr. Barratt stated that they have

already been to Cape Cod Commission preliminary meeting, MEPA, Himself and Phil Goddard, and brought these issues up. Mr. Barrett stated that he has gotten a feeling from most of the people that all the work that they have done, the traffic studies that are already done, and the infrastructure that is being put in now can accommodate should we choose to move forward. Mr. Barlow stated that he appreciates that and just wants to put it in because the DEP and the Cape Cod Commission didn't care what goes up and down MacArthur Boulevard but the Board of Health is going to hear it. Mr. Barlow stated that the board deals with all the odor issues, any of the nuisances so he wants to how that is going to be addressed along with everything else. Ms. Peterson asked if there can be separate tonnage, ours and theirs? Mr. Barrett stated that yes, what will end up is thought MEPA who will regulate the tons into the facility as they do now. Mr. Barrett stated that the way the permit reads now is that they can do 825 tons of waste in the gate variously managed. Mr. Barrett that that is everything, recyclable, everything. Mr. Barrett stated that the DEP stated that you can only put up to 600 tons per day on average not to exceed 700 tons on any given day, not to exceed 4900 tons on a 7 day period, not to exceed 219,000 tons per year. Mr. Barrett stated the he would not change that he is not looking to boost the landfill. Mr. Barrett stated that he has the landfill pretty much set as the board knows and what is happening for the next 10 years. Mr. Barrett stated that if he were to come back to the board for an increase in tonnage it would be the result of one of these projects, to service on of these projects. Mr. Lannan stated just to summarize, the bottom line is that we are at the point where they are going to include the right things if the board adopts these criteria as they need to do this in the final design before they get approval or as a condition of the final approval that we can make the facility work for the board. Mr. Barlow stated that tonnage to him is a big issue. Mr. Barrett stated that is part of the permitting process that he will go through probably within the next 6 months. Mr. Barrett stated that in order to move through MEPA and site phase 6, he and Phil Goddard went back up there last year and sat down with them in a preliminary basis before he put the RFP's out. Mr. Barrett stated that he did not want to go into this RFP process without knowing that everyone was in the boat. Mr. Barrett stated that is why he had all the joint meetings, he formed a working group which has all the stake holders on that committee, went back to Cape Cod Commission, and it's good to see everything moving forward. Mr. Barrett stated that he feels it was wise for the landfill, under Phil Goddard's direction, to go back to everyone and lay the ground work now to be able to take additional tons. Mr. Barrett stated that if they decide to go with one of these projects that accepts bio-solids? That is just one point, one facet that they need to look at. Mr. Barrett stated that the trucks are running up and down the road every day. Mr. Barrett stated that he knows he can deal with it. Mr. Barlow stated that the concerns with the traffic issues and the turn that most of the people use, the idea of taking that turn away is not going to work. Mr. Barrett stated that he did not want to get to deep into that discussion this evening but did state that there was a preliminary discussion about that and he came up with ways to elevate that problem without closing the turn-around. Mr. Barrett stated that he believes that is solvable and it is in the boards hands. Mr.

Barlow stated that he does not think that this board wants to do anything to encourage the state to close the turn-around. Mr. Barlow stated that as long as Mr. Barrett understands that. Mr. Goddard stated that the trucks that are coming now are predominantly ash. Mr. Goddard stated that they are coming in 100 yarders with 30 tons per load which will, estimating, reduce the truck count by something like 25 – 30%. Mr. Goddard stated that is a positive impact. Mr. Barlow stated that residents contact the Board of Health with their thoughts about closing that. Ms. Peterson asked what is next. Mr. Barrett stated that relative to the Board of Health, most likely given the questions that Mr. Lannan has presented, it appears that the board is comfortable and if there are any other questions or anything that the board would like to see in a final report. Mr. Barrett stated that the report submitted is a draft. Mr. Barrett stated that he would like to come back before the board in 2 weeks to accept Mr. Lannan's final approval. Mr. Barlow stated that was too soon. Ms. Peterson stated that she disagrees, and the parties will not give any more information from what the board has now until they go further into the process. Mr. Lannan stated that was correct. Ms. Peterson stated that in 2 weeks if the board gives Mr. Lannan an ok it is merely for them to go forward and to ask for going into business with one or two or three of these companies, then they start presenting to the various boards their more detail proposals. Mr. Barlow stated that he was under the impression that Ms. Peterson is still waiting for more information from Harvest Power or is it that they are not willing to give more information until the board goes further into the process. Mr. Lannan stated that he has asked twice already and feels he has gotten all he can get at this point and it's because they do not want to devote too much more design time until they have a signed contract. Mr. Lannan stated that they also need to get some confidentiality things in place before they can give out more of their proprietary information. Mr. Barrett stated that by allowing this to move forward and accepting this report allows this to go to the next stage with more information provided. Mr. Andrews asked if Mr. Lannan will be continuing to work with Mr. Barrett through the whole process. Mr. Barrett stated that once the process moves and the board accepts or declines Mr. Lannan's final approval, he in visions that allows the process to move forward. Mr. Barrett stated for example if the report gets approved by the board, ISWM goes through the RFP process which involves the Board of Health and the working group and move forward. Mr. Goddard stated that they have Green Seal Environmental who work with Harvest Power present at tonight's meeting. Mr. Goddard stated that they are here to listen to the boards concerns to bring feedback back to Harvest Power. Mr. Goddard stated that the subcommittee of the working group will make their final report to Tom Guerino as the Chief Procurement Officer and then will go to an award. The next stage will be a notice to proceed/interim development agreement. Mr. Goddard stated that there will be a whole litany of conditions to partner with them. Mr. Goddard stated that ISWM will then be the proponent along with Harvest Power that would have the power to say all bets are off if correct information is not received. Mr. Goddard stated the next thing to starting a site lease and that does not get signed until the Board of Health approves any modifications to the site assignment. Mr. Goddard stated that is approximately 1

year or more from now after all the other permitting is complete. Mr. Goddard stated that there is still a long way to go. Mr. Goddard stated that by September or October there should be an interim development agreement. Mr. Goddard stated that they are still waiting to get counsel on board and a specialist counsel ~~that is approved by the selectmen.~~ Mr. Goddard stated that should Harvest Power get awarded the project, they need to come back for a re-modification and then them, as a client who has to put money in escrow so that the board of health can hire their own private consultant that is managed away from ISWM. Mr. Goddard stated that the board can choose to use Mr. Lannan or pick someone else. Mr. Goddard stated that ISWM is removed from that. Mr. Goddard stated that ISWM chose Mr. Lannan at this stage which is more of an informal process. Mr. Andrews stated that as soon as the report is done and the board accepts his final report, then the board is done until a proposal comes before us. Mr. Barrett stated that was correct and at which time the board will be able to choose who they want to continue with the project. Ms. Peterson stated that the board has been very up front with this all along and would like someone such as Mr. Lannan and wants counsel. Ms. Peterson stated that the board will not go one step further in the process until this is done. Ms. Peterson stated that she is still not sure how all the paperwork will be handled because all the paperwork cannot be carted back and forth but that is for down the road. Ms. Peterson stated that she remembers the last site assignment change which was a bit ridiculous. Mr. Goddard stated that they will do whatever it takes to get the information to the board. Ms. Peterson stated she would like everything to go through Ms. Coffin first and she will see to it that the board gets what they need. Ms. Peterson asked if there was any interest in have a workshop with Mr. Lannan prior to the two weeks from now. The board responded no. A workshop is not necessary. Ms. Peterson stated that the board will not be taking any questions from the audience tonight. Ms. Peterson asked who the representatives are from Harvest Power. Rick Wirsen stated that he works with Harvest Power initially to do a waste shed analysis where they would get the material. Mr. Wirsen stated they are the conductors of permitting how you take Cape Cod Commission, MEPA, working with the town how they wrap it all together to get it through. Mr. Wirsen stated that they are certainly not the technical experts with respect to this technology and Harvest Power is the proprietary. **No action taken at this time. Continued to the next meeting dated August 8, 2012.**

- **Discuss and possible vote regarding Covanta's request to dump ash in the landfill until 4:00pm on Saturdays and from 7:00am until 12:00 pm on Sundays –**

Mr. Barrett stated that he is requesting that the board of health consider the extension ash load acceptance from 12:00 pm on Saturday because the scale closes at 12:00 pm on Saturday and is wondering if they can continue accepting ash from 12:00pm until 4:00pm Saturday and then on Sundays mornings from 7:00am until 12:00pm. Mr. Barrett stated that these times are already in the permit. Mr. Barrett stated that he does not anticipate there being any adverse

impacts on the neighbors, neighborhoods etc. Mr. Barrett stated that he is talking about a small number of loads. Mr. Barrett stated it just give another option for meeting their contractual obligations to ISWM. Mr. Barrett stated that the contract was signed and when retro to January 1 of 2012 and did not actually start accepting ash in the volumes necessary to meet that requirement until April/May. Ms. Peterson asked if Mr. Barrett has the personnel. Mr. Barrett stated that he does. Mr. Barrett stated that they are open on these days anyway. Mr. Barlow stated that residents cannot go to the landfill on Tuesdays but ISWM is asking for more commercial traffic on Sundays too. Mr. Barrett stated that he would like to maintain the Tuesday schedule to be able to get things done. Mr. Barrett stated that all the services that are offered by going to the landfill are offered 7 days a week until Labor Day. Mr. Barlow stated that Mr. Barrett may want to consider not closing the residential drop off area as part of a trade off. Mr. Barrett stated that he would consider that but he would strongly suggest to allow ISWM to continue doing what they are doing because that time is used valuably having that extra operator. Ms. Peterson asked for a vote to allow. **Mr. Uitti made a motion to allow the landfill to accept ash on Saturdays and Sundays. Saturday until 4:00 pm and Sunday 7:00 am until 12:00 pm. Mr. Andrews seconded the motion. All in favor and the motion PASSES.**

2. **POCASSET MOBILE HOME PARK – Receiver Attorney Chuck Sabatt – Update on park septic system and court case –** Mr. Sabatt stated that in the last few months there have not been any major issues with the septic system per se. Mr. Sabatt stated that there have some blockages in some lines here and there which were cleared so the system has been generally operating. Mr. Sabatt stated that on a larger scale however, one major event has taken place and that is that the leaching trenches that were installed last year around March and April 2011 have now begun to show signs of failure. Mr. Sabatt stated that these have been examined on a weekly basis by Bill Gilpin who goes out and pumps where needed and files a report with the status of the distribution boxes in each of the pits. Mr. Sabatt stated that Mr. Gilpin has determined that they are near failure because of the levels that he has observed. Mr. Sabatt stated that 2 months ago he was out at the site with Ms. Coffin for the board of health, Brian Dudley for the DEP, Brian Gasha from VSC, Bill Gilpin and ultimately Peter Valerie. Mr. Sabatt stated that the purpose of the meeting then was to plan ahead for this eventuality because they knew that these were not going to last. Mr. Sabatt stated that at that time Mr. Dudley felt that rather than forging it with construction; he suggested that Brian Gasha prepare some plans for some additional leaching trenches. Mr. Sabatt stated that it so happened that failure of the system is upon us. Mr. Sabatt stated that he was out there yesterday July 24, 2012 with Ms. Coffin, Bill Gilpin and Peter Valerie and looked at various structures and Peter Valerie is going to go in this week at Ms. Coffin's suggestion to exam the trenches again. Ms. Coffin stated that before she spend a lot of money to put in new trenches, and has known trenches to fail because particulate gets in the holes if they are at the bottom of the pipes, so she suggested that maybe look at one of the trenches to be sure because if they are clogged, they can be jetted out but she wants to see if the stone is really saturated and dirty and if it is, then she knows that they need to replace everything. Ms. Peterson asked what Ms. Coffin's thoughts are on this. Ms. Coffin stated that she feels there may be solids in the

pipe because there was an awful lot of water going in there and there are only 5 30X40 foot trenches. Ms. Coffin stated that she has seen a house fail in 3 years with similar failure. Mr. Sabatt stated that he will fund that with money he has or through borrowing from Barnstable County or a combination of the two. Mr. Sabatt stated that he did speak ~~Brian Gasha and asked that he please get to the plans as soon as possible.~~ Mr. Sabatt stated that whatever needs to be done, he will do. Ms. Coffin stated that this is not a panic situation but just trying to stay ahead of the game because there are 13 leach pits and still have 8 pits that are dry. Ms. Coffin stated that it is not like all of the pits are full like before there are still 8 pits so there is still time before a problem. Mr. Sabatt stated that he feels they are on top of it from what he can gather and has contingency plans to alleviate the system if they need to do that. Mr. Sabatt stated that in terms of the case, the attorney general's office filed a very extensive motion 3 or 4 months ago seeking some alternatives either some substantial penalties against Mr. Austin or seeking sufficient funding to finance a closure of the park should that be the courts ultimate decision. Mr. Sabatt stated that finally seeking as an alternative in order that he provides sufficient funding to reconstruct the septic system. Mr. Sabatt stated that there was a hearing on June 21, 2012 on this motion on before Judge Macleod at Suffolk Superior Court. Mr. Sabatt stated that Judge Macleod has been on the case as least since February 2011. Mr. Sabatt stated that the legal question is that she has the authority to order Mr. Austin to cease and desist operations because she can determine that there has been a violation of the health statues and regulations. Mr. Sabatt stated that she can also order Mr. Austin to provide sufficient funding to finance the closure of the park. Ms. Peterson asked if that will be ordered. Mr. Sabatt stated that he is not intimately involved or reviewed the disclosures that were made but Mr. Austin has been ordered to make financial disclosures which he has done to the attorney general's office. Mr. Sabatt stated that all of Mr. Austin's assets are frozen by injunction which is in effect. Mr. Sabatt stated that the park itself is an asset along with the land that it sits on. Mr. Sabatt stated that there are assets that are sufficiently available to finance should that become necessary. Mr. Sabatt stated that what is interesting it that the attorney general's office has given Judge Macleod authority to order that the system be re-built. Mr. Sabatt stated that he sensed that if Judge Macleod can find away to have the system rebuilt then she will do it. Mr. Sabatt stated that this is only a guess on his part based on what he saw at the hearing. Mr. Sabatt stated that it would not surprise him either if Judge Macleod concluded that the park should be closed and order Mr. Austin to provide the financing over the next two years. Mr. Sabatt stated that either of these options are on the table. Mr. Sabatt stated that Judge Macleod has not ruled out ordering Mr. Austin to provide the financing to reconstruct the system. Mr. Sabatt stated that he does not know when a decision will be made. Mr. Sabatt stated that the hearing was June 21, 2012 which is a little over 30 days since they were last in court. Mr. Sabatt stated that he would expect a decision to be made within the next 30 days then he will know where they stand with the future of the park. Mr. Sabatt stated that he feels they are getting close to some sort of definitive answer but not sure when it will be but feels it will be fairly soon. Mr. Sabatt stated in summary, he can report that he is staying on top of the major issues at the park and are continuing to address it. Mr. Sabatt stated in the summary that there is sufficient funding to address the problems that they have at least for the foreseeable future. Ms. Peterson asked if any questions from either the board or the audience. Ms. Peterson stated that there is really

nothing to say. Mr. Sabatt stated that as far as the status of the case, they are pretty much where they have been. Mr. Sabatt stated that its making progress but it is very hard to know where it is going. Mr. Sabatt stated that it is a very difficult unprecedented legal set of questions. Mr. Sabatt stated that the questions are what is the extent of authority of the courts, how will it all be implemented etc. Ms. Peterson stated that she supposes Mr. Austin's side will appeal. Mr. Sabatt stated that was the concern. Mr. Sabatt stated that he made a recommendation to the most efficient thing to do, if the objective is to try to rebuild the system, would be to have the property appraised and sell it. Mr. Sabatt stated that the price could be adjusted less the cost for the improvement. Mr. Sabatt stated that there might be a small net that might be paid to Mr. Austin. Mr. Sabatt stated there would be a commitment from the new owner to rebuild the system and that would be the solution. Mr. Sabatt stated that it would not relieve any penalties that would be imposed by the government which is another story. Mr. Sabatt stated that there was resistance from Mr. Austin's side and that Mr. Sabatt is not sure that the court has the authority to order that the park be sold but the court does have the authority to order Mr. Austin to repair the system. Ms. Peterson asked what the procedure will be for Mr. Austin to pay his fines. Ms. Peterson asked if Mr. Sabatt as the receiver pays the fines that have been levied against Mr. Austin. Mr. Sabatt stated that no, Mr. Austin is responsible for paying his fines. Mr. Sabatt stated that Mr. Austin may be facing both very substantial penalties and the obligation to provide the funding for closure of the park or reconstruction of the septic system. Mr. Sabatt stated that if Judge Macleod orders Mr. Austin to repair the system, they may appeal. Mr. Sabatt stated that they are less likely to appeal a closure then they would an order to rebuild the system. Mr. Sabatt stated that if there is an appeal, that will delay things to some extent. Mr. Sabatt stated that this question came up at the residence meeting just the other day, if there were an appeal, Mr. Austin would have to ask the court to stay the order. Mr. Sabatt stated that the fact that you stated an appeal does not in fact stay a court order. Mr. Sabatt stated that Judge Macleod may not do that based on the urgency of the circumstances. Mr. Sabatt stated that the order can go into effect and Mr. Austin may be ordered to comply as he pursues his appeal which might effectively render the appeal mute at that point. Mr. Sabatt stated that is will be an interested scenario regardless of which direction Judge Macleod goes in. Mr. Sabatt stated that it will be complicated no matter what direction this turns. Ms. Peterson stated that then to add into this Mr. Austin's age will be a factor. Ms. Peterson stated that if there are no other questions, then she would like Mr. Sabatt before the board again sometime in October. Mr. Sabatt stated that if there is a decision sooner then he will come before the board at that time. Mr. Pacheco stated that there has been talk about rebuilding the system. Mr. Pacheco asked if rebuilding the system versus a treatment plant, is it an option to make the whole operation minimally acceptable that the plant or system. Mr. Sabatt stated that he means a treatment plant. Mr. Sabatt stated that the DEP wants a wastewater treatment plant put in. Mr. Pacheco stated that will not include the road work and all. Mr. Sabatt stated that is does include the road work. Mr. Sabatt that that all would have to be accomplished. Mr. Sabatt stated that the only question that Judge Macleod had was whether or not the water system would be included in this project. Mr. Sabatt stated that he suggested to Judge Macleod that the water system would also be a health issue and somehow fall with the amid of what Judge Macleod has to order. Mr. Sabatt stated that if Judge Macleod orders the rebuild of the system then the

water system would also be ordered. Mr. Pacheco asked if the sewage treatment plant are virtue of whatever technologies they are using need water. Mr. Sabatt stated that is a whole different issue. Mr. Sabatt stated that the issue is whether Judge Macleod orders the treatment plant; the roadways can easily say will all be part of the project. Ms. Peterson stated that they would try to tie in the water delivery system. ~~This item has~~ been **CONTINUED** until the meeting dated October 10, 2012 unless new information is received by Mr. Sabatt.

3. **TOBACCO REGULATIONS – Cynthia A. Coffin – Discuss and possible vote on revised tobacco regulation** – Ms. Coffin asked if the board would like to hear item #4, Hill Street first. Ms. Peterson stated that was ok.

2 HILL STREET – Bracken Engineering for Linda Gudas and Mike Saylor –

Request variances – Mr. Basinski from Bracken Engineering stated that on behalf of Mike Saylor and Linda Gudas, the project site is 2 Hill Street in Patuisset and there is an

existing single family house lot. Mr. Basinski stated that the resources area within 150 feet of the property is Hen Cove in an AE flood zone and the associated coastal bank.

Mr. Basinski stated he is requesting a waiver for a new septic system on the property closer than 150 feet to the coastal bank. Mr. Basinski stated that the applicants are

proposing to demolish the existing dwelling and construct a new house. Mr. Basinski

stated that the system has been cited as far east on the site as possible. Mr. Basinski

stated that he is providing only a 52 foot setback based on the lot shape and size. Mr.

Basinski stated that based on the project there is a reduction in the total number of

bedrooms of the dwelling which will result in less nitrogen loading. Mr. Basinski stated

that it's a 9.4% reduction. Mr. Basinski stated he does not feel the project is any more

detrimental to what currently exists there today. Ms. Peterson asked how many

bedrooms are being proposed. Mr. Basinski stated there will be 4 bedrooms. Mr.

Basinski stated that there 3 bedrooms per the assessor records but there are actually 5

bedrooms. Mr. Andrews asked where the extra bedroom is on the plan. Mr. Basinski

stated that it is in the basement which is not actually finished. Mr. Andrews stated that is

why the ejector pump is down there. Mr. Basinski state that was correct it is for the

future. Ms. Coffin stated that the key here really is with the board which was talked

about before is what the actual resource is which is Hen Cove. Ms. Coffin stated that it is

a bank by definition and there is a house on the other side of the road. Ms. Coffin stated

that she does not feel there is a problem because the resource itself is over 155 feet away.

Ms. Coffin stated that she feels this is ok and they are reducing the number of bedrooms.

Mr. Andrews asked if the limit of bedrooms will be 4. Mr. Basinski stated that the room

in the basement is really not intended to be a bedroom so technically there would be 5.

Ms. Peterson stated that as long as there is a cased opening of 4 feet or more then it will

not be considered a bedroom. **Mr. Andrews made a motion to approve the system**

with the variance of 92 feet of a coastal bank to a 98 foot variance. Mr. Andrews

added to his motion a 4 bedroom system and the plans are dated June 25, 2012

received by the Board of Health on July 16, 2012 for 2 Hill Street. Mr. Andrews

added to his motion the architectural received July 16, 2012. The dates are May 25,

2012 submitted to the office. Mr. Uitti seconded the motion. Ms. Coffin stated that

the way it is approved right now, the applicant could actually put a bedroom in the

basement without the 4 foot cased opening. Ms. Coffin stated that the board approved a 4

bedroom system so the cased opening should be addressed. Mr. Andrews stated that there are 3 bedrooms upstairs so the basement will make 4. Ms. Coffin asked if the board is ok with approving the 4 bedroom system. Ms. Coffin stated that at some point she will be receiving a building permit which will show a bedroom down in the basement. Ms. Coffin stated that the architectuals are being approved without showing the 4th bedroom. Ms. Coffin asked if the board wants to put a limit on number of bedrooms. Ms. Peterson stated that the room is supposed to be a game room and a bedroom. Ms. Peterson stated that if it is going to be a game room there is going to need to be a 4 foot cased opening. Mr. Basinski stated that he would rather have the bedroom approved. Mr. Coffin stated that on the architectuals being approved tonight does not show a bedroom in the basement but would prefer to see the bedroom shown on the plans. Mr. Andrews stated that as long as a building permit comes in with only one bedroom then they are still ok. Ms. Coffin asked if when the calculations were done, were the whole basement included as a potential bedroom. Mr. Basinski stated just one little section shown on the plan was calculated as a bedroom. Ms. Coffin stated that she understood. **All in favor and the motion PASSES.**

4. **Tobacco Regs – Cynthia A. Coffin – Discuss and possible vote on revised tobacco regulation** – Ms. Peterson stated that she hoped the board members had a chance to go over the regulation. Ms. Peterson stated that she spoke with Ms. Coffin earlier and because it is on the agenda for discussion and possible vote there is something that she would like to see put on the regulation. Ms. Peterson stated that she would like to beef up the board's ability on what the board can do if they find out people are smoking where they are not supposed to be. Ms. Peterson stated that she would like to be able, right off the bat, to take the tobacco license away without any fines or warnings etc. Mr. Barlow stated that it is kind of being the judge and the jury and feels if someone is caught smoking where they are not supposed to be smoking then the agent or the inspector can bring the person before the board. Mr. Barlow stated that he would not revoke the license because they would be saying they are guilty before they are heard before the board. Ms. Peterson stated that she just wants the ability to pull the license after a hearing. Mr. Barlow stated that if it turns out that the person is actually guilty, and then the board should be able to revoke the license. Ms. Coffin stated that on page 6 on number 2 under D it says following the third offense within the same 18 month period, the board of health shall suspend or revoke. Ms. Coffin stated that it can be changed to say upon the first offense and take out within the same 18 month period. Mr. Andrews reads out loud the regulation. Ms. Peterson stated that she would like to see it on the first offense. Mr. Collett asked if the board is talking about selling illegally or smoking on the premises. Ms. Peterson stated smoking on the premises. Mr. Collett asked what if a person is smoking in a location that is not licensed with the board of health. Ms. Peterson stated that if people are smoking where they are not supposed to be smoking. Ms. Peterson stated that if there is not enough beef in the wording then the people doing it don't care. Mr. Collett asked what license is Ms. Peterson referring to that the board of health has the authority over. Ms. Peterson stated the board of health license. Ms. Coffin stated that Ms. Peterson is speaking about the food permit. Ms. Coffin stated that on number one deals with selling of tobacco products. Ms. Coffin stated that they may need an

additional regulation to deal with establishments that hold a food license and say something about that. Mr. Barlow stated that if the board is now referring to the food license then he can't have anything to do with it anymore. Mr. Barlow stated that it should apply to all licenses, barber shops, hair salons etc. Ms. Coffin stated that the board of health has not right to do that. ~~Mr. Barlow stated that they do get permits~~ though. Ms. Coffin stated that they do not. Ms. Peterson stated that is should say any board of health permit that is issued to an establishment may be revoked. Ms. Coffin stated that the tobacco license if there is a violation anytime there is a sale the board relinquishes their license for 30 days. Ms. Coffin stated that the second offense the license if relinquished for 7 days then the third offense is for 30 days. Ms. Coffin stated that it is also stated that any person who violates the regulation is fined. Ms. Peterson stated that maybe to add into there, any board of health permits may be revoked. Mr. Andrews stated. Mr. Collett suggested he provide the proper wording for what the board wants. Mr. Barlow stated that this should go on the next agenda for this one specific issue and allow time for the board members to get a better look at the regulation. Ms. Peterson asked why this should be voted on then. Ms. Coffin stated that she does not want the board to vote on the regulation tonight. Ms. Coffin stated that it is just to start it up. Ms. Coffin stated that Mr. Collett brought this forward months ago and she sent him a draft and incorporated everything except the pharmacy issue because the board is not in favor of that. Ms. Coffin stated that she took the electronic cigarette regulation and the existing board of health regulation and some of what Mr. Collett brought forward and pushed them all into one regulation. Ms. Coffin stated that this is really just for discussion. Mr. Barlow stated that on the agenda is states discussion and possible vote. Ms. Coffin stated she always says possible vote with a discussion. Ms. Peterson stated that she is comfortable with the draft regulation. Mr. Collett stated he was comfortable and also Mr. Barlow. Ms. Peterson asked Mr. Collett to provide the board with the proper wording and to make sure he understands what the board wants him to do. Mr. Collett stated that he could do that. Mr. Andrews suggested the wording to be in violation of these regulations may result in loss of any licenses or permits issued by the board of health. Ms. Peterson added without warnings. Mr. Collett stated that there are no warnings allowed. Ms. Peterson stated that if you are holding a food license and you are smoking in that establishment and you are consciencously doing it then you deserve to lose your food license. Mr. Collett stated that the board already has the authority to do this. Ms. Peterson stated that she still wants it added to the regulation. Mr. Collett stated that the board is not obligated to issue fines and it says may suspend or revoke already. Mr. Collett stated that the board of health could simply delete that third offense clause and put it after the first offense in the regulation. Mr. Collett stated that if this is done once then it does set precedence. Mr. Collett stated that it is not very complicated. Ms. Peterson stated that it is well known that smoking is not allowed in establishments and if you are found smoking in an establishment consistently inside a building you need to have some teeth to able to take the license. Mr. Uitti asked if there is anything in the regulation that states you need to be so many feet from a doorway when smoking outside. Ms. Coffin stated there is not. Ms. Peterson stated that is someone is outside having a cigarette that is there business but if they are smoking in the building then there is a problem. Mr. Collett stated that Barnstable has a 20 foot buffer zone for municipal buildings. Ms. Coffin stated that it appears that one and two under D applies to tobacco

sales. Ms. Coffin stated that she would like to change to say following the third offense the board and revoke the tobacco permit entirely. Ms. Peterson stated once the regulation are published and people see the board is serious about it, it kind of takes care of any unpleasantness. Ms. Peterson stated this way the board is not singling anyone out. Ms. Coffin stated that she feels the fine is almost better because if you hit people in their pocket it going to be more effective. Ms. Coffin stated that she can revoke a food license but then does she go padlock the door? Ms. Peterson stated yes if you have to. Ms. Coffin stated it is a lot easier to collect a fine. Ms. Peterson stated that is has already been proven that second hand smoke kills people and you cannot smoke in a building.... end of story. Ms. Peterson stated it is not the boards rule or law, it's fact. Mr. Barlow stated that in the past there have been problems and the health inspector brought that establishment before the Board. Mr. Collett said that if the Board receives complaints we can definitely use due process to address the issue. The regulation will be tightened up. Ms. Coffin asked the members if the regulation could state something like... for those establishments that hold a Board of Health permit, the Board of Health reserves the right to hold a hearing and revoke said license(s) for any violation of these rules and regulations." She will amend the tobacco regulation to include this statement. Ms. Peterson stated that no action would be taken at this time. She also asked if there were any comments from the audience. This item will be continued until August 8th.

5. Approve minutes of June 13, 2012. Mr. Barlow made a motion to approve. Mr. Uitti seconded the motion. It was a 3-1 vote to approve as Mr. Andrews abstained.
6. Approve minutes of July 10, 2012. Mr. Barlow made a motion to approve. Mr. Uitti seconded the motion. It was a unanimous vote to approve.

Mr. Andrews made a motion to adjourn. Mr. Uitti seconded. It was unanimous. The meeting adjourned at 8:55 PM.

Respectfully taped and typed by,

Lisa M. Collett
Secretary

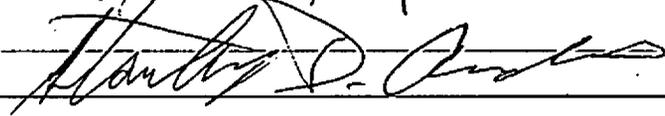
Reviewed and approved by

Cynthia A. Coffin
Health Agent

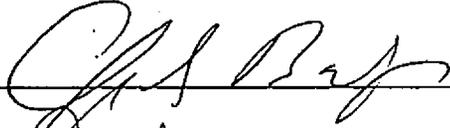
Kathleen Peterson



Stanley Andrews



Galon Barlow



Don Uitti



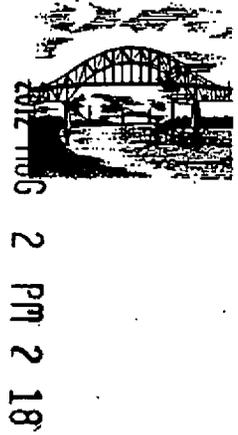
Carol Tinkham

cc Board of Selectmen/Town Clerk



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

TOWN CLERK'S OFFICE
BOURNE, MASS



Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

August 8, 2012

Time:

7:00 P.M.

Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. ISWM – CONTINUED FROM JULY 25, 2012 - Dan Barrett & Michael T Lannan, P.E.
Discuss and possible vote on acceptance of Report on Non-Price Proposals
2. TOBACCO REGS – CONTINUED FROM JULY 25, 2012 - CYNTHIA A. COFFIN –
Discuss and possible vote on revised tobacco regulation -
3. APPROVAL OF MINUTES DATED July 25, 2012

Signed:

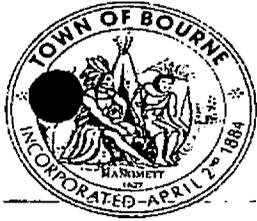
Title:

Date:

Lisa Barrett
Secretary

August 2, 2012

cc Board of Selectmen/Town Clerk



2012 SEP 27 PM 1 25
TOWN CLERK'S OFFICE
BOURNE, MASS

TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508)-759-0615 x1
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

**MINUTES
AUGUST 8, 2012**

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews; Don Uitti; Galon Barlow and Carol Tinkham

Support Staff in attendance: Cynthia Coffin, Health Agent; Lisa Collett, Secretary

Meeting was called to order at 7:00 P.M.

- 1. ISWM – CONTINUED FROM JULY 25, 2012 – Dan Barrett and Michael T Lannan, P.E. – Discuss and possible vote on acceptance of report on non-price proposals –** Mr. Barrett stated that he saw no need for an update so he does not have anything new to pass out to the board. Mr. Barrett stated he would turn the discussion over to Mr. Lannan at this time. Mr. Barrett stated there are some changes in the final report. Mr. Lannan stated that in the Harvest Power section, from the August 2, 2012 report on the non price proposals, he added number 6 which is to develop a truck containment and odor suppression plan so each type of digester feedstock that will be sent to the site. The plan should include a description of how odors will be contained in the trucks on site and all the local road ways. Mr. Lannan continued with how trucks will enter and exit, and how trucks will be cleaned prior to re-entry into the local road ways. Mr. Lannan stated that any liquid by-products should also be included in the plan. Mr. Lannan stated this should address the concerns from the last meeting. Mr. Barrett stated that this is something he has always looked for even when there is a transfer of ash. Mr. Barrett stated that this is one thing that definitely needs to be addressed. Mr. Andrews stated that he is glad it has been highlighted and brought forward so the respondents can address that. Mr. Barlow stated that Harvest Power is asking a lot. Mr. Barlow stated he has visited an aerobic digester that deals with household waste and waste from a sewer plant, and it really smells bad. Mr. Barlow stated that in the whole process, right through the aeration and right thru the storage of the materials, everything has to be sorted and tested before it leaves; and hundreds of tons of it gets stored. Mr. Barlow stated that he visited a facility in Cooperstown that was in an enclosed building with a good filtration system, so that the odors don't get to Cooperstown but that whole valley reeks really badly. Mr. Barlow stated that he sees this problem as a fatal flaw. Mr. Barlow stated that his visit was in January and would like the whole board to visit this site in July. Mr. Barlow

stated that the other things that he saw in the aeration area, which is all set up on tracks, is that there is an area that moved from each trough where the waste is aerated after its been digested. He stated that the plant was not that old but that there was a large amount of deterioration that had taken place because it was constantly wet and moist. These are things the board will need to look at if this moves forward. Mr. Barlow said that even the galvanized material didn't stand up. Everything would have had to have been made of stainless steel to have stood up. Mr. Andrews stated that is a common thing that you see in wastewater treatment plants as well and even galvanized steel rots away. Mr. Barrett stated that the process that Mr. Barlow is referring to is called Co-Composting. Mr. Barrett stated that there is more outdoor processing. Mr. Barlow stated that there was nothing outside; it was all inside the building. Mr. Lannan stated that is an IPS system. Mr. Lannan stated that the digestion is taking place in an aerobic environment. Mr. Lannan stated that any of those building that were not made out of fiberglass and 316 or 304 stainless steel would definitely deteriorate. Mr. Lannan said that that process is anaerobic digestion, done inside a closed container so that the gas does not get out. This is the digestion part. When the process gets to the composting part, the waste will already be somewhat stabilized. There will be much less odor and much less odor protection needed. Mr. Lannan stated that he has asked the proponents for an air flow diagram. To him it is all about capturing the sources and capturing the sources at the most concentrated level that you can. Then the room air is treated separately with a system that can handle high flow with a low concentration. There are actually two systems—high concentration/ low flow and then you have the backup system of the building.

2. **POCASSET MOBILE HOME PARK – Receiver Attorney Chuck Sabatt – Update on park septic system and court case** – Mr. Sabatt stated that in the last few months there have not been any major issues with the septic system per se. Mr. Sabatt stated that there have some blockages in some lines here and there which were cleared so the system has been generally operating. Mr. Sabatt stated that on a larger scale however, one major event has taken place and that is that the leaching trenches that were installed last year around March and April 2011 have now begun to show signs of failure. Mr. Sabatt stated that these have been examined on a weekly basis by Bill Gilpin who goes out and pumps where needed and files a report with the status of the distribution boxes in each of the pits. Mr. Sabatt stated that Mr. Gilpin has determined that they are near failure because of the levels that he has observed. Mr. Sabatt stated that 2 months ago he was out at the site with Ms. Coffin for the board of health, Brian Dudley for the DEP, Brian Gasha from VSC, Bill Gilpin and ultimately Peter Valerie. Mr. Sabatt stated that the purpose of the meeting then was to plan ahead for this eventuality because they knew that these were not going to last. Mr. Sabatt stated that at that time Mr. Dudley felt that rather than forging it with construction; he suggested that Brian Gasha prepare some plans for some additional leaching trenches. Mr. Sabatt stated that it so happened that failure of the system is upon us. Mr. Sabatt stated that he was out there yesterday July 24, 2012 with Ms. Coffin, Bill Gilpin and Peter Valerie and looked at various structures and Peter Valerie is going to go in this week at Ms. Coffin's suggestion to exam the trenches again. Ms. Coffin stated that before the spend a lot of money to put in new trenches, and has known trenches to fail because particulate gets in the holes if they are at the bottom of the pipes, so she suggested that maybe look at one of the trenches to be sure because if they are clogged,

they can be jetted out but she wants to see if the stone is really saturated and dirty and if it is, then she knows that they need to replace everything. Ms. Peterson asked what Ms. Coffin's thoughts are on this. Ms. Coffin stated that she feels there may be solids in the pipe because there was an awful lot of water going in there and there are only 5 30X40 foot-trenches. Ms. Coffin stated that she has seen a house fail in 3 years with similar failure. Mr. Sabatt stated that he will fund that with money he has or through borrowing from Barnstable County or a combination of the two. Mr. Sabatt stated that he did speak Brian Gasha and asked that he please get to the plans as soon as possible. Mr. Sabatt stated that whatever needs to be done, he will do. Ms. Coffin stated that this is not a panic situation but just trying to stay ahead of the game because there are 13 leach pits and still have 8 pits that are dry. Ms. Coffin stated that it is not like all of the pits are full like before there are still 8 pits so there is still time before a problem. Mr. Sabatt stated that he feels they are on top of it from what he can gather and has contingency plans to alleviate the system if they need to do that. Mr. Sabatt stated that in terms of the case, the attorney general's office filed a very extensive motion 3 or 4 months ago seeking some alternatives either some substantial penalties against Mr. Austin or seeking sufficient funding to finance a closure of the park should that be the courts ultimate decision. Mr. Sabatt stated that finally seeking as an alternative in order that he provides sufficient funding to reconstruct the septic system. Mr. Sabatt stated that there was a hearing on June 21, 2012 on this motion on before Judge Macleod at Suffolk Superior Court. Mr. Sabatt stated that Judge Macleod has been on the case as least since February 2011. Mr. Sabatt stated that the legal question is that she has the authority to order Mr. Austin to cease and desist operations because she can determine that there has been a violation of the health statues and regulations. Mr. Sabatt stated that she can also order Mr. Austin to provide sufficient funding to finance the closure of the park. Ms. Peterson asked if that will be ordered. Mr. Sabatt stated that he is not intimately involved or reviewed the disclosures that were made but Mr. Austin has been ordered to make financial disclosures which he has done to the attorney general's office. Mr. Sabatt stated that all of Mr. Austin's assets are frozen by injunction which is in effect. Mr. Sabatt stated that the park itself is an asset along with the land that it sits on. Mr. Sabatt stated that there are assets that are sufficiently available to finance should that become necessary. Mr. Sabatt stated that what is interesting it that the attorney general's office has given Judge Macleod authority to order that the system be re-built. Mr. Sabatt stated that he sensed that if Judge Macleod can find away to have the system rebuilt then she will do it. Mr. Sabatt stated that this is only a guess on his part based on what he saw at the hearing. Mr. Sabatt stated that it would not surprise him either if Judge Macleod concluded that the park should be closed and order Mr. Austin to provide the financing over the next two years. Mr. Sabatt stated that either of these options is on the table. Mr. Sabatt stated that Judge Macleod has not ruled out ordering Mr. Austin to provide the financing to reconstruct the system. Mr. Sabatt stated that he does not know when a decision will be made. Mr. Sabatt stated that the hearing was June 21, 2012 which is a little over 30 days since they were last in court. Mr. Sabatt stated that he would expect a decision to be made within the next 30 days then he will know where they stand with the future of the park. Mr. Sabatt stated that he feels they are getting close to some sort of definitive answer but not sure when it will be but feels it will be fairly soon. Mr. Sabatt stated in summary, he can report that he is staying on top of the major issues at the park and are continuing to

address it. Mr. Sabatt stated in the summary that there is sufficient funding to address the problems that they have at least for the foreseeable future. Ms. Peterson asked if any questions from either the board or the audience. Ms. Peterson stated that there is really nothing to say. Mr. Sabatt stated that as far as the status of the case, they are pretty much where they have been. ~~Mr. Sabatt stated that it's making progress but it is very~~ hard to know where it is going. Mr. Sabatt stated that it is a very difficult unprecedented legal set of questions. Mr. Sabatt stated that the questions are what is the extent of authority of the courts, how will it all be implemented etc. Ms. Peterson stated that she supposes Mr. Austin's side will appeal. Mr. Sabatt stated that was the concern. Mr. Sabatt stated that he made a recommendation to the most efficient thing to do, if the objective is to try to rebuild the system, would be to have the property appraised and sell it. Mr. Sabatt stated that the price could be adjusted less the cost for the improvement. Mr. Sabatt stated that there might be a small net that might be paid to Mr. Austin. Mr. Sabatt stated there would be a commitment from the new owner to rebuild the system and that would be the solution. Mr. Sabatt stated that it would not relieve any penalties that would be imposed by the government which is another story. Mr. Sabatt stated that there was resistance from Mr. Austin's side and that Mr. Sabatt is not sure that the court has the authority to order that the park be sold but the court does have the authority to order Mr. Austin to repair the system. Ms. Peterson asked what the procedure will be for Mr. Austin to pay his fines. Ms. Peterson asked if Mr. Sabatt as the receiver pays the fines that have been levied against Mr. Austin. Mr. Sabatt stated that no, Mr. Austin is responsible for paying his fines. Mr. Sabatt stated that Mr. Austin may be facing both very substantial penalties and the obligation to provide the funding for closure of the park or reconstruction of the septic system. Mr. Sabatt stated that if Judge Macleod orders Mr. Austin to repair the system, they may appeal. Mr. Sabatt stated that they are less likely to appeal a closure than they would an order to rebuild the system. Mr. Sabatt stated that if there is an appeal, that will delay things to some extent. Mr. Sabatt stated that this question came up at the residence meeting just the other day, if there were an appeal, Mr. Austin would have to ask the court to stay the order. Mr. Sabatt stated that the fact that you stated an appeal does not in fact stay a court order. Mr. Sabatt stated that Judge Macleod may not do that based on the urgency of the circumstances. Mr. Sabatt stated that the order can go into effect and Mr. Austin may be ordered to comply as he pursues his appeal which might effectively render the appeal mute at that point. Mr. Sabatt stated that is will be an interested scenario regardless of which direction Judge Macleod goes in. Mr. Sabatt stated that it will be complicated no matter what direction this turns. Ms. Peterson stated that then to add into this Mr. Austin's age will be a factor. Ms. Peterson stated that if there are no other questions, then she would like Mr. Sabatt before the board again sometime in October. Mr. Sabatt stated that if there is a decision sooner then he will come before the board at that time. Mr. Pacheco stated that there has been talk about rebuilding the system. Mr. Pacheco asked if rebuilding the system versus a treatment plant, is it an option to make the whole operation minimally acceptable that the plant or system. Mr. Sabatt stated that he means a treatment plant. Mr. Sabatt stated that the DEP wants a wastewater treatment plant put in. Mr. Pacheco stated that will not include the road work and all. Mr. Sabatt stated that is does include the road work. Mr. Sabatt that that all would have to be accomplished. Mr. Sabatt stated that the only question that Judge Macleod had was whether or not the water system would be included in this

project. Mr. Sabatt stated that he suggested to Judge Macleod that the water system would also be a health issue and somehow fall with the amid of what Judge Macleod has to order. Mr. Sabatt stated that if Judge Macleod orders the rebuild of the system then the water system would also be ordered. Mr. Pacheco asked if the sewage treatment plant is ~~virtue of whatever technologies they are using need water.~~ Mr. Sabatt stated that is a whole different issue. Mr. Sabatt stated that the issue is whether Judge Macleod orders the treatment plant; the roadways can easily say will all be part of the project. Ms. Peterson stated that they would try to tie in the water delivery system. **This item has been CONTINUED until the meeting dated October 10, 2012 unless new information is received by Mr. Sabatt.**

3. **TOBACCO REGULATIONS – Cynthia A. Coffin – Discuss and possible vote on revised tobacco regulation – Ms. Coffin asked if the board would like to hear item #4, Hill Street first. Ms. Peterson stated that was ok.**

2 HILL STREET – Bracken Engineering for Linda Gudas and Mike Saylor – Request variances – Mr. Basinski from Bracken Engineering stated that on behalf of Mike Saylor and Linda Gudas, the project site is 2 Hill Street in Patuisset and there is an existing single family house lot. Mr. Basinski stated that the resources area within 150 feet of the property is Hen Cove in an AE flood zone and the associated coastal bank. Mr. Basinski stated he is requesting a waiver for a new septic system on the property closer than 150 feet to the coastal bank. Mr. Basinski stated that the applicants are proposing to demolish the existing dwelling and construct a new house. Mr. Basinski stated that the system has been cited as far east on the site as possible. Mr. Basinski stated that he is providing only a 52 foot setback based on the lot shape and size. Mr. Basinski stated that based on the project there is a reduction in the total number of bedrooms of the dwelling which will result in less nitrogen loading. Mr. Basinski stated that it's a 9.4% reduction. Mr. Basinski stated he does not feel the project is any more detrimental to what currently exists there today. Ms. Peterson asked how many bedrooms are being proposed. Mr. Basinski stated there will be 4 bedrooms. Mr. Basinski stated that there 3 bedrooms per the assessor records but there are actually 5 bedrooms. Mr. Andrews asked where the extra bedroom is on the plan. Mr. Basinski stated that it is in the basement which is not actually finished. Mr. Andrews stated that is why the ejector pump is down there. Mr. Basinski state that was correct it is for the future. Ms. Coffin stated that the key here really is with the board which was talked about before is what the actual resource is which is Hen Cove. Ms. Coffin stated that it is a bank by definition and there is a house on the other side of the road. Ms. Coffin stated that she does not feel there is a problem because the resource itself is over 155 feet away. Ms. Coffin stated that she feels this is ok and they are reducing the number of bedrooms. Mr. Andrews asked if the limit of bedrooms will be 4. Mr. Basinski stated that the room in the basement is really not intended to be a bedroom so technically there would be 5. Ms. Peterson stated that as long as there is a cased opening of 4 feet or more then it will not be considered a bedroom. **Mr. Andrews made a motion to approve the system with the variance of 92 feet of a coastal bank to a 98 foot variance. Mr. Andrews added to his motion a 4 bedroom system and the plans are dated June 25, 2012 received by the Board of Health on July 16, 2012 for 2 Hill Street. Mr. Andrews added to his motion the architectuals received July 16, 2012. The dates are May 25,**

2012 submitted to the office. Mr. Uitti seconded the motion. Ms. Coffin stated that the way it is approved right now, the applicant could actually put a bedroom in the basement without the 4 foot cased opening. Ms. Coffin stated that the board approved a 4 bedroom system so the cased opening should be addressed. Mr. Andrews stated that ~~there are 3 bedrooms upstairs so the basement will make 4.~~ Ms. Coffin asked if the board is ok with approving the 4 bedroom system. Ms. Coffin stated that at some point she will be receiving a building permit which will show a bedroom down in the basement. Ms. Coffin stated that the architectural are being approved without showing the 4th bedroom. Ms. Coffin asked if the board wants to put a limit on number of bedrooms. Ms. Peterson stated that the room is supposed to be a game room and a bedroom. Ms. Peterson stated that if it is going to be a game room there is going to need to be a 4 foot cased opening. Mr. Basinski stated that he would rather have the bedroom approved. Mr. Coffin stated that on the architectural being approved tonight does not show a bedroom in the basement but would prefer to see the bedroom shown on the plans. Mr. Andrews stated that as long as a building permit comes in with only one bedroom then they are still ok. Ms. Coffin asked if when the calculations were done, were the whole basement included as a potential bedroom. Mr. Basinski stated just one little section shown on the plan was calculated as a bedroom. Ms. Coffin stated that she understood. **All in favor and the motion PASSES.**

4. **Tobacco Regs – Cynthia A. Coffin – Discuss and possible vote on revised tobacco regulation** – Ms. Peterson stated that she hoped the board members had a chance to go over the regulation. Ms. Peterson stated that she spoke with Ms. Coffin earlier and because it is on the agenda for discussion and possible vote there is something that she would like to see put on the regulation. Ms. Peterson stated that she would like to beef up the board's ability on what the board can do if they find out people are smoking where they are not supposed to be. Ms. Peterson stated that she would like to be able, right off the bat, to take the tobacco license away without any fines or warnings etc. Mr. Barlow stated that it is kind of being the judge and the jury and feels if someone is caught smoking where they are not supposed to be smoking then the agent or the inspector can bring the person before the board. Mr. Barlow stated that he would not revoke the license because they would be saying they are guilty before they are heard before the board. Ms. Peterson stated that she just wants the ability to pull the license after a hearing. Mr. Barlow stated that if it turns out that the person is actually guilty, and then the board should be able to revoke the license. Ms. Coffin stated that on page 6 on number 2 under D it says following the third offense within the same 18 month period, the board of health shall suspend or revoke. Ms. Coffin stated that it can be changed to say upon the first offense and take out within the same 18 month period. Mr. Andrews reads out loud the regulation. Ms. Peterson stated that she would like to see it on the first offense. Mr. Collett asked if the board is talking about selling illegally or smoking on the premises. Ms. Peterson stated smoking on the premises. Mr. Collett asked what if a person is smoking in a location that is not licensed with the board of health. Ms. Peterson stated that if people are smoking where they are not supposed to be smoking. Ms. Peterson stated that if there is not enough beef in the wording then the people doing it don't care. Mr. Collett asked what license is Ms. Peterson referring to that the board of health has the

authority over. Ms. Peterson stated the board of health license. Ms. Coffin stated that Ms. Peterson is speaking about the food permit. Ms. Coffin stated that on number one deals with selling of tobacco products. Ms. Coffin stated that they may need an additional regulation to deal with establishments that hold a food license and say something about that. ~~Mr. Barlow stated that if the board is now referring to the food~~ license then he can't have anything to do with it anymore. Mr. Barlow stated that it should apply to all licenses, barber shops, hair salons etc. Ms. Coffin stated that the board of health has not right to do that. Mr. Barlow stated that they do get permits though. Ms. Coffin stated that they do not. Ms. Peterson stated that is should say any board of health permit that is issued to an establishment may be revoked. Ms. Coffin stated that the tobacco license if there is a violation anytime there is a sale the board relinquishes their license for 30 days. Ms. Coffin stated that the second offense the license if relinquished for 7 days then the third offense is for 30 days. Ms. Coffin stated that it is also stated that any person who violates the regulation is fined. Ms. Peterson stated that maybe to add into there, any board of health permits may be revoked. Mr. Andrews stated. Mr. Collett suggested he provide the proper wording for what the board wants. Mr. Barlow stated that this should go on the next agenda for this one specific issue and allow time for the board members to get a better look at the regulation. Ms. Peterson asked why this should be voted on then. Ms. Coffin stated that she does not want the board to vote on the regulation tonight. Ms. Coffin stated that it is just to start it up. Ms. Coffin stated that Mr. Collett brought this forward months ago and she sent him a draft and incorporated everything except the pharmacy issue because the board is not in favor of that. Ms. Coffin stated that she took the electronic cigarette regulation and the existing board of health regulation and some of what Mr. Collett brought forward and pushed them all into one regulation. Ms. Coffin stated that this is really just for discussion. Mr. Barlow stated that on the agenda is state's discussion and possible vote. Ms. Coffin stated she always says possible vote with a discussion. Ms. Peterson stated that she is comfortable with the draft regulation. Mr. Collett stated he was comfortable and also Mr. Barlow. Ms. Peterson asked Mr. Collett to provide the board with the proper wording and to make sure he understands what the board wants him to do. Mr. Collett stated that he could do that. Mr. Andrews suggested the wording to be in violation of these regulations may result in loss of any licenses or permits issued by the board of health. Ms. Peterson added without warnings. Mr. Collett stated that there are no warnings allowed. Ms. Peterson stated that if you are holding a food license and you are smoking in that establishment and you are consciencously doing it then you deserve to lose your food license. Mr. Collett stated that the board already has the authority to do this. Ms. Peterson stated that she still wants it added to the regulation. Mr. Collett stated that the board is not obligated to issue fines and it says may suspend or revoke already. Mr. Collett stated that the board of health could simply delete that third offense clause and put it after the first offense in the regulation. Mr. Collett stated that if this is done once then it does set precedence. Mr. Collett stated that it is not very complicated. Ms. Peterson stated that it is well known that smoking is not allowed in establishments and if you are found smoking in an establishment consistently inside a building you need to have some teeth to able to take the license. Mr. Uitti asked if there is anything in the regulation that states you need to be so many feet from a doorway when smoking outside. Ms. Coffin stated there is not. Ms. Peterson stated that is someone is outside having a

cigarette that is there business but if they are smoking in the building then there is a problem. Mr. Collett stated that Barnstable has a 20 foot buffer zone for municipal buildings. Ms. Coffin stated that it appears that one and two under D applies to tobacco sales. Ms. Coffin stated that she would like to change to say following the third offense ~~the board and revoke the tobacco permit entirely. Ms. Peterson stated once the regulation~~ are published and people see the board is serious about it, it kind of takes care of any unpleasantness. Ms. Peterson stated this way the board is not singling anyone out. Ms. Coffin stated that she feels the fine is almost better because if you hit people in their pocket it going to be more effective. Ms. Coffin stated that she can revoke a food license but then does she go padlock the door? Ms. Peterson stated yes if you have to. Ms. Coffin stated it is a lot easier to collect a fine. Ms. Peterson stated that is has already been proven that second hand smoke kills people and you cannot smoke in a building.... end of story. Ms. Peterson stated it is not the boards rule or law, its fact. Mr. Barlow stated that in the past there have been problems and the health inspector brought that establishment before the Board. Mr. Collett said that if the Board receives complaints we can definitely use due process to address the issue. The regulation will be tightened up. Ms. Coffin asked the members if the regulation could state something like... for those establishments that hold a Board of Health permit, the Board of Health reserves the right to hold a hearing and revoke said license(s) for any violation of these rules and regulations." She will amend the tobacco regulation to include this statement. Ms. Peterson stated that no action would be taken at this time. She also asked if there were any comments from the audience. This item will be continued until August 8th.

5. Approve minutes of June 13, 2012. Mr. Barlow made a motion to approve. Mr. Uitti seconded the motion. It was a 3-1 vote to approve as Mr. Andrews abstained.
6. Approve minutes of July 10, 2012. Mr. Barlow made a motion to approve. Mr. Uitti seconded the motion. It was a unanimous vote to approve.

Mr. Andrews made a motion to adjourn. Mr. Uitti seconded. It was unanimous. The meeting adjourned at 8:55 PM.

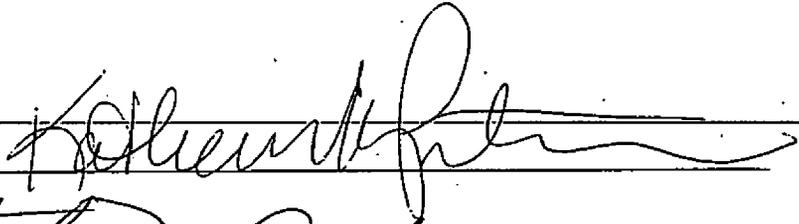
Respectfully taped by,

Lisa M. Collett
Secretary

Reviewed, typed and approved by

Cynthia A. Coffin
Health Agent

Kathleen Peterson



Stanley Andrews



Galon Barlow



Don Uitti



Carol Tinkham



cc Board of Selectmen/Town Clerk



TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02552
Phone (508) 759-0615 x1
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

2012 AUG 16 PM 2 22
TOWN CLERK'S OFFICE
BOURNE, MASS

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

August 22, 2012

Time:

7:00 P.M.

Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

**THE MEETING SCHEDULED FOR
AUGUST 22, 2012
HAS BEEN CANCELLED**

cc Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: August 16, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

September 12, 2012

Time:

7:00 P.M.

Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. **POCASSET MOBILE HOME PARK - Mr. Charles Sabatt – Update re: Court order with regards to Pocasset Mobile Home Park –**
2. **7 BENNETTS NECK RD – Bracken Engineering – Re-issuance of variances granted September 9, 2009 and amend the plan of record -**

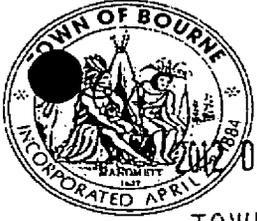
TOWN CLERK'S OFFICE
BOURNE, MASS

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cc Board of Selectmen/Town Clerk

Signed:
Title:
Date:

Lisa Collett
Secretary
September 6, 2012



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TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679



**MINUTES
SEPTEMBER 12, 2012**

**Members in attendance: Kathy Peterson, Chairman; Stanley Andrews; Don Uitti;
and Carol Tinkham**

Support Staff in attendance: Cynthia Coffin, Health Agent; Lisa Collett, Secretary

Meeting was called to order at 7:00 P.M.

- 1. POCASSET MOBILE HOME PARK – Mr. Charles Sabatt – Update re: Court Order with regards to Pocasset Mobile Home Park.** – Mr. Sabatt stated that on August 14, 2012 the court issued a final judgment and order on Pocasset Mobile Home Park. Mr. Sabatt stated that Judge Macleod has required that Mr. Austin, within 10 days of the order, transfer the Pocasset Mobile Home Park bank account to the specified receiver, \$2,767,883.00 which is the cost to construct and install a new sewage treatment system. Mr. Sabatt stated that at the request of the Attorney General's Office, he provided Mr. Austin's Attorneys with a bank account number and location for the depositing of the funds. Mr. Sabatt stated Mr. Austin has filed a motion to stay the court order and a motion to amend the order essentially asking the court to reconsider the entry of the order. Mr. Sabatt stated that the Attorney General's Office has filed an opposition to both of the requests to the Superior Court for review by Judge Macleod. Mr. Sabatt stated that he guesses that Judge Macleod will deny the request for a stay and require that Mr. Austin proceed immediately with the deposit of the funds. Mr. Sabatt stated that if that does not occur, his second guess is that the Attorney General's Office will seek permission to begin seizure of Mr. Austin's assets to be used to satisfy this court order. Mr. Sabatt stated that there will be somewhat of a process that they will be engaged in over the next few months. Mr. Sabatt stated it could be several months depending on how readily available the funds are and how accessible the assets are. Mr. Sabatt stated that he had a feeling this would be what Judge Macleod ordered to avoid the closure of the Pocasset Mobile Home Park. Mr. Sabatt stated that a major component of what he recommended was the reconstruction of the water delivery system. Mr. Sabatt stated that he had a design prepared for that with the engineers which would have called for entirely

new conduits. Mr. Sabatt stated that part of the pricing was a lowering of the septic lines to allow additional distance between those lines and the new water lines. Mr. Sabatt stated that will also involve separate metering for every mobile home. Mr. Sabatt stated that his number one reason for this request is to provide a safe water supply system to the residents of the park. Mr. Sabatt stated that this was discussed and debated at the hearing during the summer and the judge was not satisfied enough, under the jurisdiction on the cases before her, to order that funding be provided for a water delivery system. Mr. Sabatt stated that this request is missing from this funding. Mr. Sabatt stated that he recalls the cost being around \$600,000.00. Ms. Peterson asked how this can go forward without a water delivery system. Mr. Sabatt stated he did not know and he is still trying to think about what can be done about it. Mr. Sabatt stated that he is trying to search for some sort of public funding if it is available. Mr. Sabatt stated that he can also check to see if he can sustain conventional funding. Mr. Sabatt that that a debt service will be required for a conventional loan. Ms. Peterson stated that as she understands it, if there is not a new water delivery system, then installing the septic system is pointless. Mr. Sabatt stated that is it a serious problem and he has spoken with the Attorney General's Office about it and anyone has the power to seek to amend this order at any time. Mr. Sabatt stated that this is one of the things he hopes to get some reconsideration on and hopefully the judge might include the water system in the order. Mr. Sabatt stated that there is a problem with a failed tank in the vicinity of 3rd and 4th Avenue at the intersection of these two roadways. Mr. Sabatt stated that this was discovered in the early summer during a conference on site that was really intended to address the leaching fields. Mr. Sabatt stated that the DEP has authorized an emergency repair of that area. Mr. Sabatt stated that he does have an estimated cost for that, which has been provided by Peter Valeri. Mr. Sabatt stated that with the advice of the engineers, he has moved forward. Mr. Sabatt stated that it is estimated to take approximately 2 weeks for this repair. Mr. Sabatt stated that they are also replacing several sewer mains within the area. Mr. Sabatt stated that the plans have already been approved by the DEP. Mr. Sabatt stated that these mains will be able to be reincorporated into the new system. Mr. Sabatt stated that on 4th Avenue there are some issues with some conduits that run between #4 and #8 and Peter Valeri recommends that these be replaced. He will provide an estimate for the work. Mr. Sabatt stated that at the intersection of 3rd and 4th Avenues, after a rain storm, there is a significant ponding. Mr. Sabatt stated that in the past it has been handled by natural drainage, which is a ditch that the water flows off of and ends up in the grass. Mr. Sabatt stated that he has requested an estimate to add some catch basins to help alleviate that problem. Ms. Peterson requested that Mr. Sabatt provide in writing these repair requests and send it to the Health Agent, Cynthia Coffin. Ms. Coffin asked about the trenches. Mr. Sabatt stated he is not aware of where they stand right now. Mr. Sabatt stated that he does know of a plan that is being drawn. Mr. Sabatt stated that the leaching trenches is another thing that needs to be addressed fairly soon. Mr. Sabatt stated that he has not yet been given permission to construct the trenches but has been given authority to prepare the plans, submit them to DEP and be ready to go. Mr. Sabatt stated that he does have the funding to handle all of this and he has drawn down on part of the operating account that he took possession of when he became receiver. Mr. Sabatt stated that he drew down

on that for the deposit last week and just as a safety net, he has borrowed some additional money from the county to pay for the balance of the work that has just been reviewed. Mr. Sabatt stated that he felt the need to have sufficient cash in the event of an emergency that will require immediate payment. Mr. Sabatt stated that despite all of these projects on the drawing board, there have not been any real significant issues here. Mr. Sabatt stated that he feels everything that needs to be addressed is being addressed. Ms. Coffin stated that there are 7 or 8 pits that are dry. Ms. Coffin stated that she is just starting to see water in a couple of them, so there are still 6 that are bone dry. Ms. Coffin stated that when she, DEP and Mr. Sabatt were last out there they were all still dry and she is just trying to stay ahead of the game and get more trenches permitted just in case. Mr. Sabatt stated that the problem between 4th and 8th may be the roots from a cedar tree which will be fixed with replacing the pipe. Ms. Peterson asked what the Judge will do. Mr. Sabatt stated that the judge will probably deny the stay. Ms. Peterson stated that she does not have a copy of what Mr. Austin stated in reply to the judgment. Mr. Sabatt stated that he does have a copy and will send a copy to the office. Ms. Peterson asked if Mr. Sabatt will submit a rebuttal. Mr. Sabatt stated that he is not required to submit one. Mr. Sabatt stated that his role in the legal process is more neutral. Mr. Andrews asked what the timing will be for the next legal action. Mr. Sabatt stated that there is no request for a hearing on the current motion to amend the judgment so Judge Macleod could act on this without a hearing. Mr. Sabatt stated he feels within 2 to 3 weeks there should be a decision. Mr. Sabatt stated that his feeling is Judge Macleod will deny. Mr. Sabatt stated at that point, Mr. Austin will appeal but the problem they will have is they still have to comply with the order. Mr. Sabatt stated that the appeal does not stop the order from going into effect. Mr. Sabatt stated that if Mr. Austin refuses to turn over the funding, then next move will be from the Attorney General's Office to begin seizure of the assets to satisfy the order. Mr. Andrews asked when the last time Mr. Sabatt met with the residents. Mr. Sabatt stated he met with the residents in August 2012 and will try to have another meeting the first week of October 2012. Mr. MacDonald from 4th Avenue stated that it seems it could be months before the residents can know what will happen. Mr. Sabatt stated that it all depends upon how compliant Mr. Austin is with this order. Mr. Sabatt stated that it also depends on what kind of authority the Attorney General's Office is going to seek and obtain. Mr. Sabatt stated that this is an analysis on his part but believes the Attorney General's Office is beginning seizure of Mr. Austin's assets. Mr. Sabatt stated that Mr. Austin did have to make a disclosure of his assets and all his assets are now frozen under the court order. Mr. Sabatt stated that to answer Mr. MacDonald's question, it is yes, it could take several months. Mr. Sabatt stated that even if he gets the ok tomorrow, there is still a huge issue with the water delivery system. Ms. Peterson stated that will take time and involve engineers etc. which takes a long time to figure out. Mr. Sabatt stated that he has discussed this with the County and they cannot see a way to fund it. Mr. Sabatt stated he will speak with the water superintendent to see if he has any ideas. Mr. Sabatt stated that earlier in his investigation he found a non-profit agency out in western MA who told him that if he could find the funding for the septic system then he may be able to find a grant to pay for the water delivery system. **Ms. Peterson thanked Mr. Sabatt for his update. No action need be taken at this time.**

2. **7 BENNET'S NECK RD – Bracken Engineering – Re-issuance of variances granted September 9, 2009 and amend the plan of record.** – Mr. Bracken went over the history of the project since 2002. Mr. Bracken stated that since the 2009 variance request, some of the conditions have changed. Mr. Bracken stated that originally in 2009, he requested a 50% reduction in the length of the leaching trench so that it would not have to go under the driveway. Mr. Bracken stated that one of the conditions of the Boards' approval was to lengthen it and not ask for the reduction; which he did not have a problem with so that is what the current plan shows. Mr. Bracken stated that by meeting that condition, he highlighted the distance to the BVW which is 136 feet. Mr. Bracken stated that in 2009 he requested an 8 foot variance and now he is requesting a 14 foot variance because he did increase the trench. Mr. Bracken stated that the new variance needs to be revised in the approval. Mr. Bracken stated that he is asking for a 75 foot variance to the top of the coastal bank across the street from the site. Mr. Bracken stated that there is probably 200 feet or so from the actual marsh. Mr. Bracken stated that coastal bank is delineated by definition only. Mr. Bracken stated that because of the grading on the lot he is asking for an 11 foot separation between the full foundation and the leaching trench and is proposing an impervious barrier between the leaching and the house. This will allow him to keep the house as close to the street as he can because of the way the lot drops off. Mr. Bracken stated that this was already granted and he is not asking for any changes. Mr. Bracken stated that the last paragraph of the approval references the architectural plan that he submitted in 2009. Mr. Bracken stated that the reason he is back now is because the property is under agreement. The builder is going to construct the home and it will be limited to 3 bedrooms. There are no final plans at this point. Mr. Bracken stated that he is asking that the approval be re-written so that when Ms. Coffin reviews the plans she can confirm that it is a 3 bedroom dwelling. Ms. Coffin stated that her only concern is usually the board has a dated set of architectural plans that are recorded, referenced and attached to the deed recording. Ms. Peterson stated that at the registry it is not. Ms. Coffin stated that she does submit the plans. Ms. Peterson stated they are only referenced in the letter. Ms. Peterson stated that she has not seen very many plans attached at the registry. Mr. Andrews stated that they can place a condition that the architectural plans must be in before approval of the septic permit. Mr. Bracken stated that the property is almost 2 acres and consists of 2 lots. Mr. Bracken stated that when he did the hydrogeologic analysis, he showed that there is 5.4 parts per million just using the effluent and it is 1.45 parts per million if you include the wetland area. Mr. Bracken stated he needed to clear up the request letter. He no longer needs the poly barrier. Mr. Bracken stated that on the letter dated September 6, 2012, the second item is no longer requested. Mr. Bracken stated that this does not affect the variance request. Ms. Coffin stated that the abutters are the same from the time they filed back in 2009 in fact 2 were removed. Mr. Andrews stated that there was an extension that the Governor had given to extend out 2 years. Mr. Bracken stated that the actual extension is 4 years. **Mr. Andrews made a motion to approve the conditions with the variances that are indicated in the submitted letter of request: a 14 foot variance from the required 20 foot setback of the soil absorption system to the northern portion of the BVW. Mr. Andrews amended and**

added to his motion to state that when the architectural records become available they will be submitted to Ms. Coffin for final review. Mr. Uitti seconded the motion. Ms. Coffin stated that it should also be included in the motion that all previous conditions of 2009, i.e. the deed recording, and the maintenance and 2 year contract for the Alternative system remain in effect. Mr. Andrews so moved. All in favor and the motion PASSES. Ms. Coffin asked if the new dates were included in the motion. Mr. Andrews amended the motion to reflect the new dates of the plan dated September 4, 2012 received by the Board of Health on September 5, 2012. Mr. Uitti seconded the amendment. All in favor and the whole motion PASSES.

Mr. Andrews made a motion to adjourn. Mr. Uitti seconded. It was unanimous. The meeting adjourned at 7:33 PM.

Respectfully typed and typed by,

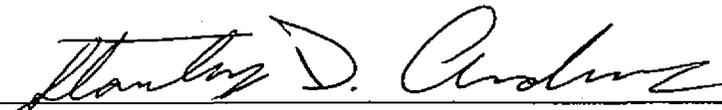
Lisa M. Collett
Secretary

Reviewed and approved by

Cynthia A. Coffin
Health Agent

Kathleen Peterson _____

Stanley Andrews _____

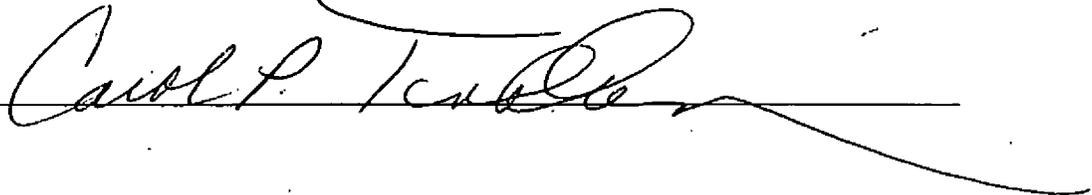


Galon Barlow _____

Don Uitti _____



Carol Tinkham _____



cc Board of Selectmen/Town Clerk

Board of Health Minutes September 12, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679

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TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

September 26, 2012

Time:

7:00 P.M.

Place:

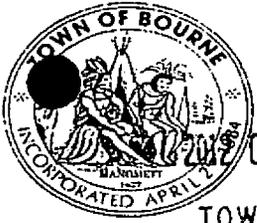
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. **ISWM UPDATE – Dan Barrett – Topics for discussion**
 - a. **Beneficial use determination (BUD)**
 - b. **Phase IV Liner Project**
 - c. **ISWM request to temporarily move C & D Transfer**
 - d. **Phase 2A/3A final Cover Project**
 - e. **Update status of RFP Review Process**
2. **OTIS PLUME UPDATE –**
3. **APPROVE THE MINUTES – Dated July 25, 2012**
4. **APPROVE THE MINUTES – Dated August 8, 2012**

Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: September 20, 2012



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TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
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**MINUTES
SEPTEMBER 26, 2012**

**Members in attendance: Kathy Peterson, Chairman; Stanley Andrews, Vice-Chairman;
Don Uitti, Secretary; Galon Barlow and Carol Tinkham**

**Support Staff in attendance: Cynthia Coffin, Health Agent; Zack Seabury, Health
Inspector and Lisa Collett, Secretary**

Meeting was called to order at 7:00 P.M.

1. ISWM UPDATE – Dan Barrett – Topics for Discussion

- a. **Beneficial use determination (BUD)** – Mr. Barrett stated that the Beneficial use determination was for materials from the Barnstable Inner Harbor Dredge project. Mr. Barrett stated that the initial soils samples indicated that some of the materials exceeded regulatory limits that would allow it to be used as daily cover at any lined Massachusetts landfill. Mr. Barrett stated that in response to that situation, CLE Engineering, the consulting firm who Barnstable County is using for this project, met with the ISWM staff and agreed to assist with the submittal of a special waste application requesting disposal at the Bourne Landfill. Mr. Barrett stated that taking this material is not unusual for the landfill. Mr. Barrett stated that it is just another soil job. Mr. Barrett stated that during the review of the application, DEP, Division of Solid Waste and Water Quality stated that the material met the Mass Contingency Plan S2-GW2 criteria for use as alternative daily cover at a Massachusetts landfill as authorized through a beneficial use determination. Mr. Barrett stated that it is a long way of getting through the fact that DEP did not feel that the material was special waste. Mr. Barrett stated that the DEP just wants to look at it and write up any special conditions that may need to go with it. Mr. Barrett stated that the problem with the soil is that it had TPH (Total Petroleum Hydrocarbon) and thinks the other was Zinc. Mr. Barrett stated that it was only a very small area so DEP said it is not worth going through the special waste permit hassle. Mr. Barrett stated that the DEP decided to have them go through the Beneficial Use Determination (BUD). Mr. Barrett stated that the DEP has not yet issued its final response to the BUD but indicated that

hopefully it will next week. Mr. Barrett stated that the BUD will contain conditions for both the generator and the landfill. Mr. Barrett stated he will review the permit requirements and respond accordingly. Mr. Barrett stated that the job consists of approximately 500 cubic yards or 500 tons of material covered by the BUD with the potential for more to come if Barnstable decides not to use it to build a sound attenuation berm at their gun range. Mr. Barrett stated that the total project is 9000 cubic yards. Mr. Barrett stated that 4500 of it got to go out to off shore disposal. Mr. Barrett stated that the other 4000 was determined to be usable uplift. Mr. Barrett stated that no one wants to pay to dispose of it at a landfill so they may reuse it on their gun range. Mr. Barrett stated that this 500 tons needs to be used at a landfill for daily cover. Mr. Barrett stated that the reason DEP wanted to have a BUD determination is because it's silty and wet and they want to make sure it is not going to get tracked all over and make a mess at the landfill. Mr. Barrett stated that the reason he is bringing it up is because Ms. Coffin was notified from DEP about special waste. Ms. Coffin stated that she believes that is what it was. Mr. Barrett stated that then the special waste was retracted by DEP. Mr. Barrett stated that he knew it would be, so he did not make a big deal about it. Mr. Barrett stated that the engineering firm chose the right route and took it. Mr. Barrett stated that he agreed with them and told them the landfill would help them out. Mr. Barrett stated that the material is scheduled to come into the landfill around February through April. Mr. Barrett stated he will be looking for some dirt at that point so that is really the only interest for the landfill. Mr. Barrett stated that the thing about dredge jobs is that they take a lot of time for the landfill. Mr. Barrett stated that he can go out into the street and get soils pretty quickly at reasonable rates. Mr. Barrett stated that the Town of Barnstable contacted him and asked if he could help out. Ms. Coffin asked if the state will require additional testing. Mr. Barrett stated that the State has already completed the additional testing. Mr. Barrett stated that this dredge project generated water quality paperwork which is pretty thick. Ms. Peterson asked if anyone had any questions on this particular discussion. Mr. Andrews asked how the materials will be brought into the landfill. Mr. Barrett stated that it will be trucked. Mr. Andrews asked if the materials will be wet. Mr. Barrett stated that yes all dredge projects are wet. Mr. Andrews asked if it will be in sealed containers so there are no worries about the material dripping on the way. Mr. Barrett stated that a couple of contractors have already contacted him asking about the project. Ms. Coffin asked if the trucks are lined. Mr. Barrett stated that there will be plastic liners like in gravel trailers. Mr. Andrews asked how Mr. Barrett will handle the material once it arrives. Mr. Barrett stated depending on where he is at, at that point, he will probably mix it with auto shredded residue or ash and use it on the face as daily cover. Ms. Tinkham asked if the town is addressing the hot spot. Mr. Barrett stated that was correct. Mr. Toomey, from the Pollution Task Force, asked if there was still going to be a wash or rinse station for the vehicles to go through. Mr. Barrett stated that yes, if it is needed. Mr. Toomey stated that there may be materials on the tires and asked if they should be washed. Mr. Barrett

stated no. Ms. Peterson stated that the truck wash spoken about before is for a completely different project, which was for the ash. Mr. Barrett stated that the DEP has not responded to the beneficial use yet and Barnstable has not decided what they want to do yet. Mr. Barrett stated that this is all preliminary and just wanted the board members to be aware.

- b. **Phase IV Liner Project** - Mr. Barrett stated that the Phase IV Liner is complete. Mr. Barrett stated that he submitted an application for an authorization to operate (the ATO permit) and received the approved permit on September 18, 2012. Mr. Barrett stated that he has not yet entered into the new construction of the roads and ramps and they are also in the process of bringing 2A and 3A up to final grade to accommodate the final cap project. Mr. Barrett stated that he anticipates being in Phase IV in the middle of October, 2012. Mr. Barrett stated that he was very happy to receive the permit as quickly as he did. Mr. Barrett stated that the new scales are hooked up and operating. Mr. Barrett stated that the electricity has been connected to the new scale house. Mr. Barrett stated that they will begin using the new facility on Monday, October 1, 2012. Mr. Barrett stated that E.T.L. will be back on site to tear out the old scale and finish up their punch list and hopefully finish up the paving and the rest of the project by November 1, 2012. Mr. Andrews asked if it was correct to state that by the 1st of November there will be new roads, new gates etc. Mr. Barrett stated that everything will be done by October 31, 2012. Mr. Barrett stated that it does depend on weather. There is quite a bit of paving left to be done but that should go quickly. Ms. Coffin stated that she has had some complaints about odors in the morning. Mr. Barrett stated that the odors recently are due to a header failure and a valve failure. Mr. Barrett stated that he found the problem and fixed it but there was probably a 3 day period where he was trying to figure it out. Mr. Barrett stated that the good news is that the section of the header will be replaced as part of the final cap project. Mr. Andrews asked when the new generator will come in. Mr. Barrett stated in the spring 2013. Mr. Barrett stated that the new flare is going to be ordered this fall.
- c. **ISWM request to temporarily move C & D Transfer** – Mr. Barrett stated in August 2012 the deflector shield at the load out bay at the C & D Transfer station failed. Mr. Barrett stated that it became loose after 3 years of steady use and needed repair. Mr. Barrett stated that he planned on this work being done during the winter of 2013 when C & D volumes are at the lowest. Mr. Barrett stated that given the low volume at that time of year he would have been able to do the repair without having to shut down the station. Mr. Barrett stated that the shield was worn to a point where it had to be repaired. Mr. Barrett stated that he decided to ask the DEP for permission to conduct transfer operations outdoors for a period of 5 days. Mr. Barrett stated that in his request he cited the Town's four years of experience with this type of operation prior to opening the transfer station. Mr. Barrett stated that he submitted the request on October 30 and the DEP granted the request in a letter dated September 14. Mr. Barrett stated that he began operations on September 18, 2012 and reopened the station completely with upgrades and

repairs on Tuesday, September 25, 2012. Mr. Barrett stated that during that period there were 60 mile an hour winds but is happy to report no problems. Mr. Andrews asked if there are any tell tale signs to say if it is failing quickly. Mr. Barrett stated that there were signs but he was trying to get through because the transfer station has been incredibly busy this year. Mr. Barrett stated that between fiscal year 2011 and fiscal year 2012 there was 2500 tons more. Mr. Barrett stated that this fiscal year he predicts to be ahead another 3 or 4 thousand tons. Mr. Barrett stated that he knew it had to be fixed but he was just trying to nurse it through to get to the proverbial slow down time but just didn't make it. Mr. Andrews asked if this is common among transfer stations. Mr. Barrett stated it does just kind of wear out.

- d. **Phase 2A/3A Final Cover Project** – Mr. Barrett stated major modification corrective action design has been submitted and ISWM has received conditional approval from DEP to move ahead. Mr. Barrett stated that this project encompasses 12.5-acres and will include 6 new vertical gas wells along with associated appurtenances. Mr. Barrett stated that all the headers are going to be relocated in their final position. Mr. Barrett stated that the bids opened on August 8. Mr. Barrett stated that the project was subsequently awarded to RC&D Inc. out of Pawtucket RI. Mr. Barrett stated that he hopes to have construction begin this fall focusing on the installation of the remaining gas collection wells for this section. Mr. Barrett stated that the paperwork is being finalized and the preconstruction meeting has been scheduled for October 9, 2012. Mr. Barrett stated that at the meeting he will finalize the construction schedule and he will then report back to the Board of Health regarding key dates, including gas system work. Mr. Barrett stated that he has proposed, and DEP is reviewing, the installation of an effluent distribution system that will take spent reagents from the scrubber system and put them back into the landfill under the cap. Mr. Barrett stated that any new proposals take time for the DEP to review and approve. Mr. Barrett stated that what he is talking about is the liquid that comes off the scrubber with the elemental sulfur in it. This would be pumped into the leachate system. Mr. Barrett stated that if he gets approval on this he is going to run it to a dedicated line to the tank so as not to stop the leachate line. Mr. Barrett stated that he has also been looking into the effect on the gas wells for hydrogen sulfide production. Mr. Barrett stated when you run the scrubber, you run it a little bit more then what is actually needed to accomplish so there is un-reactive materials. Mr. Barrett stated that if you put that back onto the landfill, it kills the bugs that create the hydrogen sulfide. Mr. Barrett stated that the DEP wanted to know if it would have an effect on the bugs that create the methane so they tried it on a very small area and it worked. Mr. Barrett stated that the DEP's interest in this is there are a lot of other places that are contemplating doing this same thing. Mr. Andrews stated in regards to the 2A/3A final cap there has policies and procedures in place and this is a contractor that has not been here before. Mr. Andrews stated that the board has become accustomed to ET&L because they know the policies and procedures for drilling wells, opening up the trenches, putting the pipes in etc.

Mr. Andrews stated that there is the preconstruction meeting on October 9, 2012 and hopes this is highlighted with a lot of emphasis so that all the policy and procedures are followed. Mr. Andrews stated that he does not want to see someone new coming in and not following the policies and procedures. Mr. Barrett stated that at the pre-bid meeting, he went over in depth all the policy and procedures with all the contractors that were bidding. Mr. Barrett stated that he did sit down with RC&D because they are a new contractor and did extensive research on them to see what they have done before and what their success rate was. Mr. Barrett stated that he does not anticipate any changes on anything. Mr. Barrett stated that he did due diligence on investigating who RC&D is to make sure they are adequate for the job. Ms. Coffin asked how long of a project this will be. Mr. Barrett stated that as usual with these caps, they try to do all the gas and piping work in the winter. Mr. Barrett stated that this is a little bit different and it is a bigger project. Mr. Barrett stated that he asked the DEP how they would feel about deploying plastic and not covering it. Mr. Barrett stated that the DEP is ok with that temporary solution. Mr. Barrett stated that it will probably take the better part of next year to complete this project. Mr. Barrett stated that it is a 12.5 acre project. Mr. Barrett stated that he will get as much done as possible this fall and keep working until the weather gets bad. Mr. Andrews stated that this is a weather sensitive project so when it starts to snow, they need to stop working on it. Mr. Barrett stated that it all depends on how bad the weather gets. Mr. Andrews stated that he plans on starting at the north end and working south. Mr. Barlow stated that when the DEP wants to do an experiment at the landfill, especially on a 12 acre site, he would like DEP to talk to the board of health before they do it only because there have been bad experiences with these experiments particularly when they relate to the production of odorous gas. Mr. Barrett stated that it is duly noted to try to inform the board before hand. Ms. Peterson stated that the board wants daily sign off sheets just as before that can be opened at any given moment. Ms. Peterson stated that the board wants to know who is working on them and who is signing off on them from the ISWM department. Mr. Barrett stated that was no problem and it is standard procedure. Mr. Andrews stated that this is a big piece and also a troublesome piece. Mr. Barrett stated that over the years the degradation of hydrogen sulfide production is about 40% a year and he has found this to be the case in this situation. Mr. Barrett stated that the effluent is not a huge problem for him because the inlet concentration of hydrogen sulfide are low compared to what he started out with. Mr. Barrett stated he is hoping that one day he will be able to shut the scrubber off. Mr. Barlow stated that the board is very pleased with the whole situation over at the landfill and it is all going well. Mr. Barrett stated that the DEP is pleased on how ISWM gets things done that is why they keep coming to him with these projects but he certainly would not do anything to jeopardize this operation. Mr. Barrett stated that this is something he is very proud of.

- e. **Update status of RFP Review Process** – Mr. Barrett stated that the working group sub-committee has reviewed the proposals and has finalized any

recommendations in preparation for a formal presentation of its findings to the Selectmen. Mr. Barrett stated that work has begun to select a specialized legal council to guide the town through the intricacies of the pending agreement if an award is approved. Mr. Barrett stated that assuming an award is granted, it appears at this time, that the Board of Health will most likely conduct its review in the late spring or early summer of 2013. Mr. Barrett stated that this is a moving process. Mr. Barrett stated ISWM and a proposed vendor will first move through the various regulatory agencies seeking approval on preliminary permits. Mr. Barrett stated that this process will give DEP, MEPA and the Cape Cod Commission the opportunity to review preliminary plans and make changes that they see necessary insuring that by the time these plans get to the Board of Health, they will be close to being complete and ready for final review. Ms. Peterson stated that she wants to be very clear that she does not want the Board of Health to read something in the newspaper that they were not aware of in regards to this process. Mr. Barrett stated that he agreed and that is why he is discussing this tonight. Mr. Barrett stated that the board will see the initial stages of the permit process. Mr. Barrett stated that will be to the board's benefit. Mr. Barrett stated that he will come back often and update the board as much as the board wants him to. Mr. Barrett stated that by that time, the working group will be reconvened and Mr. Andrews will be back on board, after the review of the sub-committee and the potential award. Mr. Barrett stated that it has kind of handcuffed him a little bit that the whole working group could not be part of the process of the proposals; therefore the Board of Selectmen were a bit out in the cold and did not know what was going on, the Board of Health was out in the cold because they too did not know what was going on. Mr. Barrett stated that once he has something to bring forward and the Selectmen approve it, then Mr. Andrews is back in the game and everyone is on the same page again. Mr. Barlow stated that Mr. Andrews only gets information and brings it back to the Board of Health. Mr. Barlow stated that Mr. Andrews is not the person that will make the decisions for us. Mr. Barrett stated that he understood but the board is seeing things in the newspaper etc that Mr. Andrews has not been a part of and are things that are still just preliminary. Mr. Barrett stated that during the lawyer process, the site assignment was mentioned and the only reason it was mentioned is because Mr. Guerino and the Selectmen wanted to make sure that whoever they selected knew something about Boards of Health and site assignments. Ms. Peterson stated that the attorney Mr. Barrett is referring to will not have anything to do with the Board of Health. Ms. Peterson stated that the Board of Health will be interviewing their own attorney. Mr. Andrews asked if that is the town's attorney for dealing with the contracts. Mr. Barrett answered yes he will be doing the site lease and the contracts. Mr. Andrews stated that later the board of health will have their attorney for the site assignment. Mr. Barrett stated yes. Ms. Peterson stated that there will actually be two attorneys. Ms. Peterson stated that one will be for the site assignment and one will be for the hearing officer. Mr. Barrett stated that when they get to the site assignment process, it will be the decision of the

departments as to whether or not they have legal counsel. Mr. Barrett stated that they may not need legal counsel at that point. Mr. Barrett stated that the Board of Health will have someone representing them and ISWM will be on the other side of the table as the proponent but he may or may not have someone and if he does it may not be Mr. Carlton because of budget issues. Mr. Mulvey asked about the leachate pit. Mr. Barrett explained how it all works for Mr. Mulvey. **No action need be taken at this time**

2. **OTIS PLUME UPDATE** – Mr. Karson, from the Air Force Center and the Environment stated that this is the annual plume update for the base. Mr. Karson stated that it is required that he appear on a yearly basis to update the board with the latest information. Mr. Karson stated that nothing much has changed in the past year. Mr. Karson stated that he is still treating several groundwater plumes out on the base. Mr. Karson stated that there are 80 source areas that are part of the program and those just have monitoring wells. Mr. Karson stated that he is at the point now where most of his program is operations and maintenance for the different systems that are in place. Mr. Karson stated that this does include 3 wind turbines that have been constructed over the year. Mr. Karson stated that there is still the residential well verification program, which he is directly involved with as the project manager. Mr. Karson stated that he submitted a report to the board explaining all his research in Cataumet for private wells. Mr. Karson stated that he is required to draw a zone around the existing plumes and if any property is within the footprint of the plume or within a certain distance, he has to contact the property owners. Mr. Karson stated that out of 467 parcels, 71 have all been identified. Mr. Karson stated that 2 of these wells have been identified as the sole source of water for their properties. Mr. Karson stated that as part of his research and analysis, he tested both properties and they were fine. Mr. Karson stated that there were 47 properties that listed the well as non-functional. Mr. Karson stated that 9 of the properties he has contacted and none of them have reactivated their well. Mr. Karson stated that all the information he has compiled regarding these properties are readily available to the Board of Health. Ms. Coffin asked if the 47 wells Mr. Karson is referring to stay as irrigation wells is there still a concern since they are not for potable water. Mr. Karson stated that if the well is reactivated then he will need to do a technical evaluation. Ms. Coffin asked if deactivated meant no use, whether portable or non-portable. Mr. Karson stated that this was correct. Mr. Karson stated all 467 parcels will be re-evaluated as part of the 5 year reviews. Mr. Karson stated that the next review is due the end of 2013. Mr. Karson stated that CS 19 plume is in the area where explosives were used, these were called RDX explosives. Mr. Karson stated that there is a map provided showing where all these wells are located. Mr. Karson stated that at this point at CS19, there is a well which is just outside the leading edge of the plume and the plume is moving from the base towards Bourne. Mr. Karson stated that this plume is below the reporting limit for RDX. Mr. Karson stated that he does not expect it to migrate out to Route 28. This plume is monitoring only, it is not being treated. Mr. Karson stated that the Landfill 1 plume is a solvent plume and he is not sure where the source area is. Mr. Karson stated this too is the same and there are still operating 60 wells. Mr. Karson stated that the levels are not very high. Mr. Karson stated that everything west of Route 28 with solvent concentrations of TCE and PCE are less than 20 parts per billion, which has been this

way for quite a number of years. Mr. Karson stated that the plume continues to move from the source area and he has a treatment area which continues to dilute and degrade. Mr. Karson stated that he continues to see increasing levels within the plume. Mr. Karson stated that at the landfill cap where three cells that were capped, the 102nd Battalion Wing is planning on sending out a proposal next month for solar panels to be erected on this site to help mitigate their electrical costs. Mr. Karson stated that the last thing he would like to touch upon is the progress at Red Brook Harbor and Squeteague Harbor. Mr. Karson stated that the map shows sampling locations and the results which are done annually. Mr. Karson stated that this is associated with the landfill plume that migrates towards the harbors. Mr. Karson stated that the testing at Red Brook Harbor for PCE has resulted in non-detection, below the recording limit for TCE; and surface water testing at Squeteague Harbor also resulted in non-detection or below the limit for recording. Mr. Karson stated that the seep sampling at Squeteague Harbor indicates just the ground water coming up. Mr. Karson stated that the PCE was detected at 2.7 micrograms per liter. Mr. Karson stated that he has reviewed the historical results of this particular location and believes; going back about 7 or 8 years, the highest level was back in 2008 which were 2.9. Mr. Karson stated that it is not anything to be concerned about. Mr. Karson stated that this is up and down, it fluctuates. Mr. Karson stated that it has not really changed over the years. Ms. Peterson stated that in the future she wants Mr. Karson to give the material prior to the meeting so that the board members have time to review the information given. Ms. Peterson stated that the information must be submitted to the Board of Health office by noon on the Thursday before the meeting. Mr. Karson stated he would do that. Ms. Coffin asked if there were any issues related to shellfish in regard to the seeps. Mr. Karson stated that back in 2004 he did a very extensive analysis and found that there were no concerns. Mr. Karson stated that the state also is keeping an eye on these levels. Mr. Toomey asked if the 2.7 is a high level. Mr. Karson stated that no, it is not a very high level. Mr. Karson stated that the drinking water levels are at 5 parts per billion and this is much lower. Mr. Karson stated that he anticipates no problems out in this area. Mr. Karson now turned the discussion over to Pam Richardson. Ms. Richardson stated that she works for the impact area of groundwater study program. Ms. Richardson stated that she is through the Army National Guard's Clean-Up Program. Ms. Richardson stated that there are only a couple of things she would like to discuss and one of them is the demolition area 1 plume. Ms. Richardson stated that there has been treatment on this plume in 2004. Ms. Richardson stated as a result of the testing, she has seen the plume start to collapse upon itself. Ms. Richardson stated that there are a number of extraction wells and they are working as they should be. Ms. Richardson stated that last year there was a portion of the plume that was going off base and in May of 2011 she started treatment at the base boundaries that was designed to stop additional contamination from going off base. Ms. Richardson stated that the system has been operating for about a year and is working as designed. Ms. Richardson stated that the regulatory agencies, for the past year, have been defining what additional contamination is in an area that includes property owners. Ms. Richardson stated that she has been working with the property owners to access to drill monitoring wells in this area. Ms. Richardson stated that in the Williams Avenue area there are homes there and it is not easy to find areas to drill. Ms. Richardson stated that she has worked with the receiver of the Pocasset Mobile Home Park and got onto the parcel that is south of the

park to install some monitoring wells within the near future. Ms. Richardson stated that now she is evaluating with regulatory agencies if additional treatment is needed for this portion of the plume. Ms. Richardson stated that not only does she monitor town water but also residential water use to make sure that there are no private or potable wells in this area. Ms. Richardson stated that this study should be complete within a month or so and will send copies of the reports to the Board of Health. Ms. Richardson stated that there are a couple of ways in place that she can track and make sure that no one is accessing the water. Mr. Andrews asked how deep the plume was that goes off base. Ms. Richardson stated that she is not sure but thinks about 150 feet deep. Ms. Richardson stated she will find the answer and forward it to Mr. Andrews. Ms. Richardson stated that most of the plumes are pretty deep into the aquifer. Ms. Tinkham asked if there is testing in the pond. Ms. Richardson stated that there are some monitoring wells near the pond and at some point they will be testing the pond itself. Ms. Richardson stated that the plume is much deeper than the pond. Mr. Uitti asked if the pond is named Picture Lake. Ms. Richardson stated yes and she is also referring to Lily Pond. Ms. Peterson and Mr. Barlow thanked both Mr. Karson and Ms. Richardson for coming. No action need be taken at this time.

3. **APPROVE THE MINUTES – Dated July 25, 2012 – Mr. Barlow made a motion to approve. Mr. Uitti seconded the motion. All in favor with one abstention.**
4. **APPROVE THE MINUTES – Dated August 8, 2012 – Mr. Andrews made a motion to approve. Ms. Tinkham seconded the motion. All in favor.**

Mr. Andrews made a motion to adjourn. Ms. Tinkham seconded. It was unanimous. The meeting adjourned at 8:02 PM.

Respectfully taped and typed by,

Lisa M. Collett
Secretary

Reviewed and approved by

Cynthia A. Coffin
Health Agent

Kathleen Peterson _____

Stanley Andrews Stanley D. Andrews

Galon Barlow Galon Barlow

Don Uitti Don Uitti

Carol Tinkham Carol P. Tinkham

cc Board of Selectmen/Town Clerk



TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x4
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

October 10, 2012

Time:

7:00 P.M.

Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

**THE BOARD OF HEALTH MEETING SCHEDULED FOR
OCTOBER 10, 2012
HAS BEEN CANCELLED**

cc Board of Selectmen/Town Clerk

Signed:

Title:

Date:

Secretary

October 4, 2012



2012 OCT 18 PM 7:21
TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679
TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: **BOARD OF HEALTH**
Schedule of Meeting

Date:

October 24, 2012

Time:

7:00 P.M.

Place:

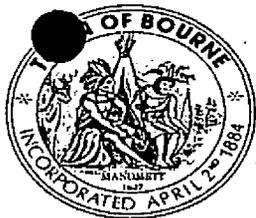
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. 30 NYE LANE – Leonard Martone – Request to reduce maintenance inspections on alternative septic system. -
2. 539 CIRCUIT AVE – Bruce and Nancy Leslie – Request to reduce maintenance inspections on alternative septic system. -
3. APPROVAL OF MINUTES DATED SEPTEMBER 12, 2012
4. APPROVAL OF MINUTES DATED SEPTEMBER 26, 2012

cc Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: October 18, 2012



Cynthia A. Coffin,
Health Agent

TOWN OF BOURNE
BOARD OF HEALTH
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Buzzards Bay, MA 02532
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2012 NOV 29 PM 2 24
TOWN CLERK'S OFFICE
BOURNE, MASS



MINUTES
OCTOBER 24, 2012

Members in attendance: Stanley Andrews, Chairman; Don Uitti, Galon Barlow and Carol Tinkham

Support Staff in attendance: Cynthia Coffin, Health Agent; Lisa Collett, Secretary

Meeting was called to order at 7:00 P.M.

- 1. 30 NYE LANE – Leonard Martone – Request to reduce maintenance inspections on alternative septic system.** – Mrs. Martone was present for this item. Mrs. Martone stated that she is not using the property for ½ the year because she goes to Florida. Mrs. Martone stated that there are only 2 people in the house when it is occupied. Mrs. Martone stated that she also owns a home in western Massachusetts, so this property is used very little. Ms. Coffin stated that the requirements for inspections are twice per year for effluent and influent for 2 years, and quarterly maintenance inspections for the life of the system, unless the board reduces anything. Ms. Coffin stated that she did not have a chance to research on the Carmody system but has two rounds of testing already recorded in the file. Mrs. Martone stated that she has done all the required testing. Mrs. Martone asked how often is the testing required after the 2 years is up. Ms. Coffin stated that if the system is meeting its discharge parameters, then no further testing is required. Ms. Coffin stated once the Board of Health receives 4 tests that meet the discharge parameters then you are ok. Ms. Coffin stated that she just wants to verify this in the Carmody system. Mr. Andrews asked that Ms. Coffin refresh the board and the public on why they require the quarterly inspections of the system. Ms. Coffin stated that basically she wants to make sure that the system is not being shut off because unfortunately the way they are designed homeowners can easily do this. The Board needs to be sure that the system is functioning properly; that air is getting to the system. Ms. Coffin stated that the quarterly testing is also a State of Massachusetts requirement for nitrogen removal systems. Ms. Coffin stated that the State of Massachusetts does allow a reduction for systems that are not approved for nitrogen reductions, but most, if not all, of the systems this Board has approved have been for nitrogen reduction. Ms. Coffin stated that according to the report, when the house is being occupied, they are meeting the 19 milligrams per liter. Mr.

Andrews stated that looking at the electric bill, the July test would have been 2 months at full occupancy. Mr. Andrew stated that the electric bill submitted by Mrs. Martone indicates they occupy the house 7 months out of the year. Mrs. Martone stated, not really, but she does keep things running. Mr. Andrews stated that the board has had discussions like this in the past and at one point the board did grant a reduction in the inspections because the homeowners were able to show that they only occupied the house for a very short period of time in the summer time. Ms. Coffin stated that she recalled the electric bill being around \$20.00 per month and the water usage bill at \$5.00 at a property on Circuit Avenue. Mr. Andrews stated that was done in 2008. Ms. Coffin stated that the board still required that the homeowners turn the system on a month prior to occupancy, that the effluent sample be taken 2 to 3 weeks after occupancy and then once again before they closed up the system. Ms. Coffin stated that to a degree, she agrees, that the companies are doing a disservice by scheduling inspections where there is no occupancy. Ms. Coffin stated that customers are paying for a contract but they are doing testing in the winter months when the customers are not there. Ms. Coffin stated that is the way they schedule their inspections that is the problem. Ms. Coffin stated that at a minimum there should be at least 2 inspections during occupancy period in a case like this one, but the maintenance should be kept at 2 per year when the system is on. Ms. Coffin stated that it takes about a month for the system to start up once they start to occupy the property. Mr. Andrews stated that his concern with reducing the amount of inspections is these inspections are to insure that the system is actually up running and operational. Mr. Andrews stated that these systems were used so that the applicant could build closer to a particular resource and these inspections are the board's way of knowing that the system is operational. Ms. Tinkham asked what would happen if an applicant stated they are not using the property year round but then decide to use it again after the board grants the reduction in testing. Ms. Coffin stated that unfortunately the last granted applicant did slip through the cracks even though the board has requested that they come back before the board in a year to review the matter. The board can request that the applicant come back before the board on a yearly basis showing that the house is still only used seasonally along with the submittal of electric and water bills. Ms. Maryellen Martone stated that the usage shows fluctuations because her parents go back and forth from this house to their house in western Massachusetts. Mrs. Martone stated that she returns here usually in May. Mr. Andrews stated that there is high use in June. Mr. Andrews stated that for the usage over the year it does show use up over 100 kW a month. Mrs. Martone stated that there is a spot light on the flag and they do run a dehumidifier. Ms. Coffin stated that there are two sides to this issue because the applicant needed the original variance to wetlands, which is why this alternative system was. At the time the approval included the requirement for inspections 4 times per year and that is why the board agreed to grant the variances, but she understands this is a burden to the homeowner. Mrs. Martone stated that it costs \$365.00 every time they come. Ms. Coffin stated that Mrs. Martone can also shop around to find a less expensive company to do her maintenance and testing. Ms. Coffin stated that she can see reducing this from 4 times to 3 times per year, but it is up to the board. Mr. Andrew stated that the bills submitted show the usage today but the board is not sure how the property will be used in the future. Mr. Andrews stated that the board needs to develop additional data collection by the Board of Health office. Ms. Coffin stated that she can put a date on the

Outlook calendar for one year from now to review the maintenance reductions. Mr. Andrews stated that if Ms. Coffin wanted to look later into putting dates on these reduction requests then it should be put on an agenda for discussion, but he is not in favor of reducing maintenance inspections at this time. Mr. Barlow stated that he does not have a problem with reducing this one as long as the home owner provides the board next year at this time with the same history of electrical summary. He feels that the board does not really have to develop a policy. Mr. Barlow stated that that board can amend things and change things; that is why they have hearings. Mr. Barlow stated that he agrees with Ms. Coffin. Mr. Barlow stated that the maintenance is a burden and the board requires the quarterly inspections because they want to make sure that the system is functioning when people are occupying the house. Mr. Barlow stated that Mrs. Martone has shown that they do not occupy the house for 5 months. Mr. Barlow stated that for those first 3 months of the year, he is ok with not testing it and not being concerned about it. Mr. Barlow stated that if the situation changes and the house is occupied during the winter, then they would go back to the 4 times per year. **Mr. Barlow made a motion to amend the maintenance policy to remove one maintenance inspection during the first 3 months of the year, so the system only requires 3 maintenance inspections per year. No maintenance will be done in January, February, and March. Mr. Andrews stated that the board needs to be sure the system is operating properly. Mr. Barlow asked what months the testing should include. Ms. Coffin stated the board wants the system on a month before occupancy so there could be one inspection at this time, then another one mid-occupancy, then the last one at the end of the occupancy.** **Ms.** Andrews stated that the records show usage from June to December. Ms. Martone stated that her children do turn things on during those months even if they are not there. Mr. Barlow amended his motion to state that the first inspection will be done in May, another inspection in August, and a final one in November. Mr. Uitti seconded the motion. Three in favor and one opposed. Ms. Tinkham stated that the Board should make it a policy that the approval is only good for one year. Ms. Coffin stated that it would be good to include something in the motion that at this time next year, Ms. Martone will provide electric and water usage records and if they are consistent, the approval for the reduction will continue, but if not, then the item will have to be brought before the Board of Health again. Ms. Martone was worried about the dehumidifier but Mr. Andrews said that this should not contribute that much to the usage.

2. **539 Circuit Avenue – Bruce and Nancy Leslie- Request to reduce maintenance inspection on alternative septic system.** Mr. Leslie spoke to the Board about his request. Mr. Leslie provided the Board with water bills and a chart of the electric usage. The water bill is labeled with July to December usage. The electric bill charts are for June through the first of December. Mr. Leslie stated that the house is a summer house and they are usually there June, July, August, and September. The water bills are in the last half of the year and the increases can be seen. He provided the Board with records for the last few years. Mr. Andrews stated that he saw the electric bills for 2010, 2011, and 2012. The house was renovated around 2007 and they did not really get back in to the house until 2009. There was some work on the house in the winter so there may be some bills that reflect that electricity usage. Mr. Andrews stated that there was a chart in the

back where Mr. Leslie has his Jan 17, 2012 electric bill. Mr. Leslie stated that he has a Septi Tech alternative system which is a relatively passive system but it needs electricity to run the blower and pump. Mr. Leslie stated that the system really only works when there is occupancy. He would like to see a reduction on the maintenance schedule since it doesn't make any sense to have the system inspected when it is not running. There is another separate issue with the effluent testing and he is trying to work on the problem with Don Bracken. This is only a request to reduce the maintenance inspections. Mr. Andrews stated that the usage indicates that there is occupancy for three months per year. Mr. Leslie stated that the system will not be turned off. Ms. Coffin stated that based on the usage records she would think that an inspection in July and then again in September before they leave the property would be appropriate. The Leslies only occupy the house for three months out of the year. There was some more discussion regarding the additional testing that is being required as the discharge parameters for nitrogen are not being met. The influent testing is not being done to offer a comparison to the effluent readings. The testing will have to be continued until it can be shown that the system is either meeting the 19 mg/l for total nitrogen, or that it is at least achieving a 50% reduction. She will work with the wastewater operator, Rosano Davis, on this issue, which is separate. **Mr. Barlow made a motion to reduce the amount of maintenance testing to twice per year and that the dates will be decided by the Health Agent. Mr. Andrews asked Mr. Barlow to amend the motion to include wording that the issue will be brought back to the Board in 12 months as was discussed for the previous approval unless proper records come in to the Board of Health office confirming similar use. The vote was three in favor and one opposed. Ms. Coffin stated that she will get in touch with Don Bracken to try and work on the issue of the influent and effluent testing for total nitrogen.**

3. **Approve the minutes of September 12, 2012- Ms. Tinkham made a motion to approve the minutes of September 12, 2012. Mr. Uitti seconded the motion. Mr. Barlow stated that he would have to abstain as he was not present. The vote was three to approve with one abstention.**
4. **Approve the minutes of September 26, 2012 – Mr. Uitti made a motion to approve and Ms. Tinkham seconded that motion. It was unanimous to approve.**

Mr. Barlow made a motion to adjourn. Mr Uitti seconded the motion. It was unanimous and the meeting adjourned at 7:33 P.M.

Respectfully taped and typed by,

Lisa M. Collett
Secretary

Reviewed and approved by

Cynthia A. Coffin
Health Agent

Kathleen Peterson _____

Stanley Andrews _____

Galon Barlow _____

Don Uitti _____

Carol Tinkham _____

cc Board of Selectmen/Town Clerk



**TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679**

Cynthia A. Coffin,
Health Agent

2012 NOV 5 PM 3 47
TOWN CLERK'S OFFICE
BOURNE, MASS

JOINT MEETING NOTICE

AMENDED AGENDA

**Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting**

Date:

November 13, 2012

Time:

7:15 P.M.

Place:

Bourne Community Bldg
239 Main Street
Bourne, MA 02532

AGENDA ITEMS:

Joint Meeting with Board of Selectmen to announce the results of the Working Group's review of the previously issued Requests for Proposals regard Landfill Gas Utilization, Supply Leachate Treatment Equipment and Lease of certain Town-owned and Site-Assigned land for the Development of Alternative Waste handling Technologies. Followed by a brief discussion of next steps in the process.

cc Board of Selectmen/Town Clerk

Signed:

Title: Secretary

Date: November 5, 2012



**TOWN OF BOURNE
 BOARD OF HEALTH
 24 Perry Avenue
 Buzzards Bay, MA 02532
 Phone (508) 759-0615 x1
 Fax (508) 759-0679**

Cynthia A. Coffin,
 Health Agent

JOINT MEETING NOTICE

AMENDED AGENDA

**Board, Committee, or Commission: BOARD OF HEALTH
 Schedule of Meeting**

2012 NOV 6 AM 2 42
 TOWN CLERK'S OFFICE
 BOURNE, MASS

Date:

November 13, 2012

Time:

7:15 P.M.

Place:

Bourne Community Bldg
 239 Main Street
 Bourne, MA 02532

AGENDA ITEMS:

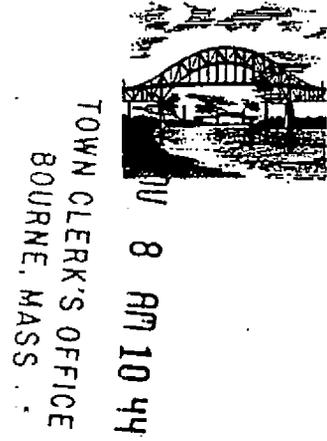
Joint Meeting with Board of Selectmen to announce the results of the Working Group's review of the previously issued Requests for Proposals regard Landfill Gas Utilization, Supply Leachate Treatment Equipment and Lease of certain Town-owned and Site-Assigned land for the Development of Alternative Waste handling Technologies. Followed by a brief discussion of next steps in the process.

cc Board of Selectmen/Town Clerk

Signed: 
Title: Secretary
Date: November 5, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
November 14, 2012	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

**THE BOARD OF HEALTH MEETING SCHEDULED FOR
NOVEMBER 14, 2012
HAS BEEN CANCELLED**

Signed: *Lisa Collett*
Title: Secretary
Date: November 8, 2012



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

2012 NOV 20 PM 12:47
TOWN CLERK'S OFFICE
BOURNE, MASS

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

November 28, 2012

Time:

7:00 P.M.

Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue.
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. **ISWM – Dan Barrett – In accordance with section VI, Item X of the Site Assignment Dated June 27, 2012, discuss and possible vote regarding whether or not to allow the Town Administrator in his capacity as Chief Procurement Officer, Board of Selectmen, and any of their respective duly authorized designees, to enter into negotiations toward the development of an Interim Development Agreement (IDA) with Harvest Power, Inc. and/or any of its affiliates or subsidiaries.**
2. **7 BENNETS NECK – Michael Mulligan of Absolute Building Consultants – Request to amend the Architectuals of record.**
3. **POCASSET MOBILE HOME PARK – Charles Sabatt – Update on Pocasset Mobile Home Park.**
4. **APPROVAL OF MINUTES DATED OCTOBER 24, 2012**

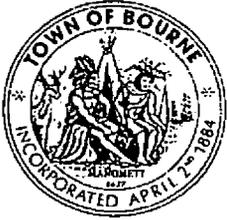
Signed:

Lisa Callett

Title: Secretary

Date: November 20, 2012

cc Board of Selectmen/Town Clerk



Cynthia A. Coffin
Health Agent

TOWN OF BOURNE BOARD OF HEALTH

24 Perry Avenue

Buzzards Bay, MA, 02532

Phone (508) 759-0615 x.1

Fax (508) 759-0679



November 28, 2012

Members in attendance: Kathleen Peterson, Chairman; Stanley Andrews, Vice-Chairman; Don Uitti, Secretary, Galon Barlow and Carol Tinkham

Support Staff in attendance: Cynthia Coffin, Health Agent; Lisa Collett, Secretary

Meeting was called to order at 7:00 P.M.

Ms. Peterson opened the meeting a little after 7 Pm due to technical difficulties with the tape recorder. She stated that agenda item #1 regarding ISWM would be put off since Dan Barrett was not present for the discussion yet. Therefore item #2 was taken first.

1. 7 Bennets Neck – Michael Mulligan of Absolute Building Consultants – Request to amend the architecturals of record. Mr. Mulligan identified himself. He stated that when he originally purchased the property he was building a house for spec so he built it smaller than it was originally zoned for. He did find a buyer who would like to have a big dining room and a big bedroom. She is not interested in any more bedrooms. Therefore the plans were amended. An addition was added to the side. Ms. Peterson clarified with Mr. Mulligan that the house was only under agreement with the new party and had not yet been sold. Mr. Mulligan went over the plan. He stated that on the original plans there are two columns that separate the dining room and the living room. These columns were eliminated. There will be a dining room table in that open area. The kitchen will also be large. There will be an open living/family room addition and there will be a main entry door into that new room. Mr. Andrews asked if the only real changes were the family room and the master bedroom master closet. Mr. Mulligan stated that the one bedroom was made bigger, one bathroom was made bigger, and one closet that was near the Jacuzzi was eliminated as well. The closet is now over the room. Ms. Peterson asked the dimensions of the proposed additions. Ms. Coffin stated that the proposal was for an 8' x 16' walk-in closet for the master bedroom and a 16' x 22' foot living room. Mr. Andrews asked Ms. Coffin if the additions would exceed any of the Board of Health criteria and Ms. Coffin stated that the percentages of increase were not really relevant here because the previous approval was for new construction and the Board of Health already approve the variances along with an alternative septic system with pressure distribution. Ms. Coffin also stated that the septic system has already been installed. She stated that the number of bedrooms has not changed. She just asked Mr. Mulligan to come back before the Board to approve the changes so that she could draft a new letter to be recorded reflecting the amended architecturals. Ms. Peterson asked if the Board voted a bedroom deed restriction but Ms. Coffin said that the Board did not. The approval was for a three bedroom house and Ms. Peterson stated that she would like to be a deed restriction here. Mr. Andrews made a motion to approve the revised architecturals received Oct. 25, 2012 and to have a three bedroom deed restriction recorded for the property as well. Mr. Uitti seconded. It was unanimous to approve.

2. ISWM – Dan Barrett- In accordance with section VI, Item X of the Site Assignment dated June 27, 2012, discuss and possible vote regarding whether or not to allow the Town Administrator in his capacity as Chief Procurement Officer, Board of Selectmen, and any of their respective duly authorized designees, to enter into negotiations toward the development of an Interim Development Agreement (IDA) with Harvest Power, Inc. and/or any of its affiliates or subsidiaries. Ms. Peterson made a notation that there was a typo on the date of the Site Assignment and it should read June 27, 2005. That correction was made. Mr. Barrett to give an update on the landfill but Ms. Coffin stated that this item had not been placed on the agenda. Therefore Mr. Barrett went on to discuss the RFP process. He stated that two weeks ago the Board of Selectmen invited the Board of Health to a Selectmen's meeting to discuss the process of moving the development of the RFP's forward. The Board of Selectmen indicated that they would like to appropriate steps to initiate negotiations with the vendor chosen by the Working Group RFP Review Subcommittee. At that meeting Chairman Peterson pointed out that in accordance with Section VI, Item x of the Site Assignment dated June 27, 2005 issued by the Board of Health to govern over activities on the 25.22 acre parcel located at the south end of the facility, the Board need to authorize commencement of negotiations. The Board of Selectmen, Town Administrator, and ISWM staff agreed and enlisted the help of Special Legal Counsel, Mark Calpen, Mr. Calpen agreed with the Chairman's assessment and wrote up a draft proposed motion to accomplish compliance with the Site Assignment requirement. That is why Mr. Barrett is before the Board of Health this evening. ISWM would like a vote of the Board of Health so that the process can move forward. Ms. Peterson asked the Board members to look at the draft and stated that Mr. Andrews had some ideas for proposed changes. Ms. Peterson stated that Mr. Andrews would like the last second of the last sentence removed. The wording of concern is that the vote would fully satisfy the requirement and intent of the Site Assignment. There was further discussion among the Board members and it was decided that the last sentence would be deleted in its entirety. The Board does not want anyone to think that all of the requirements of the Board of Health have been fully met. Mr. Andrews said that it is hard to sign off on a lease that the Board hasn't even seen. Ms. Peterson and Mr. Barlow said that any vote that the Board takes tonight does not imply that the Board is signing off on the lease. Mr. Barlow went on to say that it was made clear to the Selectmen that if the Selectmen wanted the Board to sign off on something that they would have to come to the Board themselves to make that request. He stated that the request should not come through Mr. Barrett. He believes that second hand information may not be the most accurate. Mr. Barlow also stated that only the Town Administrator has the authority to sign contracts. Mr. Barrett stated that this was addressed in the draft vote language. Mr. Barlow feels that the draft wording is way too broad. Mr. Barrett stated that the wording was a result of the meeting with the Board of Selectmen and Board of Health where it was stated that the Board of Selectmen could not go forward without the hearing that is being held tonight for a formal Board of Health vote. Mr. Barrett does not agree that the draft is broad and read from a section of the draft which states that " said site lease and landfill gas purchase and sale agreement will not become effective until the Board (of Health) has convened a public hearing to consider the modification of the site assignment on the 25 acre parcel". Mr. Barrett went on to state that nothing can happen until the Board of Health does that. Mr. Barlow feels that the public hearing should be right up front and that abutters probably within three quarters of a mile should be notified. The Town should not be going forward developing something until everyone knows what it is and what the long term implications are going to be. Mr. Barrett stated that the Town is at the point where they cannot move forward. Harvest Power has not done any specific plans yet, nor will they, until the Town, i.e. the Board of Health, allows the Town to negotiate with them. There was further discussion about the wording of the site assignment. Harvest Power needs to know what the Town is going to expect of them before they develop the project. In order for Harvest Power to go forward and develop the engineering plans for this project and spend a million and a half to two million, and not sink one shovel into the ground, they need a commitment from the Town. We need a notice of award and a notice to proceed. If we don't move forward, there is nothing to review and the project is killed. There was discussion between Ms. Peterson and Mr. Barlow as to why this issue is being brought before the Board, as it is being done tonight. Ms. Peterson stated that Mr. Barrett still has full control of operations at the landfill and it is legitimate for him to come before the Board to ask for this vote. Mr. Barlow read from the draft and stated his concerns that the Board members and Town Administrator are not here before the Board. He went on to stated that if the Board allows things to go forward it has to be on a very limited basis. The residents and the community has to be made aware of what is going on. Ms. Peterson stated that the Board has to allow them to go forward

so that plans can even be developed. Ms. Tinkham is concerned about the last sentence on the draft which stated that "in addition this vote shall notify the public that the Board has reviewed this matter relative to section VI, item x, of the site assignment" and the Board really hasn't reviewed anything. Ms. Peterson stated that tonight's vote is only to allow the Selectmen only to make the award to Harvest Power but only as it relates to item x. Ms. Peterson says that we can change the draft. Mr. Barrett read from the draft again..." The vote in no way abrogates the powers of the Board of Health to regulate and oversee all current and future operations conducted at the facility located at 201 MacArthur Blvd. in Bourne, MA. Mr. Barrett put that sentence into the document. If in the future there were any issues with odor, there is nothing in this document that would remove the ability of the Board of Health to 'pull the plug' on the operation. Mr. Barlow stated that air pollution lies with the State but Mr. Barrett stated that he disagreed in that anything involved with the solid waste operation can be regulated by the Board of Health. Mr. Barrett stated that the document is only to clarify to all parties that the Board of Health is okay with going forward with negotiations of an interim development agreement and that the signing of the IDA is merely an acknowledgement that the Town and Harvest Power have come to an agreement relative to financial compensation and appropriate safeguards to protect the interest of both parties during the development phase of the project. Mr. Barlow stated that the Board needs a policy for a lot of issues related to this project. Ms. Peterson said that this vote is to bring to the forefront who actually is in control of the landfill. Nothing can be done at the landfill without a full vote of the Board. This was put into the site assignment. Mr. Barrett neither supports nor disapproves the project the way it stands. His job is to try and get to a point where he can make an intelligent decision based on the information supplied to him and right now he does not have that information. Mr. Barrett read from the draft again..." the signing of the interim development agreement by the Board of Selectmen in no way circumvents the authority of the Board of Health to approve, approve with conditions, or disapprove this project based on its review of the proposed facilities impact." The Board still has to review the project relative to its impact on health, safety and quality of life of immediate abutters and all the citizens of Bourne. Ms. Peterson has a problem with talking about final review, but the site assignment is the final thing that will be opened. There will be many more meetings before the site assignment modification ever takes place. Ms. Peterson said that she does have a problem with the first paragraph's last sentence "said interim development agreement shall be prepared with specialized legal counsel approved by the Board of Selectmen and shall be approved as to form by Town Counsel"... Ms. Peterson says that before anything is signed by the Board of Selectmen, the Board of Health needs to review it. The Board of Health needs to review every step. Mr. Andrews stated that he doesn't see why we are passing on a motion to allow the Selectmen to do anything. His thoughts are that we are getting to the point where the Board of Health needs its own specialized legal counsel. The lease will need to be reviewed by the Board of Health and we should have legal and environmental counsel that works for the Board of Health and no one else and who reports to the Board. He feels that this is the time to engage that legal counsel. Mr. Andrews said that the cost would go to ISWM but Mr. Barrett said it would be the project proponent. Mr. Andrews stated that Dan Barrett is the proponent before the Board of Health. Mr. Barrett respectfully asked, what is it that the Board is talking about reviewing? There isn't anything to review yet. Mr. Barlow talked about the RFP review report. Mr. Andrews said that right now Mr. Barrett needs to be able to go forward with the interim development agreement and that is all that is needed right now. He feels that the draft wording for the vote goes beyond this and is far too broad. Mr. Andrews would like to rewrite the whole thing. Ms. Peterson stated that she has asked for a lists of attorneys from a number of people but she has not received anything yet. She wants to review attorneys to choose one. She wants the whole process to be reviewed for the Board by an attorney that is working for the Board. Ms. Coffin asked what exactly was the interim development agreement because it is not specifically defined in the document. Mr. Barrett stated that the interim development agreement is the initial process that protects both parties and is negotiated by both parties. It provides the releases for each party to get out if there is a problem. It also includes the negotiations of the site lease and the gas sales agreement. These are the two things that Harvest Power needs a financial commitment from the Town on in order to go to their investors to say that they should go forward. Ms. Coffin does not understand why the Board of Health is getting in to what seems to be financial issues. She feels that the financial decisions should be made by the Town Manager. She stated that there isn't anything in the IDA that talks about what the odors are or about what the operations are. Mr. Andrews stated that it may talk to the technology and what they are doing and that comes under the Board of Health. Mr. Andrews stated that it is important that the Board reviews each of these steps as we go forward. Ms. Peterson asked for a copy of the site

assignment and Mr. Goddard provided one. Ms. Peterson stated that the Board can make a decision on giving them the authority to go forward to a point to develop the agreement, come to terms and before anything is signed on that agreement come back to the Board of Health for review to make sure that there isn't anything in the IDA that raises a red flag. Mr. Barrett said that there isn't anything to say that there couldn't be something in the lease that would relate to health and the environment, which needs to be controlled by the Board of Health. Mr. Barrett said that if we don't go forward to tonight though, then the project will be killed and can't go forward. Mr. Andrews offered a proposal ... "the Board votes to allow the ISWM department to engage Harvest Power, the selected vendor from the RFP process, to develop an IDA (Interim Development Agreement) for the Board to review prior to enactment. Further, an attorney should be made available for the Board at that time." Ms. Peterson said that this is not a motion yet. Ms. Peterson wants to make sure that Mr. Barrett has something so that he can move forward. She doesn't want to stop the whole process. She stated that the Board of Health has to vote on something to allow Mr. Barrett to work with Harvest Power. She also stated that we should say the general manager of ISWM, or his designee. Mr. Barrett said that we need to address Section VI, Item X. Mr. Andrews stated that the motion will still contain reference to this section of the site assignment. There was further discussion as to the rewording of the Board's vote. Ms. Peterson read the new wording... "the Bourne Board of Health votes to authorize the ISWM Department, and/or their designee, to engage Harvest Power, the selected vendor from the RFP process, to develop an IDA (Interim Development Agreement) for the Board to review prior to enactment. This is specified by Section VI, Item x of the site assignment dated June 27, 2005." She asked Mr. Barrett if this gave him enough authority. She would like the following also left in the wording ... "This vote in no way abrogate the powers of the Bourne Board of Health to regulate and oversee all current and future operations conducted at the facility located at 201 MacArthur Blvd in Bourne, Massachusetts." Ms. Peterson added the next section of the draft which followed but the Board decided only to include the ... "This vote is conducted with the intent to clarify to all parties that the Board approves the Town moving forward with negotiations of an Interim Development Agreement." Ms. Peterson again asked if Mr. Barrett would be able to go forward with the wording proposed and he felt that it would be sufficient. Mr. Goddard wants some clarification. He said that they are trying to get thru the procurement process. The first step in the process is the award to Harvest Power. Mr. Goddard is concerned if the Board doesn't allow anyone to sign anything then the purpose of this meeting is not being met. He said that the procurement can't go forward. Mr. Barlow said that the Board is allowing the project to go forward to develop the IDA and that includes the award. The members stated that the Town Administrator can still issue the award if the Board votes to allow the IDA to go forward. Then the Board will review the IDA. Then after that vote, the permitting process will continue and then Harvest Power will come back to the Board of Health to look at the site assignment. Ms. Peterson stated that there will be many meetings before the Board of Health before the site assignment is even discussed. **Mr. Andrews read his final motion....** **The Bourne Board of Health votes to authorize the ISWM Department, and/or their designee, to engage Harvest Power, the selected vendor from the RFP process, to develop an IDA (Interim Development Agreement) for the Board to review prior to enactment. This is specified by Section VI, Item x of the site assignment dated June 27, 2005. This vote in no way abrogate the powers of the Bourne Board of Health to regulate and oversee all current and future operations conducted at the facility located at 201 MacArthur Blvd in Bourne, Massachusetts. This vote is conducted with the intent to clarify to all parties that the Board approves the Town moving forward with negotiations of an Interim Development Agreement.** Mr. Barlow seconded the motion. It was a unanimous vote to approve the motion. From the audience, Mr. Gately asked if the Board's concerns tonight was merely about verbiage and language and Ms. Peterson answered yes. Ms. Peterson states that Board will have other chances to vote on the operation and the proposal itself. Mr. Gately asked how long it takes for an IDA to develop. Mr. Barrett stated that it will probably take three to four months. Ms. Barth, from the audience, asked what was included in the IDA. Mr. Barrett answered that the IDA will include the gas sales agreement and all the details that will protect both parties during the development phase. There were questions as to the nearest operation that was anywhere nearby. Mr. Barrett said that there was a similar anaerobic digester operating in Jordan Farms in Rutland that is anaerobic digestion of cow manure. There is also a different process in Vancouver being developed.

3. Pocasset Mobile Home Park –attorney Chuck Sabatt- update on Pocasset Mobile Home Park - Attorney Sabatt addressed the Board as the temporary receiver for the Pocasset Mobile Home Park. With

respect to the Park, a significant repair of the septic conduits and some in ground septic tanks installation have been completed near the juncture of Third and Fourth Ave. The work involved excavating the roadway, removing old tanks, changing the elevation of the conduits, and the installation of new conduits to the leaching area. Mr. Sabatt stated that new drainage for road runoff has also been put in. The old hardtop in this area has been removed and it should be paved tomorrow. The project will then be completed. The second major project that is on the drawing Board is to install some new leaching structures. This would be similar to what was done in 2011. The plan is finished and is before the DEP for review but there has been no approval yet. Mr. Sabatt was hoping that the plan would be approved as he had hoped to get work done before the cold weather. The project may need to be put off till late March early April of 2013. If the plan is approve quickly, the leaching might be put in before the end of the year. There have been no issues with respect to backups or overflows that he is aware of. As to the major issue of the prognosis for the construction of the onsite wastewater treatment plant, the motion, seeking a modification and stay of the Superior Court judgment that was filed by Mr. Austin's attorney, still has not be acted on. Mr. Sabatt has not received any funds from Mr. Austin. There has not been any hearing scheduled from the judge. That matter is still pending just as it was in September. One related development is that a temporary guardian has been appointed for Mr. Austin. Last month the Probate Court appointed temporary co-conservators, i.e. his daughter and his son. Mr. Sabatt has spoken to them briefly and they are in the process of identifying his assets and also securing some of his assets regarding some stock. They have to return to Probate Court within the next two weeks to review the temporary conservatorship. This may has bearing on the Superior Court decision. Ms. Peterson asked whether Mr. Sabatt thought that the judge would keep Mr. Sabatt as the receiver now that there are conservators handling affairs. Mr. Sabatt stated that he thought that he would remain the receiver. He believes that the Court wants to see the project completed and reviewed by an outside third party. The Probate Court had made it clear that the conservators will have to adhere to the Superior Court order. The Probate Court will have no effect on the receivership. That is the status as Mr. Sabatt knows it. Mr. Sabatt stated that he has a meeting with the residents scheduled for Dec. 2nd at 1 PM at the Pocasset Community Center. He met with the residents on October 20th. Ms. Peterson asked about the contract for the road plowing this winter and Mr. Sabatt stated that he believes that Mr. Valeri will do some cold patching like he did last winter to prepare for plowing. Mr. Barlow stated that the Board would like a copy of the plowing contract. Ms. Peterson stated that the Board needs to hold a hearing on the Park license for 2013; it was decided that the Board would do that hearing on December 12th. Mr. Gately, from the audience, asked if there was an estimated cost on the wastewater treatment plant. Mr. Sabatt answered that the cost for the plant would be around 1.5 million, and with the roadway repair, and the sewer line would be 2.7 million. The water lines would be an additional \$650,000. Ms. Barth, from the audience, asked if Mr. Sabatt has been able to reach Mr. Austin's assets and Mr. Sabatt stated that there is a current injunction that restrains Mr. Austin and his conservators from transferring or disposing of any of his assets. There has been a disclosure of his assets to the Attorney General's office. There is still an asset of \$100,000 that has been frozen depending on a determination as to whether this money is an asset from the Park. This money was transferred right before Mr. Sabatt took the receivership. Mr. Sabatt stated that he hoped that by the end of January there might-be-a decision by the Court.

4. Approval of minutes for October 24, 2012. Mr. Andrews stated that there was a typo on Page 3 of the minutes, half way down the page in the bold section. Ms. Andrews needs to be changed to Mr. Andrews. The correction was made. Mr. Andrews then made a motion to approve the minutes of October 24, 2012 with the correction. Mr. Uitti seconded the motion. It was a vote of 4 to approve, with Ms. Peterson abstaining since she was not at the meeting.

Mr. Andrews made a motion to adjourn. Ms. Peterson seconded the motion. The meeting adjourned around 8:30 PM.

Respectfully taped by,
Lisa M. Collett

Secretary Board of Health Minutes November 28, 2012.

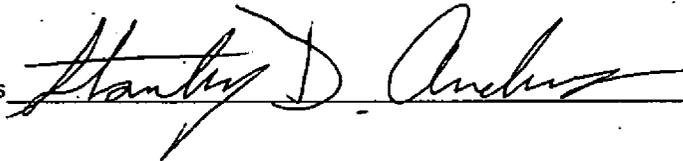
Reviewed, typed and approved by

Cynthia A. Coffin
Health Agent

Kathleen Peterson



Stanley Andrews



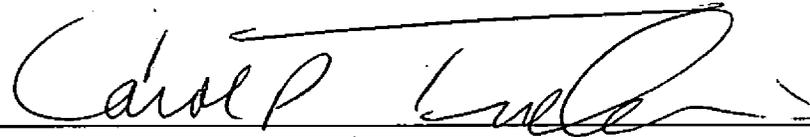
Galen Barlow



Don Uitti



Carol Tinkham



cc Board of Selectmen/Town Clerk



**TOWN OF BOURNE
BOARD OF HEALTH**
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TOWN CLERK'S OFFICE
BOURNE, MASS

Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH
Schedule of Meeting

Date:

December 12, 2012

Time:

7:00 P.M.

Place:

Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. ISWM – Dan Barrett – Landfill update
2. 18 Richmond Road – Bracken Engineering for David & Elaine Lagasse – Request variances
3. PMHP – Attorney Chuck Sabatt – Discuss and vote regarding issuance of 2013 license for the Pocasset Mobile Home Park
4. EDS Powerpoint – Cynthia Coffin training for Board of Health
5. Approve minutes of 11/28/12

cc Board of Selectmen/Town Clerk

Signed:

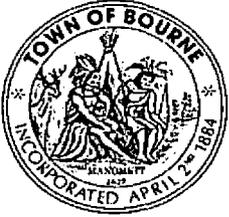
Title:

Date:

Cynthia A. Coffin

Health Agent

December 12, 2012



Cynthia A. Coffin
Health Agent

TOWN OF BOURNE BOARD OF HEALTH

24 Perry Avenue
Buzzards Bay, MA 02532
Phone (508) 759-0615 x 1
Fax (508) 759-0679



MINUTES December 12, 2012

Members in attendance: Kathleen Peterson, Chairman; Stanley Andrews, Vice-Chairman; Don Uitti, Secretary; Galon Barlow; and Carol Tinkham

Support Staff in attendance: Cynthia Coffin, Health Agent; Lisa Collett, Secretary

Meeting was called to order at 7:00 P.M.

1. Dan Barrett- ISWM- landfill update—Mr. Barrett discussed the Phase IV liner and front entrance construction project. ET & L completed their final punch list items. Paving was completed November 30th. ISWM has been placing select waste layer in Phase IV since September 18th when they received the Authorization to Operate. The first load of MSW went into the cell last Friday. ISWM still needs to stripe the pavement and the landscaping will be finished up in the spring. The striping is weather dependent. The County is going to help with the landscaping.

The most important thing is the Phase 2A/3A final cap project. RC&D has completed mobilization and are completely on site. Recovery Drilling has completed drilling all six new extraction wells. To date the pre-drilling/construction forms have been completed and signed off. Everyone has been reminded of the restrictions and necessary precautions to be taken in order to avoid off-site odor migration. Mr. Barrett said that it is important to note that forms used were the same ones that the Board required 2 years ago and the form has worked out well. The last northeast well was drilled when there was a northeast wind, which is not usually done, but Mr. Barrett approved it because it was a shallow well and he needed it to get done. RC & D has begun pipe installation and should have wells operational by the middle of the week of December 17th. ISWM has completed filling of Phase 2A/3A and is now placing intermediate cover in preparation for installation of final plastic capping material. Installation of the intermediate cover has been completed on approximately 50% of the top area. That 50% is the area they anticipate that most of the odors will come from. It is the new area where the new wells have been drilled. This allowed RC & D to get in to do their installation process as well. This helped stop the odors. ISWM has received comments from the neighbors that the

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TOWN CLERK'S OFFICE
BOURNE, MASS

odors seem to stop. They have been working seven days per week but it is important to get the wells hooked up. The placement of the intermediate cover in conjunction with the hooking up of the new extraction wells will effectively eliminate the odors. The project is approximately two weeks behind due to the weather. RC & D is scheduled to work Saturday to make up time. ISWM had two odor complaints the week of November 19th and responded and did the necessary adjustments on the existing system. Once the new wells are hooked up and the intermediate cover is down it will take care of any odors. The installation of 50% of that intermediate cap had knocked the odors down considerable. Mr. Andrews asked how long it would take to balance the whole system. Mr. Barrett stated that they would be aggressive but that it could take about a month to balance everything out. Mr. Barlow is just concerned about the Christmas holiday and does not want there to be any odor problems during this time. He does not want there to be any open trenches during Christmas. Mr. Barrett stated that part of the daily sign off sheet is that someone from ISWM makes sure that there are no odor problems.

Mr. Barrett stated that the only new thing is that Covanta began their weekend deliveries this past weekend and everything went well. Covanta brought us little to no ash during a six week period when they were retrofitting their ash plant. The ash is beneficial to ISWM because we are using the additional material to cover the top. They are coming in on Saturdays and Sundays and there have not been any problems. Mr. Barrett said that he feels that there may be a time that they stop bringing the ash in. Ms. Peterson asked if there were any questions. Mr. Gately, from the audience, asked what the holiday hours were going to be. Mr. Barrett answered that the landfill would be open Christmas eve until 11:00 am and would of course be closed Christmas and New Year's Day.

2. 18 Richmond Road – Bracken Engineering for David and Elaine Lagasse- Request variances. Ms. Peterson asked the Board members if everyone had received the letter from the abutter Mr. Francis and the members answered that they did. Ms. Peterson stated that his concerns would be taken into consideration but that the issue regarding the mailing address was not really anything the Board could address if that was the listed legal mailing address. Mr. Bracken stated that they have the certified abutters list from the Assessor's office. Ms. Coffin thought that one green card was missing but Mr. Basinski showed that two properties had the same P.O. Box. Mr. Bracken stated that the lot is 3500 square feet, 40' by 80'. There is an existing two bedroom cottage on the property. The Lagasses would like to raze the existing building and construct a new two bedroom dwelling on the property. The plans have been submitted under local upgrade approval. The system was designed under maximum feasible compliance but with enhanced treatment from drip irrigation. The property is completely within the 100 year flood zone at about elevation 15. The ground elevation is about 5 in the front and 6 in the back. In order to rebuild the structure it will be raised so that the first floor is above flood zone elevation. There will be a garage under the structure and two floors of living space. The overall increase in interior square footage is about 36%. Because the existing bedroom space is so small, the increase in the bedroom space is 105%. Mr. Bracken stated that although they are over the policy guideline of 25 % where additional treatment is usually required, they are proposing to offer drip irrigation as a form of treatment. Drip irrigation is a series of small pipes with many small holes. The effluent gets pumped

under pressure and makes contact with the soil maximizing contact with the soil. Groundwater in this location is fairly high. They installed a monitoring well with a data logger. The groundwater was monitored over a full moon cycle. There is a substantial change in groundwater elevation over that cycle. It was found that the maximum groundwater was el. 3.33. In order to get the four foot separation there will have to be a retaining wall constructed. There are other retaining walls in the area and the new proposed wall will match the top of the wall of a newly proposed system that is not under construction as yet on an abutting property. Mr. Bracken also stated that the perc rate was 9 minutes per inch and they could have requested a reduction in the separation to groundwater but they are not doing that. The variance that is being requested is to the coastal bank that is to the north of the site. There are two buffer zones. The buffer zone from the west is a marsh area but the 150 foot setback is met from the leaching to that wetland. The project has been approved by the Conservation Commission and they confirmed the resource area locations. The top of the coastal bank is the top of the seawall north of the site. Mr. Bracken is asking for a 12 foot variance from the 150 foot setback of the leaching facility to the seawall. Mr. Bracken also added that the mean high water mark is still about 15 feet from the seawall. Ms. Tinkham asked if the abutter was concerned that the new house was going to be wider. Ms. Coffin stated that she had emailed the abutter and one of his concerns was the width of the house and also runoff from the reconstruction. Mr. Bracken stated that with the soil conditions on site there would be run off anyway and that the new system will contain a lot of clean sand fill which should help the situation. Ms. Coffin stated that she had recommended to the abutter that he contact Mr. Bracken's office to discuss the runoff. Mr. Andrews questioned the height of the finished grade and the top of the wall. He was concerned about water being shed onto an abutter's property. Mr. Bracken stated that there should not be a problem due to the soils. He stated that they could provide a little lip on the inside of the wall so that it wouldn't run onto an abutter's property. He would prefer to have the water directed onto the same lot. Ms. Coffin asked if there was a way to grade the cover over the raised leaching so that it would run off the wall into a drywell on at least onto the applicant's property. Mr. Bracken said that it could be graded. There will be a pervious driveway. Drywells would be an issue due to the high groundwater. Mr. Bracken stated that the Board could make it a condition that no runoff be directed to the abutting property. Mr. Bracken stated that the roof area will be about the same but the lot coverage will increase. Mr. Barlow was still concerned about runoff to any abutter's property. Mr. Bracken said that legal they cannot create runoff to an abutter's property anyway. He said that the intention is to direct the runoff to the applicant's own property. The driveway will be gravel and that will help. He might be able to put a gravel trench drain around the house as well. Ms. Peterson that we cannot address Mr. Francis' concern about the setback of the house as this is not a Board of Health issue. Mr. Bracken stated that he will be able to address this issue with the Board of Appeals because there will be a hearing before that Board as well. Ms. Peterson stated that, for the record, she does not believe that the Board of Health can do anything about the concerns of the setback of the house to Mr. Francis' property. The other Board members agreed. Ms. Coffin stated that she wanted to make the Board aware that the applicant is asking for a 12 foot variance to the 150 foot setback and that drip irrigation is not a nitrogen removal system even though it is an alternative type system. It is not the type of system that the Board usually wants

where there is this type of variance requested. She wants the Board to know that there has been no approval for nitrogen removal for this type of system. She wants the Board to make an educated vote. Ms. Coffin stated that she believes that the resource is the mean high water and that this is the resource being protected. Mean high water is at least 150 feet from the leaching facility and therefore the intent of the regulation is being met. Mr. Andrews stated that he would like to have a two bedroom deed restriction as well. Mr. Andrews made a motion that the Board grant a 5 foot variance from the required 10 foot setback of the septic tank to the property line, a 5 foot variance from the setback of the pump chamber to the property line, a 3 foot variance from the required 10 foot setback of the soil absorption field to the property line, and a 12 foot variance from 150 foot setback of the leaching facility to the coastal bank. The plan of record is for 18 Richmond Road, dated received by the Board of Health on November 20, 2012 and dated November 19, 2012 by Bracken Engineering. The architectural records were dated received December 12, 2012 and dated November 13, 2012. He further stated that as-builts will be done by the engineer after the completion of the project and that a two bedroom deed restriction will be recorded at the Registry prior to the issuance of a building permit. Mr. Uitti seconded the motion. It was a unanimous vote to approve.

3. Pocasset Mobile Home Park – Attorney Charles Sabatt—Discuss and vote regarding issuance of 2013 license for Pocasset Mobile Home Park. Attorney Sabatt requested, on behalf of the Park, that the Board issue the license for the Park with the same conditions as the license for 2012, or with similar conditions that the Board deems appropriate. Mr. Andrews asked if the application had been made. Ms. Coffin stated that it had not but Mr. Sabatt stated that he would get the license application in. Mr. Andrews stated that last year the Board reduced the conditions from ten items to eight items and he suggested that the new license should contain those eight items again. He stated that Mr. Sabatt has demonstrated that he is operating the Park in the best interests of Public Health. Mr. Andrews moved to approve the license for the Pocasset Mobile Home Park conditioned on the application submittal and the fee being paid to the Board of Health; and that the licenses be granted with the same conditions as approved with the 2012 license on January 25, 2012. The license will be effective January 1, 2013. Ms. Tinkham seconded the motion. Ms. Daniels, from the audience, asked what the 9th and 10th conditions were that were previously removed and removed again this year. Mr. Andrews stated that the two conditions had to do with the issuance of a bond and the fence around the leaching area. He stated that there has not been any exposure around the leaching and so that was removed. Mr. Sabatt stated that the other condition that was removed was the \$20,000 escrow account. It was discussed that the license fee was \$100.00. It was a unanimous vote.

4. EDS Powerpoint – Cynthia Coffin training for Board of Health. Ms. Coffin discussed that the powerpoint is from the Department of Public Health and her presentation to the Board is something that is required by the Center for Disease Control and the DPH as part of the Town's Emergency Preparedness. She reviewed that the EDS sites are Emergency Dispensing Sites. These are designated sites in Town where vaccine or prophylaxis would be distributed to the public in the event of a public health emergency. The Incident Command system, that the Board members have all received training on, is

the system that would be used in any EDS situation. She stated that the SNS or Strategic National Stockpile is the place that we would get all the vaccine or prophylaxis from in the event of an emergency. The written plans for all the Towns were developed with assistance from Barnstable County Health Nurses. Each Town has a huge binder with all the written plans, job action sheets, and protocols. Every year the binder has to be reviewed and signed-off by the chief administrator. Drills and tabletop exercises are done by the County but at some point local drills should be done as well. She stated that Bourne has three EDS sites listed with the State, the Community Building, the Bourne Middle School, and the Bournedale Elementary School. All three sites would not be able to be opened at once as we don't have enough volunteers but all of these sites are available and have written plans. The idea of the plan is to be able to vaccinate 100% of the population in 24 hrs. Recently this goal has been changed to prophylaxis of 100% of the population in 48 hrs in the case of anthrax where one representative from each family would come to the site to pick up the medicine for dispensing back at the home. Ms. Coffin stated that we really don't have enough volunteers. She discussed that the ICS system is a standard operation of management that allows you to operate with an integrated management system that is scalable based on the size of the operation. The ICS system provides clear lines of authority and communication. The Town's PIO (public information officer) is Tom Guerino but the Town may also try and get a public health PIO, perhaps the Health Inspector. Span of control is where one person cannot have more than 3 to 7 people reporting to him or her. This is so that no one loses control of who they are working with at any operation. She discussed all the key personnel at an EDS site. Ms. Coffin discussed the way the EDS sites were chosen. A back-up generator and good accessibility is desired. The Medical Reserve Corps will do credentialing of any volunteers. Ms. Coffin went over the general site flow in any dispensing or vaccination scenario. She stated that she hopes to get the emergency plans on the Town website in the near future. She also discussed that there is a real issue of the plans not working if we don't have enough volunteers. She also stated that the Town of Sandwich held a drill during one of their flu clinics and did a drive through dispensing that worked really well. Any long term care facility is considered a closed pod and should have their own plans to come and get vaccine or prophylaxis at the EDS site and then return to take care of their own population. The Strategic National Stockpile was established in 1999. Medical supplies are staged in 12 unknown locations. The SNS will deliver the supplies to the EDS sites. It is hoped that the plan will work as outlined in the best case scenario. The Board members thanked Ms. Coffin for the powerpoint review.

5. Approve the minutes of 11-28-2012. Mr. Andrews made a motion to approve. Ms. Uitti seconded. It was a unanimous vote to approve.

Mr. Andrews made a motion to adjourn. Ms. Tinkham seconded. It was unanimous. The meeting adjourned at 8:03 P.M.

Respectfully taped by,

Lisa M. Collett
Secretary

Typed, reviewed and approved by

Cynthia A. Coffin
Health Agent

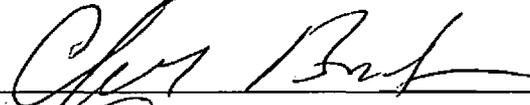
Kathleen Peterson



Stanley Andrews



Galon Barlow



Don Uitti



Carol Tinkham

cc Board of Selectmen/Town Clerk

MEETING NOTICE

TOWN OF BOURNE 2012 JAN 10 AM 11 29

TOWN CLERK'S OFFICE

BOURNE, MASS

Board, Committee or Commission

Historical Commission

Schedule of Regular Meetings

Date Time
January 17, 2012 10:00 AM

Place
Jonathan Bourne Historical Center
30 Keene St, Bourne

Agenda Items

Call to Order by Chairman Donald Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:

CPC report

CPA projects

Book sales

New Business:

Thelma Loring: Members absences

Chairman Ellis:

Future CPA projects for Bourne Historical Commission

CPA articles for 2012 Annual Meeting discussion and updates

Cape Cod Military Museum for 2012

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed *Thelma Rowe Loring*
 Thelma Rowe Loring

Title **Secretary / Treasurer**

Date: **January 7, 2012**

C: Town Clerk

BOURNE HISTORICAL COMMISSION
30 Keene Street, Bourne, MA 02532
January 17, 2012

2012 JAN 24 PM 12 20

Chairman Donald Ellis called the meeting to order at 10:10 AM due to an earlier meeting that ran overtime.

Members Present: Jean Campbell, Thelma Loring, Mary Reid, Judith Riordan, William Wright, Jr.
Associate Member: Gioia Dimock Excused Absence: Member: Neil Langille

Public Present: Diana Barth, David Dimick

Secretary's Minutes: Motion was made by Judith Riordan, seconded by Mary Reid to accept as printed; carried unanimously.

Unfinished Business:

CPC Reports: none

CPA Projects: Mr. Ellis

- 1 - Bourne Public Schools: window replacement in Administrative Building: bid had to be resubmitted for a new contractor.
- 2 - Jonathan Bourne Historic Center: security lights from an unused fund.
- 3 - Cataumet Schoolhouse Preservation Group: nothing has been done on this project
- 4 - Bourne Archives:

Ongoing projects: plate glass project, laserfiche project of documentation

Survey and documentation of the cemeteries in Bourne:

David Dimick asked what this was, and Mr. Ellis explained that the Mass. Historical Commission is inventorying all cemeteries in the Commonwealth, by using local organizations in each town. Bourne Archives members, Jean Campbell and Gioia Dimock have already documented with photographs a few in the Head of the Bay region of Buzzards Bay.

5 - Town of Bourne: preservation of historical map books in the Engineering Dept. is ongoing as well as placing documents from 4 departments into an electronic format (laserfiche.)

5 - Bourne Historical Society: restoration, rehabilitation and enhancement of the Gray Gables RR Station has started.

Sale of Books: Mr. Ellis

William Sullwold Publishing Co. will be buying the Commission books for sale on the internet, as previously approved.

Finance Committee Request for the CPA historic preservation group's future plan: Mr. Ellis

Response to the questions are as following (letter attached):

1 - Inventory used is the ones prepared by PAL many years ago and are in the Commission office.

2- 8 historic structures have been sent to MA Historical Commission for inclusion on the national register.

3- Most of these structures are in need of preservation due to the Capital Outlay Committee not maintaining town buildings over the years.

Diana Barth believes that the committee feels there might be grants available for registered structures.

Mr. Ellis stated that he has a reply to all questions when he appears before the Finance Committee this month.

New Business:

Absence: Thelma Loring received an email that Member Neil Langille would not be able to attend today's meeting as he would be out-of-state. **Motion** made by Thelma Loring to accept his absence, seconded by Mary Reid; carried unanimously.

Future CPA projects for the 2012 Annual meeting: Mr. Ellis

1 - Bourne Historical Society: Joseph Jefferson Windmill: replacement of circular windows and trim, door and storm door, and the skirting.

2 - Bourne Archives: further historical documents

3 - Bourne Society for Historic Preservation: restoration on the west side of the Briggs/McDermott house.

4 – Jonathan Bourne Historic Center: replacement of windows and painting of window sills
Cape Cod Military Museum: in conjunction with the Bourne Historical Society will again be partaking in the Society's 2012 exhibit.

Next meeting will be the third Tuesday in March.

The motion to adjourn was made at 11:10 AM and approved **unanimously**.

Thelma R. Loring

Thelma R. Loring, Secretary / Treasurer

2012 MAR 9 PM 12 04
TOWN CLERK'S OFFICE
BOURNE, MASS

MEETING NOTICE
TOWN OF BOURNE

Board, Committee or Commission

Historical Commission

Date

March 20, 2012

Time

10:00 AM

Place

**Jonathan Bourne Historical Center
30 Keene St, Bourne**

Agenda Items

Call to Order by Chairman Donald Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:

CPC report

CPA articles for 2012 Annual Meeting discussion and updates

New Business:

Thelma Loring:

Members absent: Judith Riordan (out of country)

Next meeting: May 15, 2012

Chairman Ellis:

Demo Bylaw discussion

Planning for 2012 projects

Wholesale prices of BHC books

Thelma Loring:

Binding of Town Reports

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed

Thelma Rowe Loring

Thelma Rowe Loring

Title

Secretary / Treasurer

Date:

March 9, 2012

C: Town Clerk

used as a source of heat and would also require fitting with gas burner, gas and electrical lines and restoration of the chimney. **Motion** made by Neil Langille, seconded by William Wright, Jr, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

10. Bourne Public School: the replacement of the asphalt roof shingles of the School Administration building. **Motion** made by Thelma Loring, seconded by William Wright, Jr, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

New Business:

1. **Absence:** Donald Ellis received an email that Member Judith Riordan would not be able to attend today's meeting as he would be out-of-country. **Motion** made by Thelma Loring to accept her absence, seconded by Mary Reid; carried **unanimously**.

2. **Demolition Bylaw discussion:**

Thelma Loring noted that a few years ago the Commission noted that some of the hearings were not really necessary for us to hold; this list was taken to Town Hall by Donald Jacobs, at that time the Chairman.

She has noticed houses that have had windows added and Donald Ellis said that a slider having been put in an old house. Thelma Loring said she will look through past minutes to find the extra wording of the commission's recommendation and will bring to the next scheduled meeting.

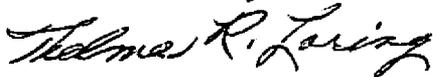
3. **2012 Projects:** Chairman Ellis said that Phase III survey of the Historic Houses will be undertaken by PAL as they conducted the previous phases. At the end they would make a digitized, searchable CD of all three (3) has phases as an added cost. Gioia Dimock questioned the need to have it done by an outside concern when the equipment for doing the digitizing is located in the Bourne Archives and is for digitizing town records.

4. **Wholesale book prices:** Thelma Loring drew up a list of these prices, which will be used by the Bourne Historical Society's gift shop and any commercial store. **Motion** made by Jean Campbell, seconded by Neil Langille, to approve the submitted prices; approved unanimously. (copy attached)

5. **Binding of town reports:** Thelma Loring noted that in the Commission's fund there is \$150 for book binding. Since the Commission has several years that need binding, she **moved** that this project continue; approved **unanimously**.

6. **Chairman Ellis:** discussed the private partition zoning change in Bourne Village that will be going to the Town Meeting in May. After much discussion, it was approved that the chairman write a letter to the Planning Board that the Bourne Historical commission does not approve any zoning changes for #1 and #9 Sandwich Road, but does approve the zoning change for #11 Trowbridge Road. (copy attached)

The **motion** to adjourn was made at 12:10 AM and approved **unanimously**.



Thelma R. Loring, Secretary / Treasurer

BOURNE HISTORICAL COMMISSION

30 Keene Street, Bourne, MA 02532

March 20, 2012

Chairman Donald Ellis called the meeting to order at 10:10 AM, due to a precious meeting that ran overtime.

Members Present: Jean Campbell, Neil Langille, Thelma Loring, Mary Reid, William Wright, Jr.

Associate Member: Gioia Dimock

Excused Absence: Member: Judith Riordan

Public Present: David Dimick, Barry Johnson, Jack MacDonald

2012 MAR 20 PM 12 02
TOWN CLERK'S OFFICE
BOURNE, MASS

Secretary's Minutes: Motion was made by Jean Campbell, Neil Langille, to accept as printed; carried **unanimously**.

Unfinished Business:

Mr. Ellis:

CPC Report: a public meeting will be held on April 11, 2012 of the CPC Committee.

CPA Articles for 2012 Annual Meeting:

1. Restoration of Joseph Jefferson Windmill, submitted by the Bourne Historic Society, for replacement of the skirts, redo the windows and replace door and storm door. Neil Langille emphasized the need of this work being done in order to preserve a historic building. **Motion** made by Thelma Loring, seconded by Mary Reid, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

2. Barry Johnson requested continue the microfiche project (phase 3) for town records; duplicate storage is maintained off site. **Motion** made by Gioia Dimock, seconded by Neil Langille, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

3. Barry Johnson requested to continue the binding of the town's vital records, located in the Town Clerk's vault. **Motion** made by Thelma Loring, seconded by Mary Reid, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

3. Preservation of scrapbooks by the Town Archives by copying each page and storing by using archival material and boxes. **Motion** made by Thelma Loring, seconded by William Wright, Jr, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

5. Barry Johnson requested the Commission to consider an underground survey requested by the Herring Pond Wampanoag Tribe (attached). It is for the Indian burial ground on Little Sandy Pond Road and to determine if the western two-thirds is burial ground. A LIDAR survey will be conducted by PAL of Rhode Island and is help in a dispute with a neighbor and none would be used for any court cost. This project would also aid in the cemetery survey project being conducted by the Bourne Archives. Mr. Dimick noted that he was involved in such a project by PAL in another town, and was pleased with their results. **Motion** made by Mary Reid, seconded by Neil Langille, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

6. Town of Bourne Fire Dept. Fire Chief Martin Green has submitted a request that the clock on the Buzzards Bay Fire Station be restored to a working mechanism. **Motion** made by Thelma Loring, seconded by Mary Reid, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

7. Jonathan Bourne Historic Center – restoration / replacement of windows. Chairman Ellis recommends that the rear windows be replaced with UVC glass due avoid any more sun deterioration of the interior, and that the front windows be restored. Funding for project needed, with details to be submitted later. MA Historic Commission has advised the chairman that this is an appropriate request. **Motion** made by Thelma Loring, seconded by Mary Reid, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

8. Bourne Society of Historic Preservation requested funds to complete their window restoration project of six (6) remaining windows. **Motion** made by Jean Campbell, seconded by Gioia Dimock, to send to the meeting of the CPC on 4/11/2012; carried **unanimously**.

9. Cataumet Schoolhouse Preservation Group would like to restore a 1890s wood stove which would be

MEETING NOTICE

TOWN OF BOURNE

Notice of Special Meeting

2012 APR 27 AM 11 09
TOWN CLERK'S OFFICE
BOURNE, MASS

Board, Committee or Commission

Historical Commission

Date

Time

Place

May 1, 2012

10:00 AM

**Jonathan Bourne Historical Center
30 Keene St, Bourne**

Agenda Items

Call to Order by Chairman Donald Ellis

New Business:

Thelma Loring: Members absent, if any

Chairman Ellis:

Special Meeting between the Archives Committee and the Commission has been called to discuss the scrapbook article that has been refused by the Finance Committee for a recommendation at Town Meeting.

Adjournment

Signed



Thelma Rowe Loring

Title **Secretary / Treasurer**

Date: **April 26, 2012**

C: Town Clerk

BOURNE HISTORICAL COMMISSION

30 Keene Street, Bourne, MA 02532

Special Public Meeting

May 1, 2012

The Special Meeting was opened by Chairman Donald Ellis at 10:00 PM for discussion about Article 13 of the Town Meeting Warrant and the two (2) items that are not supported by the Finance Committee (attached).

Present: Jean Campbell, Thelma Loring, Mary Reid, Judith Riordan, William Wright, Jr.
Excused Absences: Member Neil Langille and Associate Member Gioia Dimock
Guest: Judith McAlister, Executive Director, Bourne Historical Society

Thelma Loring announced that there were two absences that should be excused, Neil Langille who is out of town and Gioia Dimock who has a health problem. **Motion** made by Donald Ellis to excuse them, seconded by Judith Riordan; **carried unanimously**.

Chairman Ellis presented the following:

Article 13, Item O: the amount of money requested, \$75,000 is not sufficient, as the lowest bid to date is now just under \$100,000; he has received two (2) bids and needs one (1) more to conform to law. He has asked that this item go forward to the fall Town Meeting, and that UV glass be used in all windows, as the sun has caused artifacts to fade from the sunlight.

Read a letter from Town Moderator, Robert Parady (attached) explaining what will happen at town meeting as to Article 13 and these two (2) items.

Jean Campbell asked what law allows the Finance Committee to review CPC projects, when they use monies from the Commonwealth.

Chairman Ellis answered it all goes back to the re-codification of the last charter in which it states that this committee is to review all articles for Town Meeting.

Discussion ensued as to Item L of Article 13, and Chairman Ellis said if anyone from the board rose to speak at Town Meeting to be purely positive.

Judith McAlister gave an excellent presentation as to the reason for preserving these scrapbooks for future generations.

Chairman Ellis asked her to state those facts as a conservator at the Town Meeting, and she agreed.

Judith McAlister said that she and the Archives members will be standing in the foyer with a few of the scrapbooks, with their white gloves on and will open the pages so that people can stop and look at them. One that will be used is of Joseph Jefferson.

Motion was made by Judith Riordan, seconded by Thelma Loring, to have Mr. Ellis made a positive motion to include Item L on Article 13; **unanimously carried**.

Chairman Ellis asked a representative from the Bourne Historical Society to present a revision of their opinion presented to the Planning Board regarding the re-zoning article. Judith Riordan volunteered to do this presentation.

Meeting adjourned at 11:00 AM.

Thelma Rowe Loring
Thelma Rowe Loring, Secretary/Treasurer

RE: IN MEETINGS 2012

ARTICLE 13. To see if the Town will vote, upon recommendation of the **Community Preservation Committee**, to appropriate a sum of money for the following Community Preservation Fund purposes, and to meet said appropriation, to transfer from available funds, or reserve from the FY2013 Estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto:

Sponsor – Community Preservation Committee

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend
A	Open Space Committee	Main St. parcel: clearing, trimming, upgrade trails	Open Space	\$110,000
B	Open Space Committee	Purchase of sundry parcels of land	Open Space	\$2,000,000
C	Habitat for Humanity	6 Flintlock Lane – new home	Community Housing	\$30,000
D	Bourne Housing Partnership & Housing Trust	Affordable Housing Specialist services and administrative support	Community Housing	\$54,600
E	Bourne Housing Authority	Exterior decking, stairs and railings at the Continental apartments	Community Housing	\$100,000
F	Bourne Society for Historic Preservation Inc	Briggs-McDermott House sash restoration	Historic Preservation	\$4,680
G	Bourne Fire Dept	Restore and rehabilitate the outdoor wall clock at the Main St. station	Historic Preservation	\$6,000
H	Bourne Historic Commission	Scanning of Bournedale burial site	Historic Preservation	\$6,000
I	Cataumet Schoolhouse Preservation Group	Restore the stove and chimney	Historic Preservation	\$8,700
J	Bourne Historical Society	Restoration of Joseph Jefferson windmill	Historic Preservation	\$14,575
K	Town Clerk	Bind, re-bind permanent birth, death, marriage records; install shelving in the clerk's vaults, purchase proper archival storage containers	Historic Preservation	\$20,000
L	Bourne Archives	Organize and preserve the Archives' scrapbook collection	Historic Preservation	\$20,499.96
M	Bourne Public Schools	Roof replacement at School Administration Building	Historic Preservation	\$25,000
N	Town Clerk	Electronic document management system (Laserfiche) for the Clerk, Inspection, Board of Health, Archives and Historic Commission	Historic Preservation	\$40,000
O	Bourne Historic Society	Replace, repair, restore windows in Historical Center	Historic Preservation	\$75,000
P	Community Preservation Committee	Reserve for Open Space	Open Space	\$0

Subject: Article 13 ATM

From: Atty. Robert W. Parady (bobplawyer@verizon.net)

To: ellises.onpleasantcapecod2@verizon.net; BJohnson@townofbourne.com; michele541@aol.com;
LMarzelli@townofbourne.com; TGuerino@townofbourne.com;

Date: Sunday, April 29, 2012 11:07 AM

Please permit me to try to clarify what may need to be done on Article 13 of the ATM.

The motion of the Finance Committee is an omnibus motion which needs to incorporate, via a revised attachment to its motion, those items and the dollar amounts being approved. I *assume* the attachment to the main motion will not include Items L and O. There will be a second. I will ask Barry if his Committee approves the projects and expenditures. Barry will answer "Yes", and explain the higher estimate on Item O and that it's not included in the main motion. He will also state that he anticipates a motion to amend the main motion to restore Item L. The Finance Committee member will then have the floor and explain the Committee's recommendation.

Now, when the Finance Committee speaker concludes, the motion *is not to divide the question*, since the main motion does not include Item L. I believe the appropriate motion at that point is to *amend* the main motion by including Item L in the dollar amount of \$X. There needs to be a second. I will ask Barry if the Committee approves the project and the dollar amount of the amendment. If Barry replies "yes", then the motion to amend is in order since Item L is printed in the posted warrant and hence there is adequate notice. The motion to amend is debated, and put to a vote. If the motion to amend passes, a revised main motion needs to be prepared to be debated and put to a vote.

The quantum of vote for both the amendment and the main motion is a majority vote.

Hopefully, this clarifies the orderly process to deal with the opposing positions on Article 13.

Also, my feelings will not be hurt at all if any of the foregoing is incorrect. Better to get it right now than look ridiculous when the Article is on the floor. Please point out any errors or omissions. Hit "Reply All" so that everyone is "in the loop".

Bob Parady

Robert W. Parady, Esq.

Bourne Moderator

PO Box 81

Monument Beach, MA 02553-0081

Telephone: 508-759-5806

Fax: 775-218-8360

E-Mail: Bobplawyer@verizon.net

Notice: This e-mail is *not* confidential. E-mail sent and e-mail received by a public official is in most instances considered to be a "public record" by the Secretary of the Commonwealth in accordance with MGL c. 66 s. 10. As such, it must be preserved by that official, and may be subject to public disclosure.

Chapman, Wendy

From: Johnson, Barry
Sent: Monday, May 21, 2012 3:14 PM
To: Chapman, Wendy
Subject: FW: meeting cancelled

FYI. BJ

From: Beth Ellis [<mailto:ellises.onpleasantcapecod2@verizon.net>]
Sent: Monday, May 21, 2012 3:07 PM
To: Johnson, Barry
Cc: ellises.onpleasantcapecod2@verizon.net
Subject: meeting cancelled

TOWN CLERK'S OFFICE
BOURNE, MASS

2012 MAY 21 PM 3 23

Barry -

I am emailing you this notice that tomorrow's regular meeting of the Historical Commission at 10 a.m. at the Historic Center has been canceled because I have been informed that it was not posted in a timely manner (2 hours late). I will advise our secretary of the time constraints and she will post future meetings in a timely manner. Also - I will be bringing to you tomorrow a signed copy of this notice, as required.

Donald E. Ellis ("Jerry") ,
Chairman, Bourne Historical Commission

BOURNE HISTORICAL COMMISSION

30 Keene Street
Bourne, MA 02532

2012 MAY 22 AM 9 38
TOWN CLERK'S OFFICE
BOURNE, MASS

May 21, 2012

Barry Johnson,
Bourne Town Clerk
Bourne Town Hall
Perry Avenue
Bourne, MA 02532

Dear Mr. Johnson:

This notice acknowledges that the scheduled meeting of the Bourne Historical Commission for 10 a.m., May 22, 2012 has been canceled due to not being posted in a timely fashion. Future meetings will be posted in a timely manner.

Sincerely,



Donald E. Ellis, Chairman
Bourne Historical Commission

MEETING NOTICE

TOWN OF BOURNE

Board, Committee or Commission

Historical Commission

Date

Time

Place

May 22, 2012

10:00 AM

Jonathan Bourne Historical Center
30 Keene St, Bourne

Agenda Items

Call to Order by Chairman Donald Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:

CPC reports

Demolition Bylaw discussion

Campbell, Dimock: Cemeteries Survey

New Business:

Thelma Loring:

Members absent:

Next meeting: July 17, 2012 w/ Election of Officers

Chairman Ellis:

Affordable Housing request

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed


Thelma Rowe Loring

Title Secretary / Treasurer

Date: May 17, 2012

C: Town Clerk

2012 MAY 21 PM 1 38
TOWN CLERK'S OFFICE
BOURNE, MASS

MEETING NOTICE

TOWN OF BOURNE

2012.MAY 23 AM 8 55
TOWN CLERK'S OFFICE
BOURNE, MASS

Board, Committee or Commission

Historical Commission

Date
May 29, 2012

Time
10:00 AM

Place
**Jonathan Bourne Historical Center
30 Keene St, Bourne**

Agenda Items

Call to Order by Chairman Donald Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:
CPC reports
Demolition Bylaw discussion
Campbell, Dimock: Cemeteries Survey

New Business:

Thelma Loring:
Members absent:
Next meeting: July 17, 2012 w/ Election of Officers
Chairman Ellis:
Affordable Housing request
Soldiers & Sailors Monument at Town Hall, Buzzards Bay

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed


Thelma Rowe Loring

Title **Secretary / Treasurer**

Date: **May 22, 2012**

C: Town Clerk

BOURNE HISTORICAL COMMISSION

30 Keene Street, Bourne, MA 02532

May 29, 2012

2012 JUN 5 AM 10 30

Chairman Donald Ellis called the meeting to order at 10:00 AM.

Members Present: Jean Campbell, Neil Langille, Thelma Loring, Mary Reid, Judith Riordan, and William Wright, and Associate Member: Gioia Dimock

Secretary's Reports: Motion was made by Thelma Loring to accept as printed; **carried unanimously.**

Unfinished Business:

Mr. Ellis:

CPC Reports:

1. West End Monuments: to be moved this week to the Town Hall area around the flagpole.
2. Only CPA request for the October Town Meeting is the Jonathan Bourne Historic Center restoration / replacement of windows.
3. Finance Committee has requested a meeting with Mr. Ellis through the Town Clerk

Demolition Bylaw discussion: Mr. Ellis will talk to Ms Corinne Moore as to "Part b" of the bylaw that relates to Partial Demolition. **(ATTACHED)**

Archives members, Mrs. Campbell and Ms. Dimock: stated that they have started with the numerous unidentified family plots in town. Deborah Burgess aided them by researching the one in the village of Bourne.

Mr. Ellis reported that he has done more research on 295 Head of the Bay Road, with a possible date of 1695-98. Sandwich had a house in that area for smallpox patients, and 6 died with no record of where they were buried. He has alerted the owner about the possible graves in the area around this house.

New Business:

Secretary Loring:

1. Reminded everyone that the next regular meeting of the Commission will be July 17th, 10:00 AM in the Reading Room and that the Election of Officers will be held. Asked the chairman about the vacancy of an associate member on the board.

Mr. Ellis:

1. Affordable Housing request as to the historical significance of 36 Buzzards Bay Avenue, Buzzards Bay. He inspected the house and it has so completely been altered over the years that it no longer has any historical significance. He feels that there is no need to appear for a Demolition Delay hearing.

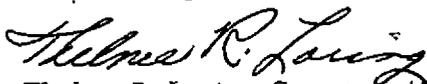
2. A request has been proposed by Richard Conron to use CPA funds to put the Soldiers and Sailors Monument back on the agenda for Town Meeting. Mrs. Campbell asked if there were sufficient CPA funds to fund this project, as the lowest quote came in almost double to original figure. Mr. Ellis said that \$162,000 has been returned to CPA funds that could probably cover the cost. **Motion** was made by Judith Riordan to invite Mr. Conron to the next monthly after the July meeting to discuss his proposal; Jean Campbell seconded and **carried unanimously**

There was a discussion about having monthly meetings as had been held previously. It was agreed that we do have sufficient business to warrant this. **Motion** made by Jean Campbell to have monthly meetings at same day, time and location as now, seconded by Gioia Dimock; **carried unanimously**

Mr. Ellis will invite Mr. Conron to the August meeting.

3. Distributed Demolition Delay hearing for Tuesday, June 12th at 10 AM.

Motion made by Neil Langille to adjourn the meeting at 11:13 AM, Judith Riordan seconded; **carried unanimously**


Thelma R. Loring, Secretary / Treasurer

2008
*

Article: _____

To see if the Town will vote to amend the Town Bylaw by revising Section 3.1.4 Demolition Delay of Historic Structures which shall then read as follows:

Section 3.1.4.2 Definitions

Existing (delete in its entirety)

"Demolition" - any act of pulling down, destroying, removing, razing or moving a building or any portion thereof, or commencing the work of moving or total or substantial destruction of a building or portion thereof, with the intent of completing the same.

Proposed

"Demolition Permit" - an application to the building department for the following:

- a) "Total demolition" - the act of pulling down, razing, moving or destruction of the entire building or structure, which is above ground.
- b) "Partial demolition" - the act of pulling down, destroying, altering or removal of a portion of a building or structure or the removal of architectural elements which define or contribute to the character of the structure.

* Partial demolition shall not include replacement of windows, roof shingles or siding so as long as the new materials are the architectural equivalent to the ones being replaced.

Any building permit application for any alteration to a structure listed on the Town of Bourne's historical survey shall be considered a "total demolition" and shall be forwarded to the Commission.

"Building Permit" - any permit without regard to whether it is called a demolition permit, alteration permit, or building permit, if it involves total and partial demolitions.

Can the fee for the demo permit include the cost of advertising and mailing of abutter notices?

Add note to building permit:

If building permit is found to meet the requirements of the Town Bylaw Article 3.14 Demolition of Significant Structures an additional fee of \$50.00 will be required to cover the costs of advertising & mailing of abutter notices. One additional set of architectural plans shall also be required.

TOWN OF BOURNE
Bourne Historical Commission
2012 MAR 14 AM 11 47
PUBLIC HEARING NOTICE

TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 295 Head of the Bay Rd
Assessors Map 15, Parcel 7

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to demolish the existing structure
and construct a new house with garage.

DATE & TIME: Tuesday, April 10, 2012 at 10:00 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Dates:
March 22, 2012

MEETING NOTICE

TOWN OF BOURNE

2012 JUL 11 AM 11 07

Board, Committee or Commission

Historical Commission
TOWN CLERK'S OFFICE
BOURNE, MASS

Date

Time

Place

July 17, 2012

10:00 AM

**Jonathan Bourne Historical Center
30 Keene St, Bourne**

Agenda Items

Call to Order by Chairman Donald Ellis

Secretary's Reports

Election of Officers

Unfinished Business:

Chairman Ellis:

CPC reports

Demolition Bylaw report

Soldiers & Sailors Monument at Town Hall, Buzzards Bay

Thelma Loring:

Reminder: all meetings and hearings held in Reading Room

BHC will meet every month on the 3rd Tuesday at 10 AM

New Business:

Thelma Loring:

Members absences

Distribution of attendance records for past year

Next meeting: August 21st

Chairman Ellis:

Town Hall report

Facts and information regarding 7/24 BHC's Public Meeting

Meeting attendance

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed *Thelma Rowe Loring*
Thelma Rowe Loring

Title **Secretary / Treasurer**

Date: **July 10, 2012**

C: Town Clerk

BOURNE HISTORICAL COMMISSION

30 Keene Street, Bourne, MA 02532

July 17, 2012

Chairman Donald Ellis called the meeting to order at 10:04 AM.

Members Present: Jean Campbell, Neil Langille, Thelma Loring, Judith Riordan
Excused: Mary Reid **Absent:** William Wright, Jr. and Associate Member: Gioia Dimock

Secretary's Reports: Motion was made by Judy Riordan and seconded by Jean Campbell to accept as printed; **carried unanimously.**

Unfinished Business:

Mr. Ellis:

CPC Reports:

1. Report of last night's (7/16) meeting
2. Donald Ellis made the **motion**, seconded by Jean Campbell, to request from CPA \$125,000 for the Jonathan Bourne Historic Center restoration / replacement of windows at the fall or annual Town Meeting. **Carried unanimously.**

Demolition Bylaw discussion: Mr. Ellis talked to town officials as to "Part b" of the bylaw that relates to Partial Demolition. They stated that they were following the then chairman, Donald Jacobs report that the Commission had approved. Mr. Ellis stated that it was felt by the Commission that they were taking liberties with their interpretation. They are taking this under advisement and will inform Mr. Ellis of their decision.

Soldiers and Sailors Monument: Mr. Ellis will invite Richard Conron to the next regularly scheduled meeting on August 21st to discuss his proposal for the monument and CPA funds.

New Business:

Secretary Loring:

1. Thelma Loring made a **motion** to excuse Mary Reid for today's meeting as she has a medial appointment. Motion seconded by Donald Ellis and it **carried unanimously.**
2. Distributed attendance records for the past year, a copy of which is sent each June after the last meeting or hearing is held. **Motion** made by Jean Campbell, seconded by Judy Riordan to accept the records; **carried unanimously**
3. Next regular meeting of the Commission will be August 21st at 10:00 AM in the Reading Room. A previous motion had been made and carried unanimously that all meetings and hearings of the Commission will be held in the Reading Room due to handicapped accessibility.
4. Requested from Jean Campbell a copy of Board of Selectmen appointment to the Commission for our records; complied with request.

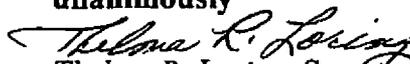
Chairman Ellis:

1. Town Hall reports:
West End Monuments have been moved to the Town Hall area around the flagpole. Park benches will be added at the request of a veteran.
Replacement of gutters, etc on the building have been accepted by CPC
Swift Memorial Church: roof has been completed and accepted by the town, and the water damage from two (2) storms was covered by insurance.
2. July 24th hearing data: Thelma Loring said that since the Agenda was sent to Town Hall that additional information had been distributed to the members as to the age of the structure under discussion.

295 Head of the Bay Road: further research shows possible building date of 1700. The developer is moving into the new house that he built and that he is quite interested in having the Old House at #295 remain on the property.

3. Meeting Attendance: Chairman Ellis will determine from Town Hall who was re-appointed.

Motion made by Neil Langille to adjourn the meeting at 10:53 AM, Judith Riordan seconded; **carried unanimously**


Thelma R. Loring, Secretary / Treasurer

2011-2012 HISTORICAL COMMISSION ATTENDANCE

REGULAR MEETINGS:

	<u>7/19</u>	<u>9/21</u>	<u>11/15</u>	<u>1/17</u>	<u>3/20</u>	<u>5/29</u>
Campbell	P	P	P	P	P	P
Ellis	P	P	P	P	P	P
Langille	--	E	E	E	P	P
Loring	P	P	P	P	P	P
Reid	E	P	P	P	P	P
Riordan	P	P	P	P	E	P
Wright	P	P	P	P	P	P

SPECIAL MEETING:

<u>5/1</u>
P
P
E
P
P
P
P

Associates:

Dimock	P	E	E	P	P	P	E
Langille	E	(Received appointment as Regular Member, August)					

2011-2012

CODE: P = Present E = Excused Absence A = Absent

DEMOLITION of PUBLIC STRUCTURES HEARINGS:

	<u>7/12x2</u>	<u>7/19x2</u>	<u>7/26</u>	<u>8/23</u>	<u>9/13</u>	<u>9/13</u>	<u>9/27x2</u>	<u>10/11x2</u>	<u>10/25</u>	<u>11/8</u>	<u>11/22x2</u>	<u>1/9</u>	<u>1/24x2</u>	<u>2/28x2</u>	<u>3/27</u>	<u>4/10</u>	<u>4/24x2</u>	<u>4/24</u>	<u>6/12</u>
Campbell	P	P	P	P	P	P	P	P	P	P	P	P	P	E	P	P	P	P	P
Ellis	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Langille	--	--	--	E	A	P	P	P	P	P	P	E	E	P	P	P	E	E	P
Loring	E	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Reid	P	E	P	P	P	P	P	P	P	P	P	P	P	P	E	P	P	P	P
Riordan	P	P	P	E	P	P	P	P	P	P	P	P	P	E	P	P	P	P	A
Wright	P	P	P	P	P	P	P	P	A	P	E	P	P	P	P	P	A	P	P

Associates:

Dimock	P*	P	E	P	P	P	P	E	E	E	P	P	P	P	A	P	P	P	P
Langille	P	E	P	(Received appointment as Regular Member, August)															

MEETING NOTICE

TOWN OF BOURNE

Board, Committee or Commission

Historical Commission

2012 AUG 15 AM 10 51

Date

Time

Place

TOWN CLERK'S OFFICE

August 21, 2012

10:00 AM

Jonathan Bourne Historical Center BOURNE, MASS

30 Keene St, Bourne

Agenda Items

Call to Order by Chairman Donald Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:

CPC reports

Demolition Bylaw report

New Business:

Thelma Loring:

Members absences: Gioia Dimock, out of town

Next meeting: September 18th

Chairman Ellis:

Appointments File

Richard Conron: Soldiers & Sailors Monument at Town Hall, Buzzards Bay

Town Hall report

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed



Thelma Rowe Loring

Title **Secretary / Treasurer**

Date: **August 13, 2012**

C: Town Clerk

BOURNE HISTORICAL COMMISSION

30 Keene Street, Bourne, MA 02532

August 21, 2012

Chairman Donald Ellis called the meeting to order at 10:05 AM.

Members Present: Jean Campbell, Neil Langille, Thelma Loring, 2012 Reg. 24 Judith Riordan and William Wright, Jr. **Excused Absence:** Associate Member: Gioia Dimock

Secretary's Reports: **Motion** was made by Judy Riordan and seconded by Neil Langille to accept as printed; **carried unanimously.**

Unfinished Business:

Chairman Ellis:

CPC Reports:

1. No submittals under historic requests have been received for the Fall Special Town Meeting in October.
2. Donald Ellis requested that he be given approval to re-submit the paper work with a request for \$125,000 for restoration / replacement of windows in the Jonathan Bourne Historic Center Historic Center for the special fall town meeting and the **motion** was so moved by Neil Langille and seconded by Judy Riordan; **carried unanimously.**

Demolition Bylaw: Mr. Ellis reported that he had an extensive discussion with Ms Corinne Moore, and the Planning Board is reluctant to change the bylaw as written. The Chairman will still be consulted as to minor replacements; **motion** was made by Judith Riordan, seconded by Neil Langille to authorize the chairman to resolve minimal demolition delay requests at his discretion; **carried unanimously.**

New Business:

Chairman Ellis:

Absences: Thelma Loring made a **motion** to excuse Gioia Dimock as she is out-of-state, seconded by Jean Campbell and it **carried unanimously.**

Appointment File: Requested from William Wright, Jr a copy of Board of Selectmen appointment to the Commission for our records before the next meeting on September 18th.

Soldiers and Sailors Monument:

1. Mr. Ellis had invited Richard Conron via email to this meeting to discuss his proposal for the monument using CPA funds. Mr. Conron answered via email hat he felt he did not need to attend today's meeting and included potential contractors that could be used to do the work. (copy of emails attached.)
2. Chairman Ellis asked the members to allow him to take forward as a new article to the Annual Town Meeting for \$125,000; so moved by Thelma Loring, seconded by Neil Langille; **carried unanimously.**

Demolition Delay Hearing on September 11th; a complete set of information will be received and distributed prior to the hearing. Mr. Ellis will be out-of-state and Vice Chairman Riordan will preside. Mr. Ellis emphasized that we have an independent decision to make, and that the Commission is under town as well as state bylaws.

Book sales:

- 1 - Bourne Society for Historic Preservation is sponsoring a blacksmith day on August 25th and would the Chairman would like to have he and Donald Jacobs sell books. Neil Langille offered to set up one of the tents owned by the Bourne Historical Society.
- 2 - William Wright was asked to take some of the Pocasset-Cataumet books to the store located at the Kingman Marina for possible sale.
- 3 - Jean Campbell noted that the bookstore in the Mashpee Commons has relocated, and has a rack for local history books; she agreed to ask about selling the Commission books.

Town Hall Report: received an email from Thomas Guerino (attached) that the Fall Special Town Meeting will be held on Monday, October 29th.

National Register Nominations: Secretary William Galvin sent a letter (attached) to the Selectman informing them that the four (4) nominations will be considered at a meeting on September 12th. Ms Corinne Moore will represent the town at this meeting.

Motion made by Neil Langille to adjourn the meeting at 10:53 AM, Judith Riordan seconded; **carried unanimously**

Thelma R. Loring
Thelma R. Loring, Secretary / Treasurer

Subject: Re:
From: Richard Conron (richard.conron@gmail.com)
To: ellises.onpleasantcapecod2@verizon.net;
Date: Monday, August 13, 2012 12:12 PM

*In Hist Comm
Meeting of
8.21.12*

Hi Jerry,

Thanks for the invite.

I really have no presentation on this project. The only work I did was to identify potential contractors that could be used to do the work.

My letter and the attached information is all the information I have. You can just hand out copies to the other members. There is no need for me to attend. I never understood why the commission waited so many years to act once the restoration was initially approved at \$60k.

Dick

On Aug 13, 2012, at 10:03 AM, Beth Ellis <ellises.onpleasantcapecod2@verizon.net> wrote:

> Dick -

>

> The Historical Commission has scheduled a discussion of your proposed re-hab of the Soldiers/Sailors Monument in front of Town Hall, via CPA Funds. As you are aware, the first request was for a dollar amount far too low to meet the subsequent bids. A suggested new amount is \$125,000.

>

> Place: Bourne Historic Center, 30 Keene Street, Bourne Village

> Date: Tuesday, August 21, 2012 10:15 a.m.

>

> You're welcome to make your presentation to the Historical Commission to support your request.

>

> Donald "Jerry" Ellis, Chairman

> Bourne Historical Commission

> 508-888-0633

>

Subject: FW: Special Town Meeting date

From: Gratis, Ann (AGratis@townofboume.com)

To: awcooney@yahoo.com; ldmorrissey@comcast.net; dsdoucette@comcast.net;
ellises.onpleasantcapecod2@verizon.net; mcconnellpaula@comcast.net; dpmyers3@comcast.net;
mpeterholmes@aol.com; bandrewsd@gmail.com; sharpei29@comcast.net; dick.anderson@comcast.net;
j.sullivanmd@comcast.net; rosamar@capecod.net; sweeneyps@yahoo.com; reinhardt@ecu.edu;

Date: Thursday, August 16, 2012 9:36 AM

From: Guerino, Thomas

Sent: Thursday, August 16, 2012 8:27 AM

To: All Department Heads; bobplawyer@verizon.net

Subject: Special Town Meeting date

All;

Please be advised that the Board of Selectmen has set the date for the Fall Special Town Meeting. The meeting will be held on October 29th (Monday), 2012. Please inform your Boards and Committees of this date. Departmental Articles MUST be submitted to me no later than Thursday September 13, 2012. Articles must be submitted in final form. Town Counsel will review and draft motions. Departmental Articles not submitted in appropriate form not be considered for inclusion and review by the Selectmen. Please do not look for staffing augmentation, I will not support it nor bring it forward.

tg



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

August 9, 2012

John Ford
Chair, Bourne Board of Selectmen
24 Perry Avenue
Buzzards Bay, MA 02532

Re: National Register nominations

Dear Mr. Ford:

We are pleased to inform you that the

- Bournedale Village School, 29 Herring Pond Road,
- Bourne Town Hall, 24 Perry Avenue,
- Jonathan Bourne Library, a/k/a Bourne Historical Center, 30 Keene Street, and,
- Bourne High School, a/k/a Coady School, 85 Cotuit Road, Bourne, Massachusetts,

will be considered by the Massachusetts Historical Commission for nomination to the National Register of Historic Places. The National Register of Historic Places is the Federal government's official list of historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage.

Listing of these properties provides recognition of the community's important historic resources and assures protective review of Federal projects that might adversely affect the character of the properties. If these properties are listed in the National Register, certain Federal investment tax credits for rehabilitation and other provisions may apply.

Listing in the National Register does not mean that limitations will be placed on the properties by the Federal government. Public visitation rights are not required of property owners. The Federal government will not attach restrictive covenants to the properties or seek to acquire them. If a property is listed in the National Register, the owner may do anything with it that he/she wishes, unless state or federal funds, permits, or licensing are used, or unless some other regional and/or local ordinance or policy is in effect.

In Massachusetts, properties nominated to the National Register are automatically listed in the State Register of Historic Places. There are no limitations, public visitation requirements, or restrictive covenants for private properties included in the State Register. State Register properties owned by municipalities and nonprofit organizations may compete for state restoration grants.

You are invited to attend the meeting of the Massachusetts Historical Commission at which these locations will be considered. The Commission will meet at 1:00 p.m. on September 12, 2012, at the Massachusetts State Archives, Dorchester, Massachusetts.

The Commission meeting is a public meeting and all interested parties are encouraged to attend. If you have special needs and would like to attend the meeting, please contact the Commission and staff will make any arrangements that are necessary.

Draft copies of the National Register nominations will be available at the Jonathan Bourne Public Library. Attached please find notices that explain, in greater detail, the results of listing in the National Register and that describe the rights and procedures by which an owner may comment on or object to listing in the National Register. Should you have any questions about these nominations prior to the Massachusetts Historical Commission meeting, please contact me at this office.

Sincerely,



Brona Simon
State Historic Preservation Officer
Massachusetts Historical Commission

cc: Laura Kline, Stephen Olausen, PAL, consultants
Thomas Guerino, Town Administrator
✓ Donald Ellis, Bourne Historical Commission
Christopher Farrell, Chairperson, Bourne Planning Board
Coreen Moore, Bourne Town Planner

Enclosures: NR Criteria, Rights of Owners, Effects and Benefits of Listing

MEETING NOTICE

TOWN OF BOURNE

Board, Committee or Commission

Historical Commission

Date Time
Sept. 18, 2012 10:00 AM

Place
**Jonathan Bourne Historical Center – Reading Room
30 Keene St, Bourne**

Agenda Items

Call to Order by Chairman Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:
CPC reports

New Business:

Secretary Loring:
Members absences, if any
Next meeting: October 16th

Chairman Ellis:
Town Hall report

2012 SEP 12 AM 10 56
TOWN CLERK'S OFFICE
BOURNE, MASS

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed


Thelma Rowe Loring

Title **Secretary / Treasurer**

Date: **September 11, 2012**

C: Town Clerk

BOURNE HISTORICAL COMMISSION

30 Keene Street, Bourne, MA 02532

September 18, 2012

Chairman Donald Ellis called the meeting to order at 10:20 AM.

Members Present: Jean Campbell, Neil Langille, Thelma Loring, Mary Reid, Judith Riordan and William S. Wright, Jr. **Excused Absence (health):** Associate Member Gioia Dimock

Secretary's Reports: Motion was made by Judy Riordan and seconded by Neil Langille to accept as printed; carried with 6 in favor and 1 did not cast a vote to be recorded.

Unfinished Business:

Chairman Ellis:

CPC Reports:

1. He submitted a CPA article for the Center windows at \$125.00 for inclusion in the Fall Special Town Meeting; two bids have been received to date.
2. Public hearings will be held as to this request.
3. The disposition should be in his mailbox as to the National Register Nominations; if accepted, he will help with the presentations.
4. Discussion held as to the Finance Committee's request that major articles for Town Meetings should be coordinated with other town committees / departments.
5. Discussion held on the Finance Committee's request for its 5 year projection as pertaining to historic structures, etc.

New Business:

Secretary Loring:

Absences: Thelma Loring made a motion to excuse Gioia Dimock for health reasons; seconded by Jean Campbell and it carried unanimously.

Chairman Ellis:

Asked Vice Chairman Judith Riordan as to the disposition of the Demo Delay Hearing held Sept. 11th when he was out of state.

Town Hall Reports:

Nothing to report about Town Hall matters, for same reason.

Motion made by Thelma Loring to adjourn the meeting at 10:45 AM, Mary Reid seconded; carried with 6 in favor and 1 did not cast a vote to be recorded.

At the request of Judith Riordan, Chairman Ellis made the motion to go back in session at 10:46 AM; carried with 6 in favor and 1 did not cast a vote to be recorded.

Judith Riordan asked about the article for Town Meeting as to the acquisition of the Keene House by the town. This will be discussed at the next scheduled meeting of the Historical Commission in October.

Motion made by Donald Ellis, seconded by Jean Campbell, to adjourn at 10:48; carried with 6 in favor and 1 did not cast a vote to be recorded.

2012 SEP 26 PM 10 59
TOWN CLERK'S OFFICE
BOURNE, MASS



Thelma R. Loring, Secretary / Treasurer

J12 SEP 26 AM 10 58
TOWN CLERK'S OFFICE
BOURNE, MASS

2

RECEIVED
SEP 26 10 58 AM '12

ST. JOHN'S CHURCH
BOURNE, MASS.

MEETING NOTICE

TOWN OF BOURNE

Board, Committee or Commission

Historical Commission

Date

Time

Place

October 16, 2012

10:00 AM

Jonathan Bourne Historical Center – Reading Room
30 Keene St, Bourne

Agenda Items

Call to Order by Chairman Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:

CPC reports

National Register Nominations report

New Business:

Secretary Loring:

Members absences, if any

Next meeting: November 20th

Chairman Ellis:

Town Meeting article about the Keene House and property

Town Hall report

2012 OCT 10 PM 1 34
TOWN CLERK'S OFFICE
BOURNE, MASS

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed


Thelma Rowe Loring

Title **Secretary / Treasurer**

Date: **October 9, 2012**

C: Town Clerk

Bourne Historical Commission

<u>Date</u>	<u>Time</u>	<u>Place</u>
October 16, 2012	10:00 AM	Jonathan Bourne Historical Center - Reading Room 30 Keene St, Bourne

Agenda Items

Call to Order by Chairman Donald Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:

CPC reports

National Register nominations report

New Business:

Secretary Loring:

Members absences, if any

Next meeting: November 20th

Chairman Ellis:

Town Meeting article about the Keene House and property

Town Hall report

Adjournment

BOURNE HISTORICAL COMMISSION

30 Keene Street, Bourne, MA 02532

October 16, 2012

Chairman Donald Ellis called the meeting to order at 10:02 AM.

Members Present: Jean Campbell, Thelma Loring, Judith Riordan and William S. Wright, Jr.

Associate Member Gioia Dimock Absent: Neil Langille, Mary Reid

Secretary's Reports: Chairman Ellis: if there are no further additions or corrections entertain a motion to accept. **Motion** was made by Judy Riordan and seconded by Jean Campbell to accept as printed; **accepted by the Chairman as a vote.**

Unfinished Business:

Chairman Ellis:

National Register Nominations Report: distributed a copy of the state's approval (attached) and it has been sent to the national Register Office for final review and approval.

CPC Reports:

1. Jonathan Bourne Historical Center:

a. Town's architectural firm visited the Center 4/12/12 and a report was received dated 10/15/12; attached. They recommended restoration of the windows for a total cost of \$142,000.

b. Under a check and balance system used, Mr. Ellis said that the total monies to be requested at the Special Town Meeting will be approximately \$70,000 for this project.

2. Jean Campbell, Archives, said that as of 10/16/2012, the 2011 project (cemetery) will be done by the end of the year, and there has been some work on the 2012 project (scrapbooks) but it will be worked on in earnest beginning in 2013.

3. Railroad Tower, Buzzards Bay:

The roof tiles split and water flooded the basement of the structure, and asked the Chairman if there any available funds for repair. The \$80,000 that they received was to for exterior and interior work, however it was used for interior work only. He advised them to work with their insurance company and the balance not covered would be their responsibility.

The museum is being set up by the W. Barnstable Railroad Club, and they are planning to have their opening in conjunction with the 2014 canal observance.

4. The Old House:

Owner, Michael Mulligan, is now thinking of retaining ownership. The restoration committees formed to undertake the work approved at the Demolition Delay Hearing have not been successful to date as to any of the work involved in a move.

5. Chairman has asked the School Administration for an update on their application and work performed.

New Business:

Secretary Loring:

Absences: Neil Langille, and Mary Reid were noted as absent.

Next meeting: November 20th

Chairman Ellis:

Keene House and Property: His wife, Elizabeth Ellis introduced the article for town meeting, and is waiting for a historical property appraisal as to selling the land and restoring or moving the house. The Board of Selectmen will be voting 10/23/12 as to their decision; Bourne Society of Historic Preservation has approved, and the Bourne Historical Society supported the land purchase at their Sept. Board of Trustees meeting.

Town Hall Reports:

a. Chairman Ellis had a dialogue with the Town Administrator on two (2) concerns.

b. Dept. of Public Works will provide a wheeled trash barrel for the Center.

Motion made by Thelma Loring to adjourn the meeting at 10:48 AM, Judith Riordan seconded; **accepted by the Chairman as a vote.**

Thelma R. Loring
Thelma R. Loring, Secretary / Treasurer

2012 Oct 16 11:15 AM
TOWN CLERK'S OFFICE
BOURNE, MASS



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

ELIGIBILITY FOR NATIONAL REGISTER LISTING

TO: Donald Ellis, Bourne Historical Commission

FROM: Massachusetts Historical Commission

DATE: September 14, 2012

The Massachusetts Historical Commission is pleased to inform you that the following property(ies) has been voted eligible for inclusion in the National Register of Historic Places (36 CFR 60) by the Commission acting as the State Review Board. By law, a property is afforded protection from adverse effect caused by Federally funded, licensed or assisted projects when it has been voted eligible for inclusion in the National Register. The nomination form will now be submitted to the National Register Office, National Park Service in Washington, D.C. for final review. If the National Register Office lists the property or determines it eligible for listing in the National Register, it will automatically be included in the Massachusetts State Register of Historic Places (950 CMR 71). The State Register parallels the National Register in providing protection from State actions. For more information, you may wish to refer to your original notification letter or contact the Commission's National Register staff. When we have received the determination of the National Register Office you will be advised.

PROPERTY(IES)

DATE VOTED ELIGIBLE

Bourne High School
Bourne Town Hall
Bourne Library
Bournedale Village School

September 12, 2012

cc: Laura.Kline, PAL



BROWN LINDQUIST FENUCCIO & RABER ARCHITECTS, INC.

10/15/2012

Barry Johnson
Town of Bourne
24 Perry Ave.
Buzzards Bay, MA 02532

Re: Window Restoration at Bourne Archive Building

Dear Mr. Johnson,

On April 12, 2012 I had the opportunity to review of the condition of the existing windows at the Bourne Archive Building. The windows are single glazed, double hung windows with aluminum exterior storm windows. The condition of the windows and associated storm windows is generally fair to poor. Paint on the exterior of the windows is deteriorated to the point where untreated bare wood is exposed in many areas. Several windows have cracked glass panes. Many windows have missing and/or deteriorating glazing putty. The thermal performance of the windows needs improvement. None of the existing windows currently have weather stripping. Operability of the windows is difficult, many of the windows have missing or broken sash cords.

In addition to the work required at the typical windows, there are several unique conditions that require specialized restoration. The stained glass window has been damaged by vandals, and while most of the stained glass appears to be in excellent condition, there is an isolated area of damage that requires repair/restoration. The existing temporary solution of plexiglass screwed to the outside frame as a form of protection should be removed to allow for a more appropriate, permanent solution.

The existing steel lintels at the addition are corroding, causing the brick to crack on either side of the masonry opening. It is important that this condition be repaired prior to restoring the windows and frames in that area. If these lintels are not repaired, the masonry in that area will continue to crack, and begin to spall causing further extensive damage.

The outdated existing storm windows are difficult to operate. While they have provided a small level of protection to the existing window sash, they should be replaced with a more user friendly and historically appropriate alternative. Replacement storm windows will provide a more comfortable working environment within the building, and allow the historic character of the existing windows to be more visible on the exterior. New storm windows will also provide protection of the existing exhibits and one-of-a-kind art pieces on display within the building from harmful Ultra-violet rays.

203 WILLOW STREET SUITE A
YARMOUTHPORT MA 02675

PH 508-362-8382
FAX 508-362-2828

WWW.CAPEARCHITECTS.COM

It is our recommendation to restore the existing historic windows and frames. The existing storm windows are to be replaced with new storm windows using Low E/UV ray blocking glass in all exhibit and work conservation areas. The existing corroded steel lintels are to be removed and replaced, and the damaged masonry jack arches are to be rebuilt in kind. The existing stained glass window will be restored where it has been damaged by vandalism. The new properly vented protective exterior window will be installed within the existing window frame at the monumental stained glass window.

The budget estimate for the proposed work is \$127,000.00 + 15,000 for Architectural Fees a total of \$142,000.00. The project cost will be greater than \$25,000.00 and will fall under the Chapter 149 public bid laws, requiring compliance with prevailing wage rates.

If there are any questions regarding our recommendation, please feel free to contact me.

Regards,

A handwritten signature in black ink, appearing to read 'MARIA A. RABER', with a long horizontal flourish extending to the right.

Maria A. Raber

MEETING NOTICE

TOWN OF BOURNE

Board, Committee or Commission

Historical Commission 2012 NOV 8 PM 1 01

Date Time
November 20, 2012 10:00 AM

Place TOWN CLERK'S OFFICE
Jonathan Bourne Historical Center, Reading Room
30 Keene St, Bourne

Agenda Items

Call to Order by Chairman Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:

National Register Nominations report
Town Meeting article about the Keene House and property
CPC reports

New Business:

Secretary Loring:

Absences
Next meeting: December 18th 2012

Chairman Ellis:

Town Hall report
CPC requests

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed *Thelma Rowe Loring*
Thelma Rowe Loring

Title Secretary / Treasurer

Date: November 6, 2012

C: Town Clerk

BOURNE HISTORICAL COMMISSION

30 Keene Street, Bourne, MA 02532

November 20, 2012

Chairman Donald Ellis called the meeting to order at 10:02 AM.

Members Present:

Jean Campbell, Thelma Loring, Mary Reid, Judith Riordan and Associate Member Gioia Dimock

Excused Absence: Neil Langille Absent: William S. Wright, Jr

Secretary's Reports: Chairman Ellis: if there are no further additions or corrections, entertain a motion to accept. Motion was made by Judy Riordan and seconded by Jean Campbell to accept as presented; motion passed unanimously.

Unfinished Business:

Chairman Ellis:

National Register Nominations Report: The four (4) nominations are 99.1% approved and only need to be signed by the Secretary of the Dept. of the Interior. There was discussion about the process of securing plaques for the buildings.

Town Meeting article about the Keene House: the property and house are still in discussion with the owner's lawyer.

CPC Reports:

1. Jonathan Bourne Historical Center: the bids for the windows will be sent out and Chairman Ellis will discuss the details as to time, etc with the Archives personnel, as they will be affected with the work involved in this restoration project.
2. Request from the Cataumet cemetery to recondition the grave stones; Mr. Ellis has asked the MA Historical Commission if this is possible under CPA funding.
3. Mrs. Riordan asked as to the status of the Raleigh House paintings; the Town Clerk is waiting on the final report from the conservator.

New Business:

Secretary Loring:

Absences: Motion made by Thelma Loring that Neil Langille be excused due to medical appointment in his family; motion passed unanimously. William Wright was noted as absent.

Next meeting: December 18th

Mrs. Loring also suggested that all members mark their 2013 calendars on the third Wednesday of each month for the Commission meetings.

Chairman Ellis:

Town Hall Reports: no new reports

The outside lights for the Historical Center should be installed this week.

CPC Requests: only the one from Brian Handy, Cataumet Cemetery chairman, as noted in Unfinished Business.

Motion made by Judith Riordan to adjourn the meeting at 10:35 AM, Mary Reid seconded; motion passed unanimously.

Thelma R. Loring

Thelma R. Loring, Secretary / Treasurer

MEETING NOTICE

TOWN OF BOURNE

Board, Committee or Commission

Historical Commission 2012 DEC 10 AM 10 53

Date Time
December 18, 2012 **10:00 AM**

Place TOWN CLERK'S OFFICE
Jonathan Bourne Historical Center - Reading Room
30 Keene St, Bourne

Agenda Items

Call to Order by Chairman Ellis

Secretary's Reports

Unfinished Business:

Chairman Ellis:

**Town Meeting article report
CPC reports / requests**

New Business:

Secretary Loring:

**Absences
Next meeting: January 15th**

Chairman Ellis:

**Town Hall report
CPC requests**

Adjournment

Notice of Special Meeting (include Date, Time and Place)

Notice of Cancellation of Meeting (Specify Meeting Being Cancelled)

Signed


Thelma Rowe Loring

Title **Secretary / Treasurer**

Date: **December 6, 2012**

C: Town Clerk

BOURNE HISTORICAL COMMISSION
30 Keene Street, Bourne, MA 02532
December 18, 2012

Vice Chairman Judith Riordan called the meeting to order at 10:02 AM.

Members Present:

Jean Campbell, Neil Langille, Thelma Loring, Mary Reid, and Associate Member Gioia Dimock

Secretary's Reports: Vice Chairman Riordan asked if any errors or omissions; **motion** was made by Neil Langille and seconded by Mary Reid to accept as printed; **motion passed unanimously.**

Unfinished Business:

Vice Chairman Riordan:

Town Meeting article about the Keene House: spoke about the passage of the Keene House article at town meeting and the voters' reaction to it.

CPC Reports: none at this time

New Business:

Secretary Loring:

Absences: Donald Ellis – excused due to a burial at Sagamore Cemetery

William Wright – absent as no communication received by either the Chairman or the Secretary

The following members reported that they will not be in attendance as follows:

Gioia Dimock - January; Neil Langille - January and February; Jean Campbell - March

Next meeting: January 15th

Vice Chairman Riordan:

Town Hall Reports: none

CPC Requests: none

There being no further business, Vice Chairman Riordan asked for a motion of adjournment. **Motion** made by Jean Campbell to adjourn the meeting at 10:07 AM, Neil Langille seconded; **motion passed unanimously.**


Thelma R. Loring, Secretary / Treasurer

BOURNE, MASS
TOWN CLERK'S OFFICE
2012 DEC 26 PM 11 12

TOWN OF BOURNE
Bourne Historical Commission

2011 DEC 16 AM 10:26 PUBLIC HEARING NOTICE

TOWN CLERK'S OFFICE

LOCATION: BOURNE, MASS 215 Scraggy Neck Road
Assessors Map 51.3, Parcel 15

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of Historic Structures. The property has been deemed a historic "Significant Building" as defined in the bylaw. Determination whether the building should be preserved will be made. Project is to excavate crawl space and install new foundation and concrete floors.

DATE & TIME: Tuesday, January 10, 2012 at 10:00 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town Hall from 8:30-4:30, Monday - Friday. 508-759-0615. Written comments in advance are welcome and should be sent to Coreen Moore, Town Planner. All persons desiring to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Date:
December 22, 2011.

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 JAN 5 AM 11 58
TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 897 Shore Rd
Assessors Map 43.1, Parcel 149

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to renovate and add accessory
dwelling.

DATE & TIME: Tuesday, January 24, 2012 at 10:00 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Date:
January 5, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 JAN 5 AM 11:58

TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 29 Bell Buoy Rd
Assessors Map 43.3 Parcel 248

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to change the house roofline to a
gable style and to Demo & rebuild the cottage.

DATE & TIME: Tuesday, January 24, 2012 at 10:15 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Date:
January 5, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE 2012 FEB 8 PM 12 11

TOWN CLERK'S OFFICE
BOURNE, MASS.

LOCATION:

5 Lantern Lane
Assessors Map 43.4, Parcel 94

PROPOSAL:

Bourne General Bylaws Section 3.14 - Demolition of Historic Structures. The property has been deemed a historic "Significant Building" as defined in the bylaw. Determination whether the building should be preserved will be made. Project is to construct a front porch which was previously demolished.

DATE & TIME:

Tuesday, February 28, 2012 at 10:00 A.M.

PLACE:

Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town Hall from 8:30-4:30, Monday - Friday. 508-759-0615. Written comments in advance are welcome and should be sent to Coreen Moore, Town Planner. All persons desiring to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Date:
Feb. 9, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 FEB 13 PM 2 56

TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION:

9 Oak Ave
Assessors Map 51.4 Parcel 33

PROPOSAL:

Bourne General Bylaws Section 3.14 - Demolition of Historic Structures. The property has been deemed a historic "Significant Building" as defined in the bylaw. Determination whether the building should be preserved will be made. Project is to change the house roofline to a gable style and to Demo the garage.

DATE & TIME:

Tuesday, February 28, 2012 at 10:15 A.M.

PLACE:

Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town Hall from 8:30-4:30, Monday - Friday. 508-759-0615. Written comments in advance are welcome and should be sent to Coreen Moore, Town Planner. All persons desiring to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Date:
February 9, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE
2012 MAR 7 AM 11 56
TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 414 Barlows Landing Rd
Assessors Map 43.1, Parcel 44

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to demolish a garage.

DATE & TIME: Tuesday, March 27, 2012 at 10:00 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Date:
March 8, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 APR 4 PM 3 34

TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 48 Head of the Bay Rd.
Assessors Map 20, Parcel 4

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to demolish the house.

DATE & TIME: Tuesday, April 24, 2012 at 10:15 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Date:
April 5, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 APR 5 AM 11 18

TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 67 Tahanto Rd
Assessors Map 38.3 Parcel 270

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to demo and rebuild a deck.

DATE & TIME: Tuesday, April 24, 2012 at 10:00 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Date:
April 5, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 MAY 21 PM 3 50
TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 8 Evergreen Hill Rd
Assessors Map 30.2, Parcel 33

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to demolish the cottage and rebuild
a single family dwelling.

DATE & TIME: Tuesday, June 12, 2012 at 10:00 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Courier Publishing Date:
May 23, 2012

TOWN OF BOURNE
Bourne Historical Commission 2012 AUG 21 PM 3 38
PUBLIC HEARING NOTICE

TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION:

2 Hill Street
Assessors Map 43.3, Parcel 246

PROPOSAL:

Bourne General Bylaws Section 3.14 - Demolition of Historic Structures. The property has been deemed a historic "Significant Building" as defined in the bylaw. Determination whether the building should be preserved will be made. Project is to demolish and rebuild a single family dwelling.

DATE & TIME:

Tuesday, Sept. 11, 2012 at 10:00 A.M.

PLACE:

Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town Hall from 8:30-4:30, Monday - Friday. 508-759-0615. Written comments in advance are welcome and should be sent to Coreen Moore, Town Planner. All persons desiring to be heard on this matter should appear at the hearing.

Bourne Courier Publishing Date:
August 22, 2012.

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 AUG 23 AM 11 24

TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 35 Park Street
Assessors Map 43.3 Parcel 203

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to demo and rebuild house.

DATE & TIME: Tuesday, Sept. 11, 2012 at 10:15 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Courier Publishing Date:
August 22, 2012

2012 AUG 23 AM 11 24
TOWN OF BOURNE
Bourne Historical Commission TOWN CLERK'S OFFICE
PUBLIC HEARING NOTICE BOURNE, MASS

LOCATION: 35 Park Street
Assessors Map 43.3 Parcel 203

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to demo and rebuild house.

DATE & TIME: Tuesday, Sept. 11, 2012 at 10:15 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Courier Publishing Date:
August 22, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 SEP 7 AM 1
TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION: 43 Lafayette Ave
Assessors Map 19.3 Parcel 147

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to construct a 2-story addition.

DATE & TIME: Tuesday, Sept. 25, 2012 at 10:00 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Enterprise Publishing Dates:
Sept. 6, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 OCT 22 PM 12 57

LOCATION: 10 Electric Ave
Assessors Map 23.1, Parcel 1

TOWN CLERK'S OFFICE
BOURNE, MASS

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to demolish the building.

DATE & TIME: Tuesday, November 13, 2012 at 10:00 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Courier Publishing Date:
October 24, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 OCT 22 PM 12 56

TOWN CLERK'S OFFICE
BOURNE, MASS

LOCATION:

10 Hawes Road
Assessors Map 4.1 Parcel 175

PROPOSAL:

Bourne General Bylaws Section 3.14 - Demolition of Historic Structures. The property has been deemed a historic "Significant Building" as defined in the bylaw. Determination whether the building should be preserved will be made. Project is to demo and rebuild deck.

DATE & TIME:

Tuesday, November 13, 2012 at 10:15 A.M.

PLACE:

Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town Hall from 8:30-4:30, Monday - Friday. 508-759-0615. Written comments in advance are welcome and should be sent to Coreen Moore, Town Planner. All persons desiring to be heard on this matter should appear at the hearing.

Bourne Courier Publishing Date:
October 24, 2012

TOWN OF BOURNE
Bourne Historical Commission
PUBLIC HEARING NOTICE

2012 OCT 22 PM 12 57

LOCATION: 15 Salt Marsh Ln TOWN CLERK'S OFFICE
Assessors Map 43.1 Parcel 102 BOURNE, MASS

PROPOSAL: Bourne General Bylaws Section 3.14 - Demolition of
Historic Structures. The property has been deemed a
historic "Significant Building" as defined in the bylaw.
Determination whether the building should be preserved
will be made. Project is to enclose a section of the existing
porch to create a mud room with stairs and to replace front
porch.

DATE & TIME: Tuesday, November 13, 2012 at 10:30 A.M.

PLACE: Bourne Historical Center
30 Keene Street
Bourne, MA 02532

Plans may be viewed at the Planning Board office at Town
Hall from 8:30-4:30, Monday - Friday. 508-759-0615.
Written comments in advance are welcome and should be
sent to Coreen Moore, Town Planner. All persons desiring
to be heard on this matter should appear at the hearing.

Bourne Courier Publishing Dates:
October 24, 2012

MEETING NOTICE**BOARD:** ~~(Bourne Housing Authority)~~

The Regular monthly meeting of the Board of Commissioners will be held on Wednesday, January 25, 2012, at 5:00 p.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the December 15, 2011 meeting
- Treasurers Report
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Review and approve final documents for boiler replacement at Roland Phinney Place including final payment.
- Review and approve Budget certifications for DHCD
- Final Auditor's Report
- Communication/Correspondence/Conferences
- Discuss CPA application
- Topics for future discussion
- Adjourn meeting

Signed:

Barbara Thurston
Barbara Thurston, Executive Director

Date: January 23, 2012

2012 JAN 23 PM 4 24
TOWN CLERK'S OFFICE
BOURNE, MASS.

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on January 25, 2012 at 5:00 p.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Laurence Olson, Fred Bartholomew, Paula McConnell, Peter Meier

Members Absent: Michael Blanton

Others Present: Barbara Thurston, Executive Director

Meeting convened at 5:15 p.m.

Mr. Olson made a motion to accept the minutes of the regular meeting held on December 15, 2011. Motion seconded by Mr. Bartholomew. Motion passed unanimously.

Treasurers Report

Ms. Thurston presented the Board with financial reports prepared by the fee accountants for the State and Federal Programs. Ms. Thurston explained that some State tenant rents were not written off from the previous year.

Program Update:

Continental Apartments has one vacancy. Handicapped has two vacancies. Family has no vacancies. Roland Phinney has no vacancies. Section 8 has 76 leased. There are 19 Dial vouchers leased, 1 Fair Share and no incoming portable vouchers.

Resident Report:

Mr. Bartholomew presented the social events planned for Roland Phinney Place for this year. He stated that tenants got together to watch two playoff games on the new TV. They are also planning a Super Bowl party.

Ms. Thurston informed the Board that the engineer for the columns, decks and rails at Continental is ready to go to bid.

Ms. Thurston presented the Board with a picture of the new sander that is installed on the white truck. It cost \$2,100 and \$149 to mount. The Town is providing us with free salt/sand.

Ms. Thurston presented the Board with the Certification of the Contractor and Request for Final Payment in the amount of \$7,375. She also presented the Board with a change order extending the contract for 18 days. Motion made by Ms. McConnell to extend the contract. Motion seconded by Mr. Bartholomew. Unanimous vote. Ms. Thurston asked the Board to approve the final payment pending signed permits from the plumbing inspector. We have already received signed permits from the electrical inspector. Motion made by Mr. Olson to approve the final payment pending signed permits from the plumbing inspector. Motion seconded by Mr. Bartholomew. Unanimous vote.

Ms. Thurston presented the Board with three certifications from DHCD: budget, ED salary and Year End financial statement. All three certifications were signed by each Board member.

Ms. Thurston presented the Board with the final Federal Auditors Report for FYE 3/31/11. There were no findings.

Community Preservation Act

Mr. Meier informed the Board that we have submitted an application to the CPA Committee for \$100,000 for the deck & rail replacement at Continental Apts.

Mr. Meier stated that we have to spend the CPA money for Cape View Way or we may lose the money.

2013 OCT 8 PM 3 57
TOWN CLERK'S OFFICE
BOURNE, MASS

Communications/Conferences/Correspondence

NAHRO Legislative Conference – Washington – 3/25 – 3/28

NAHRO Summer Conference – San Francisco – 7/29 – 7/31

PHADA Conference – Seattle – 5/6 – 5/9

Cape View Way

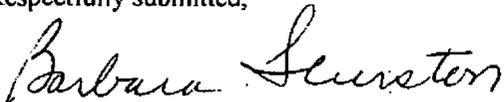
RFP is being prepared

Topics for future discussion

Next meeting scheduled for February 22, 2012 at 5:00 p.m.

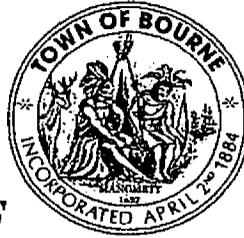
Motion made by Mr. Olson to adjourn at 6:10 p.m. Motion seconded by Mr. Bartholomew

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

BARRY H. JOHNSON
Town Clerk



WENDY CHAPMAN
Assistant Town Clerk

TOWN OF BOURNE
Office of the Town Clerk

*Sent in
on 2/13/2012*

February 13, 2012

Mary Beshansky, Supervisor of Commissions

c/o Secretary of State's Office

One Ashburton Place, 17th Floor

Boston, Mass. 02108

Re.: Bourne Housing Authority Board of Commissioners

Dear Ms. Beshansky:

Per your request dated February 6, 2012, please find enclosed an up to date listing of the current members and the dates when their terms expire. If you need anything further, please contact me.

Sincerely,

Barry H. Johnson, Clerk

Enclosure: Commissioner Listing

BOURNE HOUSING AUTHORITY BOARD OF COMMISSIONERS

AS OF NOVEMBER 2011

<u>BOARD MEMBER</u>	<u>TERM EXPIRATION DATE</u>
Peter Meier, Chairman 54 Academy Ave. Buzzards Bay, MA 02532 pucky4252@aol.com	March 2016
Michael Blanton, Vice Chairman P.O. Box 125 Monument Beach, MA 02553 michaelblanton@hotmail.com	March 2012
Larry Olson, Treasurer 364 County Rd. Bourne, MA 02532 conthecape@verizon.net	March 2013
Frederic Bartholomew, Assistant Treasurer 871 Shore Rd. Unit #4E Pocasset, MA 02559 fredericbartholomew@yahoo.com	March 2015
Paula McConnell (State Appointee) 4 Colony Ave. Bourne, MA 02532 mcconnellpaula@comcast.net	March 2014



2012 FEB 9 PM 1 25

The Commonwealth of Massachusetts
TOWN CLERK'S OFFICE
William Francis Galvin, Secretary of the Commonwealth
BOURNE, MASS Public Records Division - Commissions Section

To: Boards Filing Member Information with the
Office of the Secretary of the Commonwealth

From: Mary Beshansky, Supervisor of Commissions

Subject: Updates to Secretary of the Commonwealth Boards Database

Date: February 6, 2012

The Commissions Section of the Secretary of the Commonwealth is charged with maintaining accurate records regarding boards and commissions. Boards must provide to this office information regarding newly sworn in members.

Please review the attached printout of the current listing for your board and provide to this office any information needed to update our database. In the case of a member who has been replaced, please cross out that persons name and indicate the specific name of the person who replaced that member. In this way, we will best be able to remove expired members from our database.

For board members appointed by the Governor, the board must provide to this office a copy of the appointment letter, as well as proof the member was properly sworn in by two Commissioners to Qualify. This document is called a "Form O."

For board members elected or appointed locally, the board must provide to this office proof of election or appointment, as well as a copy of letter from the City or Town Clerk indicating that the member has taken his or her oath.

The assistance of local boards and cities and towns is critical to the effectiveness of this database. Please return the enclosed list to me by email directed to Mary.Beshansky@sec.state.ma.us or by mail addressed to my attention at the address provided below. Your consideration and prompt response is greatly appreciated. If you have any questions, please do not hesitate to contact me.

Public Records Division

William Francis Galvin, Secretary of the Commonwealth

Governor's Appointment System

2012 FEB 9 PM 1 25
 Home TOWN Board Report
 CLERK'S OFFICE
 BOURNE, MASS

Members of Board: Bourne Housing Authority

Show Seats

Add new member

Seat Name	Appnt. Type	Title	Name	Address	City, State Zip	Appointed	Qualified	Expires
<u>Member 1</u>	Governor's Appointee	State Member	<u>McConnell, Paula L.</u>	4 Colony Avenue	Bourne MA 02532	9/15/2011	9/26/2011	5/20/2013
<u>Member 2</u>	Elected Member	Elected Member	<u>Vickery, Sandra A.</u>	360 County Road	Bourne MA 02532	3/3/1993	3/4/1993	3/1/1998
<u>Member 3</u>	Elected Member	Elected Member	<u>Kane, Steve</u>	405 Barlows Landing Road	Monument Beach MA 00000	3/6/1991	9/2/1992	3/1/1996
<u>Member 4</u>	Elected Member	Elected Member	<u>Kolbart, Robert</u>	6 Wall Street	Bourne MA 02553	2/26/1992	2/27/1992	3/1/1997
<u>Member 5</u>	Elected Member	Elected Member	<u>Liziewski, Christine</u>	871 Shore Road #3F	Pocasset MA 02559	8/22/2000	9/5/2000	

Note) Appointment date of 1/1/1900 is used when unknown

[SPOSS](#) | [Scan Search](#) | [Notary](#) | [M.G.L. Link](#)

Public Records Division

William Francis Galvin, Secretary of the Commonwealth

Governor's Appointment System

[Home](#)

2012 FEB 9 PM 1 25
Town Clerk's Office
Bourne, Mass

Members of Board: Bourne Redevelopment Authority (Not Active) No Members

[Show Seats](#)

No result found

[SPOSS](#) | [Scan Search](#) | [Notary](#) || [M.G.L. Link](#)

**Capital Fund Program
(CFP) Amendment**

To The Consolidated Annual Contributions
Contract (form HUD-53012)

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

Whereas, (Public Housing Authority) Bourne Housing Authority(MA110) (herein called the "PHA") and the United States of America, Secretary of Housing and Urban Development (herein called "HUD") entered into Consolidated Annual Contributions Contract(s) ACC(s) Numbers(s) B-1666 dated 9/29/1982

2012 FEB 21 PM 3 52

Whereas, HUD has agreed to provide CFP assistance, upon execution of this Amendment, to the PHA in the amount to be specified below for the purpose of assisting the PHA in carrying out capital and management activities at existing public housing developments, in order to ensure that such developments continue to be available to serve low-income families. HUD reserves the right to provide additional CFP assistance in this FY to the PHA. HUD will provide a revised ACC Amendment authorizing such additional amounts.

\$ 70,192.00 for Fiscal Year 2012 to be referred to under Capital Fund Grant Number MA06P11050112
PHA Tax Identification Number (TIN):On File DUNS Number:On File

Whereas, HUD and the PHA are entering into the CFP Amendment Number _____

Now Therefore, the ACC(s) is (are) amended as follows:

1. The ACC(s) is (are) amended to provide CFP assistance in the amount specified above for capital and management activities of PHA developments. This amendment is a part of the ACC(s).

2. The capital and management activities shall be carried out in accordance with all HUD regulations and other requirements applicable to the Capital Fund Program.

3. (Check one)

a. For Non-qualified PHAs:

(i) In accordance with the HUD regulations, the Annual PHA Plan has been adopted by the PHA and approved by HUD, and may be amended from time to time. The capital and management activities shall be carried out as described in the CFP Annual Statement/Performance and Evaluation Report (HUD-50075.1).

(ii) If the Annual PHA Plan has not been adopted by the PHA and approved by HUD, the PHA may use its CFP assistance under this contract for work items contained in its CFP-Five-Year Action Plan (HUD-50075.2), before the Annual PHA Plan is approved.

b. For Qualified PHAs:

(i) The CFP Annual Statement/Performance and Evaluation Report (HUD-50075.1) has been adopted by the PHA and verified by HUD. The capital and management activities shall be carried out as described therein.

(ii) If the CFP Annual Statement/Performance and Evaluation Report has not been adopted by the PHA and/or verified by HUD, the PHA may use its CFP assistance under this contract for work items contained in its approved CFP 5-Year Action Plan (HUD-50075.2), before the CFP Annual Statement/Performance and Evaluation Report is adopted by the PHA and verified by HUD.

For cases where HUD has approved a Capital Fund Financing Amendment to the ACC (CFP Amendment attached), HUD will deduct the payment for amortization scheduled payments from the grant immediately on the effective date of this CFP Amendment. The payment of CFP funds due per the amortization scheduled will be made directly to a designated trustee (Trustee Agreement attached) within 3 days of the due date.

Regardless of the selection above, the 24 month time period in which the PHA must obligate this CFP assistance pursuant to section 9(j)(1) of the United

The parties have executed this Agreement, and it will be effective on March 12, 2012. This is the date on which CFP assistance becomes available to the PHA for obligation.

States Housing Act of 1937, as amended, (the "Act") and 48 month time period in which the PHA must expend this CFP assistance pursuant to section 9(j)(5) of the Act starts with the effective date of this CFP amendment (the date on which CFP assistance becomes available to the PHA for obligation). Any additional CFP assistance this FY will start with the same effective date.

4. Subject to the provisions of the ACC(s) and paragraph 3. and to assist in the capital and management activities, HUD agrees to disburse to the PHA or the designated trustee from time to time as needed up to the amount of the funding assistance specified herein.

5. The PHA shall continue to operate each development as low-income housing in compliance with the ACC(s), as amended, the Act and all HUD regulations for a period of twenty years after the last disbursement of CFP assistance for modernization activities for any public housing or portion thereof and for a period of forty years after the last distribution of CFP assistance for development activities for any public housing and for a period of ten years following the last payment of assistance from the Operating Fund to the PHA. However, the provisions of Section 7 of the ACC shall remain in effect for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any development(s) under the ACC(s) and which is not eligible for forgiveness, and provided further that, no disposition of any development covered by this amendment shall occur unless approved by HUD.

6. The PHA will accept all CFP assistance provided for this FY. If the PHA does not comply with any of its obligations under this Amendment and does not have its Annual PHA Plan approved within the period specified by HUD, HUD shall impose such penalties or take such remedial action as provided by law. HUD may direct the PHA to terminate all work described in the Capital Fund Annual Statement of the Annual PHA Plan. In such case, the PHA shall only incur additional costs with HUD approval.

7. Implementation or use of funding assistance provided under this Amendment is subject to the attached corrective action order(s).

(mark one) : Yes No

8. The PHA acknowledges its responsibility for adherence to this Amendment.

9. At a public housing development level and in the format and frequency established by HUD, the PHA is required to report on all Capital Fund grants awarded that have not closed, including information on the installation of energy conservation measures.

U.S. Department of Housing and Urban Development

By _____ Date: _____

Title _____

PHA Executive Director

By Barbara Skurston Date 2/21/12

Title EXECUTIVE DIRECTOR

**Capital Fund Program
(CFP) Amendment—page 2
To The Consolidated Annual Contributions Contract
(form HUD-53012)**

(SEAL)
Attest:

TOWN/CITY BOURNE

BY: _____

TITLE: February 21, 2012

DATE: ASST. Town Clerk

MEETING NOTICE

2012 FEB 28 PM 4 02

TOWN CLERK'S OFFICE

BOURNE, MASS

BOARD: Bourne Housing Authority

The Regular monthly meeting of the Board of Commissioners will be held on Friday, March 2, 2012 at 8 a.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the January 25, 2012 meeting
- Treasurers Report
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Discuss Open Meeting Law/Remote Participation
- Review and approve CDBG Contract
- Reminder of annual budget meeting on 3/21/2012 @ 5:00 p.m.
- Discuss FY2012 Capital Funding Grant from HUD
- Discuss PHAS score report for Roland Phinney Place
- Discuss letter from BFD regarding sprinkler system @ Continental Apts.
- Communication/Correspondence/Conferences
- Discuss RFP for Cape View Way
- Discuss CPA application
- Topics for future discussion
- Adjourn meeting

Signed:


Barbara Thurston, Executive Director

Date: February 28, 2012

FEBRUARY

MEETING

HELD ON

MARCH 2, 2012

2013 OCT 8 PM 3 57
TOWN CLERK'S OFFICE
BOURNE, MASS

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on March 2, 2012 at 8 a.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Laurence Olson, Fred Bartholomew, Paula McConnell

Members Absent: Michael Blanton, Peter Meier

Others Present: Barbara Thurston, Executive Director

Meeting convened at 8:05 a.m.

The Board asked Ms. McConnell to chair the meeting in Mr. Meier's absence.

Mr. Bartholomew made a motion to accept the minutes of the regular meeting held on January 25, 2012. Motion seconded by Mr. Olson. Motion passed unanimously.

Treasurers Report

Ms. Thurston presented the Board with financial reports prepared by the fee accountants for the State and Federal Programs. Ms. Thurston informed the Board that we over-budgeted in tenant rent last year. We will correct it with the new budget. That was the reason for the large over run. Motion made by Mr. Olson to approved the Treasurer's Report. Motion Seconded by Mr. Bartholomew. Unanimous vote.

Program Update:

Continental Apartments has one vacancy. Handicapped has two vacancies. Family has one vacancy. Roland Phinney has no vacancies. Section 8 has 76 leased. There are 19 Dial vouchers leased, 1 Fair Share and 14 incoming portable vouchers.

Resident Report:

Mr. Bartholomew stated that tenants from Roland Phinney Place got together to for a Super Bowl Party on February 5th. 15 - 20 people attended. It was a huge success. They got to see it on the new TV. They are planning a movie night soon. They will be going to Bobby Byrne's on St. Patrick's Day.

Ms. Thurston informed the Board that SMEDA held a legislative Day on February 17th. Ms. Thurston invited Rep. Dave Vieira but he was not able to attend. He e-mailed her and asked if he could meet with her on February 24th instead. He met with Ms. Thurston at Roland Phinney Place for two hours. Ms. Thurston stated that he is a very intelligent man, asked great questions, he was a good listener and seemed truly interested in what she was telling him.

Ms. Thurston informed the Board that she had a four-way conference call last week with the Project Manager from DHCD, the architect from DHCD, the engineer and herself regarding the decking & railings at Continental.Apts. Ms. Thurston informed the Board that they decide to go out to bid just for the columns. The estimated cost would be \$74,000. She presented the Board with a copy of the ad that will be going into the Central Register. Bids will be opened on March 30th.

The Board discussed the Memo from Bob Troy regarding remote participation at open meetings. Motion made by Mr. Bartholomew to adopt a policy. Motion seconded by Mr. Olson. Unanimous vote.

Ms. Thurston presented the Board with a copy of the CDBG contract. After review, Mr. Olson made a motion to approve the contract and have Mr. Meier sign it. Motion seconded by Mr. Bartholomew. Unanimous vote.

Ms. Thurston reminded the Board that the annual budget meeting will be held on Wednesday, March 21, 2012 at 5:00 p.m.

2012 OCT 8 PM 3 57
TOWN CLERK'S OFFICE
BOURNE, MASS

Ms. Thurston presented the Board with the Capital Fund Grant for 2012 for Roland Phinney Place in the amount of \$70,192. It is about \$3,000 less than last year.

Ms. Thurston presented the Board with the PHAS score issued by HUD for Roland Phinney Place. We are again categorized as a "High Performer".

Ms. Thurston presented the Board with a letter from the Bourne Fire Department recommending a sprinkler system for Continental Apartments. Ms. Thurston will do some research and get some estimates. Mr. Olson stated that Metrose had them installed in their high-rise and it was a very simple project.

Cape View Way

Ms. Thurston presented the Board with a copy of the RFP for Cape View Way. Ms. Thurston needs to supply more information regarding the property and it will be ready to go out for requests.

Community Preservation Act

Ms. Thurston informed the Board that there are three application for affordable housing into the CPA committee for approval. One from us, one for the Affordable Housing Specialist and one from Habitat for Humanities. We are waiting for the meeting of the CPA so that we can present our application.

Communications/Conferences/Correspondence

NAHRO Legislative Conference – Washington – 3/25 – 3/28

NAHRO Summer Conference – San Francisco – 7/29 – 7/31

PHADA Conference – Seattle – 5/6 – 5/9

Cape View Way

RFP is being prepared

Topics for future discussion

Next meeting scheduled for March 21, 2012 at 5:00 p.m.

Motion made by Mr. Olson to adjourn at 8:50 a.m. Motion seconded by Mr. Bartholomew

Respectfully submitted,


Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE

2012 MAR 19 PM 3 26

TOWN CLERK'S OFFICE
BOARD: ~~Bourne Housing Authority~~

The Regular monthly meeting of the Board of Commissioners will be held on Wednesday, March 21, 2012 at 5 p.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the March 2, 2012 meeting
- Budget presentations by Jack Sullivan and Tom Joy
- Program Update
- Residents Report
- Approve opening of Family wait list
- Status of Deck & rail repair @ Continental Apts.
- Discuss Open Meeting Law/Remote Participation
- Review and approve CDBG Contract
- Present letter of resignation for Peter Meier
- Discuss Governor's Executive Order No. 539 regarding regionalization of Housing Authorities
- Communication/Correspondence/Conferences
- Discuss RFP for Cape View Way
- Discuss CPA application
- Topics for future discussion
- Adjourn meeting

Signed: Barbara Thurston
Barbara Thurston, Executive Director

Date: March 19, 2012

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on March 21, 2012 at 5 p.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Laurence Olson, Fred Bartholomew, Paula McConnell, Peter Meier, Michael Blanton

Members Absent: None

Others Present: Barbara Thurston, Executive Director, Tom Joy and Jack Sullivan, fee accountants

Meeting convened at 5:05 p.m.

Mr. Olson made a motion to accept the minutes of the regular meeting held on March 2, 2012. Motion seconded by Mr. Bartholomew. Mr. Blanton and Mr. Meier abstained. Motion passed.

Treasurers Report

Mr. Sullivan presented the Board with the Federal Budget for FY2013. Included was a 3% salary increase for administrative employees. Mr. Sullivan stated that HUD has captured \$43,000 of the \$63,000 that we had in reserves for Roland Phinney Place. This is going on nationally. Mr. Joy presented the State Budget for FY 2013. Mr. Joy informed the Board that we have requested that DHCD reimbursed us for a \$4,160 deficit in Pat Grace's budget due to increases in retirement. Motion made by Mr. Blanton to accept the State and Federal budgets as presented. Motion seconded by Mr. Bartholomew. Unanimous vote.

Program Update:

Continental Apartments has no vacancies. Handicapped has one vacancy. Family has one vacancy. Roland Phinney has no vacancies. Section 8 has 76 leased. There are 19 Dial vouchers leased, 1 Fair Share and 14 incoming portable vouchers.

Resident Report:

Mr. Bartholomew stated that fifteen tenants from Roland Phinney Place got together to for a St. Patrick's day dinner at Bobby Byrnes. They will be going to see "42nd St." at the Bourne High School in April. There will be a movie night (The Kings Speech) in the Community Room on April 17th.

Ms. Thurston stated that bids will be opened next Friday for the replacement of the columns at Continental Apartments.

Ms. Thurston informed the Board that we need to open our Family 705 wait list again. Motion made by Ms. McConnell to open the 705 Family wait list from April 2, 2012 until May 31, 2012. Motion seconded by Mr. Olson. Unanimous vote

Ms. Thurston will have a sample policy for remote participation at Board meetings for next month's meeting.

Ms. Thurston presented the contract between the Town of Bourne and the BHA for the CDBG grant. Motion made by Mr. Blanton to approve the contract and authorized the Chairman to sign. Motion seconded by Ms. McConnell. Unanimous vote.

Ms. Thurston presented the Board with a copy of a letter of resignation from Mr. Meier effective May 15, 2012.

Ms. Thurston presented the Board with a copy of Executive Order #539 by Gov. Patrick that establishes a commission for public housing sustainability and reform. It is no secret that the Governor wants to regionalize housing authorities throughout the State.

2013 OCT 8 PM 3 56
TOWN CLERK'S OFFICE
BOURNE, MASS.

Cape View Way

Ms. Thurston has submitted the RFP for Cape View Way to DHCD for their perusal. We plan to submit it to the Central Register next week.

Community Preservation Act

Ms. Thurston informed the Board that the CPA committee is meeting next Wednesday and Ms. Thurston will be presenting the application. Mr. Blanton is not able to attend meetings and requests to step down from his position on the CPA Committee. The Board asked Ms. McConnell if she would be willing to be on the Committee. She stated that she would. Motion made by Mr. Blanton to appoint Ms. McConnell as the Bourne Housing Authority representative on the CPA Committee. Motion seconded by Mr. Bartholomew. Unanimous vote. Ms. Thurston will e-mail the Chairman of the CPA Committee to inform him of the new representative.

Communications/Conferences/Correspondence

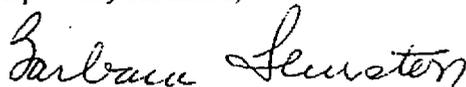
Mass Nahro Conference in Hyannis in May
NAHRO Summer Conference – San Francisco – 7/29 – 7/31
PHADA Conference – Seattle – 5/6 – 5/9

Topics for future discussion

Next meeting scheduled for April 18, 2012 at 5:00 p.m.

Motion made by Mr. Bartholomew to adjourn at 7:10 p.m. Motion seconded by Mr. Olson.

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE

2012 APR 17 PM 3 56

TOWN CLERK'S OFFICE
BOURNE, MASS**BOARD:** Bourne Housing Authority

The Regular monthly meeting of the Board of Commissioners will be held on Thursday, April 19, 2012 at 5 p.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the March 21, 2012 meeting
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Discuss and approve Open Meeting Law/Remote Participation Policy
- Discuss new contract for Jack Sullivan, fee accountant
- Sign Contract for Financial Assistance from DHCD
- Award construction contract for repair/replacement of metal columns at Continental Apts.
- Assign rights under deed restriction for 10 Sheppard Rd. to Bourne Housing Trust
- Communication/Correspondence/Conferences
- Discuss RFP for Cape View Way
- Discuss CPA application
- Discuss CDBG grant
- Topics for future discussion
- Adjourn meeting

Signed:

Barbara Thurston
Barbara Thurston, Executive Director

Date: April 17, 2012

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on April 19, 2012 at 5 p.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Fred Bartholomew, Paula McConnell, Peter Meier, Michael Blanton

Members Absent: Laurence Olson

Others Present: Barbara Thurston, Executive Director

Meeting convened at 5:08 p.m.

Mr. Bartholomew made a motion to accept the minutes of the regular meeting held on March 21, 2012. Motion seconded by Ms. McConnell. Unanimous vote.

Mr. Meier asked to go out of order to hear Mr. Kerry Horman regarding the sale of an affordable home at 10 Sheppard Rd. Mr. Horman has asked that the BHA assign its rights under the deed restriction to purchase the property at 10 Sheppard Rd. to the Bourne Affordable Housing Trust for the purpose of having the Trust secure the property and then resell it under the conditions of the new State Universal Deed Rider. Ms. McConnell made a motion to approve the request. Motion seconded by Mr. Bartholomew. Unanimous vote.

Treasurers Report

Ms. Thurston presented the Board with financial reports for February, 2012 for both State and Federal programs. Motion made by Mr. Bartholomew to accept the Treasurer's report. Motion seconded by Mr. Blanton. Unanimous vote.

Program Update:

Continental Apartments has no vacancies. Handicapped has one vacancy. Family has one vacancy. Roland Phinney has one vacancy. Section 8 has 76 leased. There are 19 Dial vouchers leased, 1 Fair Share and 14 incoming portable vouchers.

Resident Report:

Mr. Bartholomew reported that eleven residents from Roland Phinney Place attended the "42nd Street" performance at Bourne High and then pizza at Evans. They also had a Movie Night in the Community Room and watched "The Kings Speech". On May 13th they will be attending dinner at Cranberries.

Ms. Thurston stated that the engineer has completed reference checks on Green & Robinson, the lowest bidders for the columns at Continental. References were good. DHCD has approved it. Ms. McConnell made a motion to approve Green 7 Robinson for the column repairs at Continental. Motion seconded by Mr. Blanton. Unanimous vote.

Ms. Thurston informed the Board that we are waiting for Town Meeting to approve our request for CPA funding so that we may proceed with the decking and railings.

Ms. Thurston presented the Board with a draft copy of the Remote Participation Policy for Board meetings. Motion made by Mr. Blanton to approve the policy as presented. Motion seconded by Mr. Bartholomew. Unanimous vote.

Ms. Thurston presented the Board with an annual contract from Jack Sullivan. The proposal included a \$50 increase for the Federal Program and \$25 for Section 8. Motion made by Ms. McConnell to approve the contract. Motion seconded by Mr. Blanton. Unanimous vote.

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TOWN CLERK'S OFFICE
BOURNE, MASS

Ms. Thurston presented the Board with the Contract for Financial Assistance (CFA) from DHCD. Motion made by Mr. Blanton to approve and have Mr. Meier sign. Motion seconded by Mr. Bartholomew. Unanimous vote.

Ms. Thurston informed the Board that she met with Sharon Gay regarding the CDBG grant. We are waiting on DHCD to complete the final specifications. He asked for two weeks to complete. Ms. Gay will review them, DHCD will approve and then we will be going out to bid.

Ms. Thurston informed the Board that the sewer bill is very high for Continental. She will call the Buzzards Bay Water District.

Cape View Way

Ms. Thurston informed the Board that the RFP for the consultant for Cape View Way is in the Central Register and she has had 26 requests for the RFP. They had until yesterday to submit questions. There were 19 questions that we had to respond to. Proposals will be opened on April 27th.

Community Preservation Act

We are waiting for Town Meeting to approve our request of \$100,000

Communications/Conferences/Correspondence

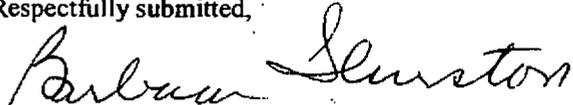
Mass Nahro Conference in Hyannis in May
NAHRO Summer Conference - San Francisco - 7/29-7/31

Topics for future discussion

Next meeting scheduled for May 14, 2012 at 8:00 a.m.

Motion made by Mr. Bartholomew to adjourn at 5:50 p.m. Motion seconded by Mr. Blanton.

Respectfully submitted,


Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE

2012 MAY 9 PM 2 32

TOWN CLERK'S OFFICE.

BOARD: Bourne Housing Authority

The Regular monthly meeting of the Board of Commissioners will be held on Monday, May 14, 2012 at 5:00 p.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the April 19, 2012 meeting
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Update for repair/replacement of metal columns at Continental Apts.
- Assign review panel for Cape View Way Proposals
- Discuss RFP for Cape View Way
- Discuss Governor's Regionalization Committee Public Hearing
- Discuss CPA application
- Discuss CDBG grant
- Communication/Correspondence/Conferences
- Topics for future discussion
- Recognition of Mr. Meier and Mr. Blanton for their service on the Board
- Adjourn meeting

Signed:


Barbara Thurston, Executive Director

Date: May 9, 2012

MEETING NOTICE

BOARD: Bourne Housing Authority

The Regular monthly meeting of the Board of Commissioners will be held on Monday, May 14, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

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TOWN CLERK'S OFFICE
BOURNE MASS

AGENDA

- Approval of minutes of the April 19, 2012 meeting
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Update for repair/replacement of metal columns at Continental Apts.
- Assign review panel for Cape View Way Proposals
- Discuss RFP for Cape View Way
- Discuss Governor's Regionalization Committee Public Hearing
- Discuss CPA application
- Discuss CDBG grant
- Communication/Correspondence/Conferences
- Topics for future discussion
- Recognition of Mr. Meier and Mr. Blanton for their service on the Board
- Adjourn meeting

Signed: Barbara Thurston
Barbara Thurston, Executive Director

Date: May 9, 2012

MEETING NOTICE

2012 MAY 9 PM 2 20

TOWN CLERK'S OFFICE
BOURNE, MASS
BOARD: Bourne Housing Authority

The Regular monthly meeting of the Board of Commissioners will be held on Monday, May 14, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the April 19, 2012 meeting
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Update for repair/replacement of metal columns at Continental Apts.
- Assign review panel for Cape View Way Proposals
- Discuss RFP for Cape View Way
- Discuss Governor's Regionalization Committee Public Hearing
- Discuss CPA application
- Discuss CDBG grant
- Communication/Correspondence/Conferences
- Topics for future discussion
- Recognition of Mr. Meier and Mr. Blanton for their service on the Board
- Adjourn meeting

Signed: Barbara Thurston
Barbara Thurston, Executive Director

Date: May 9, 2012

CANON

RECEIVED

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on May 14, 2012 at 5 p.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Fred Bartholomew, Paula McConnell, Peter Meier

Members Absent: Laurence Olson, Michael Blanton

Others Present: Barbara Thurston, Executive Director
Steven Litz, Unchallenged Candidate for Board of Commissioners (5 year term)
Al Huff, Unchallenged Candidate for Board of Commissioners (5 year term)

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TOWN CLERK'S OFFICE
BOURNE, MASS

Meeting convened at 5:15 p.m.

Mr. Bartholomew made a motion to accept the minutes of the regular meeting held on April 19, 2012. Motion seconded by Ms. McConnell. Unanimous vote.

Treasurers Report

Ms. Thurston presented the Board with financial reports for March, 2012 for both State and Federal programs. Motion made by Mr. Bartholomew to accept the Treasurer's report. Motion seconded by Ms. McConnell. Unanimous vote.

Program Update:

Continental Apartments has no vacancies. Handicapped has one vacancy. Family has one vacancy. Roland Phinney has one vacancy. Section 8 has 76 leased. There are 18 Dial vouchers leased, 1 Fair Share and 14 incoming portable vouchers.

Resident Report:

Mr. Bartholomew reported that the May event for Roland Phinney residents was dinner at Lindsays. 17 residents attended. The June event will be a lobster roll cruise in Hyannis Harbor on the 21st. The April movie was "The Kings Speech" and the May movie was "Avatar".

Mr. Meier reported that Bob Troy ruled that the application for the CPA for repair of the decking and railings at Continental was not valid. He cited MGL 44B stating that "preservation" did not include maintenance. It is Ms. Thurston's understanding that the DOR is responsible for interpretation of the law. She recommended that we compose a letter to the DOR requesting a decision clarifying the law to make it a fair and equitable process throughout the Commonwealth. Ms. McConnell wondered why the decision was rendered on Friday and why it was not made sooner. Mr. Meier stated that Dick Conron sent a letter to the Town Administrator with copies to Selectmen questioning the validity of the request. Mr. Meier stated that if there is any money left from the CDBG grant, perhaps we could request that it be used for the decking.

Ms. Thurston informed the Board that we will be kick-off meeting next week with DHCD, engineer and contractor for the repair/replacement of columns at Continental Apts.

Ms. Thurston informed the Board that she received three responses for the RFP for Cape View Way. She is recommending having Rick Mahoney review the RFPs with her for the consultant for Cape View Way. She and Mr. Mahoney will review and submit their recommendation for next month's meeting. Motion made by Mr. Bartholomew to approve having Mr. Mahoney review the RFPs with Ms. Thurston. Motion seconded by Ms. McConnell. Unanimous vote.

Ms. Thurston informed the Board that she attended a public hearing at DHCD on the Governor's Regionalization Committee. The Cape Cod Directors composed a statement that was presented by Ms. Thurston.

Mr. Bartholomew made a motion to appoint Ms. McConnell to serve a Chairman until the next meeting when Board elections are held. Motion seconded by Mr. Meier. Unanimous vote.

Cape View Way

We are waiting to review RFPs for a consultant

Community Preservation Act

Communications/Conferences/Correspondence

NAHRO Summer Conference – San Francisco – 7/29 – 7/31

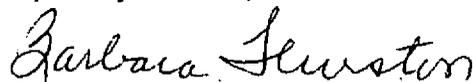
Topics for future discussion

Next meeting scheduled for June 20, 2012 at 8:00 a.m.

The Board thanked Mr. Meier for his sixteen years of dedicated service. Ms. Thurston presented him with a plaque.

Motion made by Mr. Bartholomew to adjourn at 6:00 p.m.. Motion seconded by Ms. McConnell

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE

2012 JUN 15 PM 4 13
TOWN CLERK'S OFFICE
BOURNE, MASS.

BOARD: Bourne Housing Authority

The Regular monthly meeting of the Board of Commissioners will be held on Wednesday, June 20, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the May 14, 2012 meeting
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Update for repair/replacement of metal columns at Continental Apts. & approve Change Order #1
- Approve recommendation for RFP for consultant for Cape View Way
- Discuss Governor's Regionalization Committee Public Hearing
- Discuss CDBG grant/Roofing for Continental Apartments
- Discuss Mass NAHRO conference
- Ad for part-time Federal Administrator
- Schedule date for Executive Director's Evaluation
- Communication/Correspondence/Conferences
- Topics for future discussion
- Adjourn meeting

Signed: _____

Barbara Thurston
Barbara Thurston, Executive Director

Date: June 15, 2012, 2012

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on June 20, 2012 at 8 a.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Fred Bartholomew, Paula McConnell, Larry Olson, Steven Litz

Members Absent: Al Huff

Others Present: Barbara Thurston, Executive Director

Meeting convened at 8:05 a.m.

Mr. Bartholomew made a motion to accept the minutes of the regular meeting held on May 14, 2012. Motion seconded by Ms. McConnell. Unanimous vote.

Treasurers Report

Ms. Thurston presented the Board with financial reports for April, 2012 for both State and Federal programs. Mr. Olson questioned the \$2,200 to South Shore Tractor. Ms. Thurston explained that the State tractor died and we received a \$500 trade-in for a new one. Motion made by Mr. Olson to accept the Treasurer's report. Motion seconded by Mr. Bartholomew. Unanimous vote.

Program Update:

Continental Apartments has no vacancies. Handicapped has one vacancy. Family has one vacancy. Roland Phinney has one vacancy. Section 8 has 76 leased. There are 18 Dial vouchers leased, 1 Fair Share and 14 incoming portable vouchers.

Resident Report:

Mr. Bartholomew reported that 12 residents from Roland Phinney Place will be going on a lobster roll cruise out of Dennis Harbor tomorrow. In July, residents will be going to "The Student Prince" at Falmouth Playhouse. In August they will be going to Twin Rivers Casino.

Ms. Thurston informed the Board that the contractors who are installing the columns and staircases at Continental are doing a great job. We are using the funds in the Adams Street account until they are depleted and then will be using formula funding funds from DHCD. There is about \$20,000 left in the account. Ms. Thurston presented the Board with a Change Order that has been approved by DHCD for \$5,087. There was some very rotted sections of decking on the street side that was discovered when they were removing the staircase. It is dangerous and must be repaired. Motion made by Mr. Olson to approve the change order. Motion seconded by Mr. Bartholomew. Unanimous vote.

Ms. Thurston informed the Board that since we were turned down by the CPA Board on advice from Town Counsel, she has contacted a Kathleen O'Donnell who is an attorney who works with CPA in various Towns and is very familiar with the regulations. She admitted that the law is grey and the State CPA Board wants not to say "no" to anyone so they leave it up to the local town counsels. It would be fruitless to ask them to clarify the law. Ms. Thurston will be in contact with DHCD to discuss getting an advance on the formula funding to repair the decks.

Ms. Thurston presented the Board with the three responses to the RFP for a consultant for Cape View Way. She also presented a letter of recommendation from Rick Mahoney who reviewed the applications along with Ms. Thurston and they both agreed that East Coast Housing Development was their choice. They already have an attorney and architect on board. They have proposed \$27,200 for Phase I of the project. Motion made by Mr. Litz to approve the RFP from East Coast Housing Development. Motion seconded by Mr. Bartholomew. Unanimous vote.

Ms. Thurston informed the Board that she and Mr. Bartholomew attended the NAHRO conference in May. Mr. Bartholomew stated that Tom Connelly was very much against reorganization when he spoke at the Veteran's session. Ms. Thurston stated that he was not that adamant in the general session when DHCD was present. Ms.

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TOWN CLERK'S OFFICE
BOURNE, MASS

Thurston also met with Lizbeth Heyer to discuss a deficit that we had in the budget due to increases in the amount of Pat Grace's retirement. Ms. Thurston has been going back and forth with DHCD and not getting anywhere. Gloucester also has the same problem. Ms. Heyer stated that she would take care of it. The report of the committee for regionalization was due to the Governor last Friday.

Mr. Bartholomew reported that he attended three sessions. One was public relations. MassNahro has a consultant that will help housing authorities prepare statements or press releases. The second session was for Board Members and their role in the budget. Other than hiring the Executive Director, they are responsible for approving and monitoring the budget. The third was Veterans in public housing. He also stated that there is a bill at the State House to ban smoking in public housing. NAHRO does not support the bill because there are problems with the bill. It needs smoking cessation programs and education a solution for Fair Housing.

Ms. Thurston informed the Board that we are opening bids tomorrow for the roof at Continental. It is being funded by CDBG funds.

Ms. Thurston presented the Board with a copy of the advertisement for the vacant position of Federal Housing Administrator. She has only received two responses. The deadline is June 29th.

Ms. McConnell and Mr. Bartholomew volunteered to conduct the Executive Director evaluation. Ms. Thurston will provide them with the form and they can meet.

Mr. Litz inquired about the water problem at Continental. The maintenance man will be inspecting each unit for leaks. Mr. Olson stated that he had observed some minor leaks on each end. Ms. Thurston will have the maintenance man check the crawl spaces. Mr. Olson suggested having someone go down with him for safety sake.

We will plan to plant a tree in honor of Arthur Wills in the Fall.

Cape View Way

Board approved consultant today

Community Preservation Act

Ms. McConnell stated that they will not be meeting until the Fall.

Communications/Conferences/Correspondence

NAHRO Summer Conference – San Francisco – 7/29 –7/31

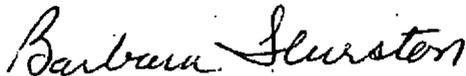
Topics for future discussion

Possible Continental water leaks

Next meeting scheduled for July 25, 2012 at 8:00 a.m.

Motion made by Mr. Bartholomew to adjourn at 9:10 a.m. Motion seconded by Mr. Litz.

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE

2012 JUL 23 PM 4 17

TOWN CLERK'S OFFICE
BOURNE, MASS**BOARD: Bourne Housing Authority****The Regular monthly meeting of the Board of Commissioners will be held on Friday, July 27, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA****AGENDA**

- Approval of minutes of the June 20, 2012 meeting
- Program Update
- Residents Report
- Welcome two new Commissioners Al Huff and Steven Litz
- Election of Officers
- Status of Deck & rail repair @ Continental Apts.
- Update for repair/replacement of metal columns at Continental Apts.
- Update on consultant for Cape View Way
- Update for CDBG grant/Roofing for Continental Apartments
- Discuss new employee hired for Federal Housing Administrator
- Approve raise for travel expense from \$.40 to \$.45 per mile
- Schedule date for Executive Director's Evaluation
- Communication/Correspondence/Conferences
- Topics for future discussion
- Adjourn meeting

Signed:


Barbara Thurston, Executive Director

Date: July 23, 2012

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on July 27, 2012 at 8 a.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Fred Bartholomew, Paula McConnell, Larry Olson, Steven Litz, Al Huff

Members Absent: None

Others Present: Barbara Thurston, Executive Director

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TOWN CLERK'S OFFICE
BOURNE, MASS

Meeting convened at 8:10 a.m.

Mr. Olson made a motion to accept the minutes of the regular meeting held on June 20, 2012. Motion seconded by Mr. Bartholomew. Unanimous vote.

Treasurers Report

Ms. Thurston presented the Board with financial reports for May, 2012 for both State and Federal programs. Motion made by Mr. Olson to accept the Treasurer's report. Motion seconded by Mr. Bartholomew. Unanimous vote.

Program Update:

Continental Apartments has one vacancy. Handicapped has one vacancy. Family has no vacancies. Roland Phinney has one vacancy. Section 8 has 76 leased. There are 18 Dial vouchers leased, 1 Fair Share and 14 incoming portable vouchers.

Resident Report:

Mr. Bartholomew reported that 12 residents from Roland Phinney Place went on a lobster roll cruise out of Dennis Harbor on July 27th. Residents will also be going to "The Student Prince" at Falmouth Playhouse. In August they will be going to Twin Rivers Casino.

The Board welcomed the two new Commissioners, Al Huff and Steven Litz to the Board.

The Board conducted the election of officers. Mr. Bartholomew nominated Ms. McConnell for Chairperson. Nomination seconded by Mr. Olson. Unanimous vote. Mr. Bartholomew nominated Mr. Olson for Vice Chairman. Nomination seconded by Mr. Litz. Unanimous vote. Mr. Olson nominated Mr. Bartholomew for Treasurer. Nomination seconded by Mr. Huff. Unanimous vote. Mr. Bartholomew nominated Mr. Huff for Assistant Treasurer. Nomination seconded by Mr. Litz. Unanimous vote.

Ms. Thurston informed the Board that the contractors for the repair of the columns and stairways at Continental are just about done. We will meet on August 2nd to close out the project. They have done a great job.

The engineer will be giving us a price to complete the decking and rails at Continental. The specifications are done but he would have to prepare documents for bidding.

Jon Lazar from East Coast Housing Development will attend the August meeting to update the Board on the Cape View Way project.

There will be a kick-off meeting on July 31st for the roof replacement at Continental Apartments.

Ms. Thurston informed the Board that she has hired someone for the part-time position of Federal Housing Administrator. She will start work on August 6th.

Ms. Thurston informed the Board that DHCD has allowed an increase in State travel expenses from forty cents per mile to forty-five cents per mile. Mr. Litz made a motion to approve the increase to forty-five cents per mile for State travel expenses. Motion seconded by Mr. Olson. Unanimous vote.

Mr. Bartholomew and Ms. McConnell will meet to do Ms. Thurston's evaluation and then meet with Ms. Thurston before the next meeting.

Ms. Thurston will be attending the Leo Dower conference on Martha's Vineyard on September 6th and 7th.

Cape View Way

Consultant will be at the August meeting

Community Preservation Act

Communications/Conferences/Correspondence

Leo Dower Conference in September

Topics for future discussion

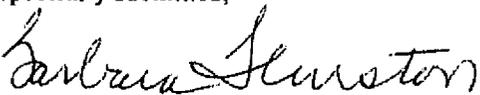
Trash at family and handicap developments

Hurricane preparedness

Next meeting scheduled for August 22, 2012 at 5:00 p.m.

Motion made by Mr. Bartholomew to adjourn at 9:30 a.m. Motion seconded by Mr. Litz.

Respectfully submitted,


Barbara Thurston, Ex-Officio Secretary

SPECIAL MEETING NOTICE

BOARD: Bourne Housing Authority

NOTICE OF SPECIAL MEETING TO BE HELD:

Date: Wednesday, August 8, 2012

Time: 5:00 p.m.

**Place: Community Room at Roland Phinney Place
871 Shore Rd., Pocasset, MA 02559**

Agenda Item:

- **Review, approve and sign contract for the roof replacement at Continental Apartments**
- **Review, approve and sign contract for Clerk of the Works for the roof replacement at Continental apartments**
- **Discuss method for authorization of Change Orders and Change Order Directives for the roof replacement at Continental Apartments**

Signed: Barbara Thurston
Barbara Thurston
Executive Director

Date: August 6, 2012

cc: Town Clerk

2012 AUG 6 PM 4 00
 TOWN CLERK'S OFFICE
 BOURNE, MASS

MINUTES OF A SPECIAL MEETING OF THE BOURNE HOUSING AUTHORITY
HELD ON WEDNESDAY, August 8, 2012 AT 5:00 P.M. AT ROLAND PHINNEY
PLACE, 871 SHORE RD., POCASSET, MA

Members Present: Paula McConnell, Fred Bartholomew, Steven Litz

Members Absent: Larry Olson, Alvin Huff

Others Present: Barbara Thurston

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Meeting convened at 5:00 p.m.

TOWN CLERK'S OFFICE
BOURNE, MASS

Ms. Thurston presented the Board with the Contract for the roof replacement at Continental Apartments for Corolla Roofing. The contract has been approved by DHCD in the amount of \$276,000.

Motion made by Mr. Litz to approve the contract. Motion seconded by Mr. Bartholomew. Unanimous vote.

Ms. Thurston informed the Board that a Clerk of the Works has been hired. He was the only responder to the RFS. The amount is \$13,770. Motion made by Mr. Bartholomew to authorize Ms. Thurston to sign the Contract once it is prepared in the amount of \$13,770. Motion seconded by Mr. Litz. Unanimous vote.

In anticipation of Change Orders for the roof replacement at Continental Apartments, Ms. Thurston recommended that the Board authorize her to approve Change Orders not to exceed \$7,500 with prior approval from John Guibilo, Architect from DHCD. Change Orders would hold up the project and it is imperative that the job be completed within seventy days. There may be problems discovered in the field that will need immediate attention. Motion made by Mr. Litz to authorize Ms. Thurston to sign Change Orders not to exceed \$7,500 with prior approval from John Guibilo. Motion seconded by Mr. Bartholomew. Unanimous vote.

Motion made by Mr. Litz to adjourn at 5:20 p.m. Motion seconded by Mr. Bartholomew. Unanimous vote.

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

SPECIAL MEETING NOTICE

BOARD: Bourne Housing Authority

NOTICE OF SPECIAL MEETING TO BE HELD:

Date: Friday August 10, 2012

Time: 4:30 p.m.

**Place: Community Room at Roland Phinney Place
871 Shore Rd., Pocasset, MA 02559**

Agenda Item:

- **Review and approve Application and Certificate for Payment for the repair of the columns and decking at Continental Apartments**
- **Review and approve Certificate of Final Completion for the repair of the columns and decking at Continental Apartments**

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TOWN CLERK'S OFFICE
BOURNE, MASS

Signed: Barbara Thurston
Barbara Thurston
Executive Director

Date: August 8, 2012

cc: Town Clerk

MINUTES OF A SPECIAL MEETING OF THE BOURNE HOUSING AUTHORITY
HELD ON FRIDAY, August 10, 2012 AT 4:30 P.M. AT ROLAND PHINNEY
PLACE, 871 SHORE RD., POCASSET, MA

2013 OCT 8 PM 3:47

Members Present: Larry Olson, Fred Bartholomew, Steven Litz, Alvin Huff

TOWN CLERK'S OFFICE
BOURNE, MASS

Members Absent: Paula McConnell

Others Present: Barbara Thurston

Meeting convened at 4:30 p.m.

Ms. Thurston presented the Board with the Certificate of Substantial Completion submitted by Green & Robinson, Inc. for the repair of columns and stairs at Continental Apartments. Motion made by Alvin Huff to approve. Motion seconded by Mr. Litz. Unanimous vote.

Ms. Thurston presented the Board with the Certificate of Final Completion and Application for final payment of \$3,736. Motion made by Mr. Bartholomew to to approve. Motion seconded by Mr. Huff.

Motion made by Mr. Bartholomew to adjourn at 4:50 p.m. Motion seconded by Mr. Litz.. Unanimous vote.

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE 2012 AUG 20 PM 4 10TOWN CLERK'S OFFICE
BOURNE, MASS**BOARD: Bourne Housing Authority**

The Regular monthly meeting of the Board of Commissioners will be held on Wednesday, August 22, 2012 at 5:00 p.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the July 27, 2012 regular meeting
- Approval of minutes of a Special meeting held on August 8, 2012
- Approval of minutes of a Special meeting held on August 10, 2012
- Guest speaker: Mr. Jon Lazar from East Coast Housing Development to give update on Cape View Way
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Status of repair/replacement of metal columns at Continental Apts.
- Update for CDBG grant/Roofing for Continental Apartments
- Inform Board of MCAD claim against the BHA
- Re-sign Board Certifications for Revision #2 of the FY 2012 budget for DHCD
- Update on leaking pipes at Continental Apts.
- Approve proposed Fair Market rents from HUD
- Approve utility allowance schedule
- Discuss rebates for new boilers at Roland Phinney Place
- Discuss Executive Director Evaluation
- Communication/Correspondence/Conferences
- Topics for future discussion
- Adjourn meeting

Signed: Barbara Thurston
Barbara Thurston, Executive Director

Date: August 20, 2012

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on August 22, 2012 at 5:00 p.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Fred Bartholomew, Paula McConnell, Steven Litz, Al Huff

Members Absent: Larry Olson

Others Present: Barbara Thurston, Executive Director
John Lazar, East Coast Housing Development

2013 OCT 8 PM 3 47

Meeting convened at 5:10 p.m.

TOWN CLERK'S OFFICE

BOURNE, MASS

Mr. Bartholomew made a motion to accept the minutes of the regular meeting held on July 27, 2012, the minutes of a Special Meeting held on August 8, 2012 and the minutes of a Special Meeting held on August 10, 2012. Motion seconded by Mr. Huff. Unanimous vote.

The Board agreed to go out of order to hear Mr. Jon Lazar from East Coast Housing Development give an update on the development of Cape View Way. Mr. Lazar stated that he is the lead member of a team that includes an architect and an attorney. They will be reviewing options as to what we can do with the land. They will look at what kind of units, how many units and combine that with how it will be funded. Various resources will be explored. A 202 Federal project will pay for the entire project but it also comes with 40 years of rental assistance. No one knows if this program will be cut this year. He will be setting up a meeting with Barbara and the Town Planner and perhaps someone from Elder Services and a selectman. The time frame for Phase I should be about 120 days. He discussed different types of funding that may be available. Ms. McConnell and Mr. Lazar signed the Contract.

Treasurers Report

Ms. Thurston presented the Board with financial reports for June, 2012 for both State and Federal programs. Motion made by Mr. Litz to accept the Treasurer's report. Motion seconded by Mr. Bartholomew. Unanimous vote.

Program Update:

Continental Apartments has one vacancy. Handicapped has two vacancies. Family has no vacancies. Roland Phinney has one vacancy: Section 8 has 76 leased. There are 20 Dial vouchers leased, 1 Fair Share and 14 incoming portable vouchers.

Resident Report:

Mr. Bartholomew reported that residents from Roland Phinney Place went to Twin Rivers Casino and Ricardi's Restaurant. They will be having lunch at the Chart Room on September 14th. On Wednesday, September 12th they will be attending the Air Force Band concert at the Senior Center. Wednesday, September 26th is movie night. Saturday, October 6th is the Pocasset Village Centennial celebration.

Ms. Thurston informed the Board that she just received the estimate from Coastal Engineering to finish the decking at Continental. It is estimated at \$280,000 and that does not include the railings.

Ms. Thurston showed the Board a sample for the railings that Dan DiMonda had made. It is made simply of pressure-treated wood, put together with stainless steel screws and Ms. Thurston likes it. John Giubilo at DHCD thinks we should use a better quality wood and that it may only last 10 years, etc., etc. He estimated the rails at \$30,000. The pressure-treated rails will be nowhere near that amount. Ms. Thurston considers this a priority and wants to go ahead with the rails.

Ms. Thurston updated the Board on the progress of work at the Continental Apartments roof replacement. The Contractors at Continental have finished the shingle roof on the east side of the building and should be finished with the west side by Friday. Everything is going well and they have found no problems.

Ms. Thurston informed the Board that an applicant has filed a discrimination complaint with MCAD against the BHA. Ms. Thurston explained the facts to the Board. Patricia Grace has responded to the complaint and we will await a decision from MCAD.

Ms. Thurston presented the Board with Revision #2 for FY2012 budget that was submitted last year. It was denied, Ms. Thurston appealed it and it was approved. Now DHCD wants NEW Revision forms signed. None of the figures have changed. Mr. Bartholomew made a motion to approve Revision #2 for FY2012 budget. Motion seconded by Mr. Huff. Unanimous vote. Board members signed the Revisions.

Dave and Dan inspected the pipes in the crawl spaces at Continental Apartments due to the high water bill we received. They noticed leaks at the connectors of the heating pipes. Dan called Mauer Plumbing, they came over to look at it and they will be giving us an estimate.

Ms. Thurston asked to postpone the vote on the Fair Market Rents. She would like to consult with the other directors on the Cape to see what they are doing.

Ms. Thurston presented the Board with the new Utility Allowance Schedule. Motion made by Mr. Huff to accept the new Utility Allowance Schedule. Motion seconded by Mr. Bartholomew.

Ms. Thurston informed the Board that the engineer for the boiler replacement at Roland Phinney Place submitted the rebate applications too late. She just received notice from the rebate company. She called the company and asked what the rebate would have been. They stated \$15,800. She contacted Stephanie Giancola who is an insurance consultant. She agreed to handle this and advise me. She is charging \$375. She consulted with an attorney and was advised that if we get half we would be lucky.

Ms. McConnell informed the Board that she and Mr. Bartholomew conducted Ms. Thurston's evaluation and she did very well. She stated that some of the residents at Roland Phinney feel she is always busy and are reluctant to come to her. Also they would like her to set up an internship with a local college to provide social services to the residents. She and Mr. Bartholomew recommended a 4% raise. Motion made by Mr. Litz to approve a 4% salary increase for Ms. Thurston. Motion seconded by Mr. Huff. Unanimous vote.

Cape View Way

Consultant and Ms. Thurston will be meeting with Town Planner

Community Preservation Act

Communications/Conferences/Correspondence

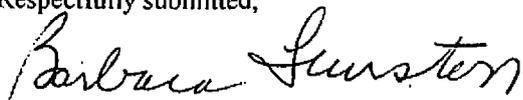
Leo Dower Conference in September

Topics for future discussion

Next meeting scheduled for September 19, 2012 at 8:00 a.m.

Motion made by Mr. Bartholomew to adjourn at 6:40 p.m. Motion seconded by Mr. Litz.

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE

2012 SEP 14 PM 3 50

TOWN CLERK'S OFFICE
BOURNE, MASS**BOARD: Bourne Housing Authority**

The Regular monthly meeting of the Board of Commissioners will be held on Wednesday, September 19, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of minutes of the August 22, 2012 regular meeting
- Executive Session to hear a complaint about an individual(s)
- Program Update
- Residents Report
- Status of Deck & rail repair @ Continental Apts.
- Status for CDBG grant/Roof replacement for Continental Apartments
- Inform Board of status of MCAD claim against the BHA
- Update on leaking pipes at Continental Apts.
- Update on Cape View Way
- Communication/Correspondence/Conferences
- Topics for future discussion
- Adjourn meeting

Signed: Barbara Thurston
Barbara Thurston, Executive Director

Date: September 14, 2012

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on September 19, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Fred Bartholomew, Paula McConnell, Al Huff, Larry Olson

Members Absent: Steven Litz

Others Present: Barbara Thurston, Executive Director

Meeting convened at 8:10 a.m.

Mr. Huff made a motion to accept the minutes of the regular meeting held on August 22, 2012. Motion seconded by Mr. Bartholomew. Unanimous vote.

2013 OCT 8 PM 3 47
TOWN CLERK'S OFFICE
BOURNE, MASS

Treasurers Report

Ms. Thurston presented the Board with financial reports for July, 2012 for both State and Federal. Ms. Thurston informed the Board that we are spending a lot of money on turnovers and appliances for the State. Motion made by Mr. Bartholomew to accept the Treasurer's report. Motion seconded by Mr. Olson. Unanimous vote.

Program Update

Continental Apartments has one vacancy. Roland Phinney has one vacancy. Handicap development has two vacancies. Family development has no vacancies. Section 8 is fully leased with 76 vouchers. DIAL has 20 leased. We are administering 14 Portable vouchers.

Resident Report:

Mr. Bartholomew informed the Board that tenants from Roland Phinney Place had lunch at the Chart Room. He stated that there will be a service this Saturday for a resident who recently passed away. Movie night will be September 26th. In October they will be going to a prime rib dinner at the VFW.

Executive Session will be postponed to next month.

Ms. Thurston informed the Board that we have an estimate of \$280,000 to replace the decking at Continental. The engineer has finished the specs. Ms. Thurston stated that there is a meeting next week for the CDBG. She will be requesting that we be a part of it again this year. If we are, and the Town is approved, the money does not come in until next year. The Board agreed that we should wait to see if we will be part of the grant and in the meantime we can do some minor repairs to the most-needed sections of the deck.

Ms. Thurston informed the Board that the roof replacement at Continental is going very well. There have been no major problems and they should be completed on time. The three shingle roofs are complete and they are working on the flat roof and drains. The tenants have been wonderful and have had no complaints.

Ms. Thurston informed the Board that we have responded to the MCAD complaint and we will await a decision.

Ms. Thurston informed the Board that the plumber went to Continental Apartments and determined that it was the heating pipes that were leaking and the heat needs to be turned on. Two workers spent three days repairing the pipes. The cost should be approximately \$9,500.

Mr. Olson suggested removing the large vanities that are in the bedrooms of Continental Apartments. Ms. Thurston stated that the maintenance man has been doing that in the last two apartments but he is too busy to do it in the current one. Hopefully we will be able to continue to remove them.

Cape View Way

Consultants are working on the plans for the development. We have a meeting scheduled for October 11th with the Town Planner.

Community Preservation

Ms. Thurston and Ms. McConnell attended the most recent meeting of the CPA. There was a Public Notice in the paper regarding applications for funding for the Special Town meeting in November. It was an eleven day notice.

Communications/Conferences/Correspondence

Ms. Thurston attended the Leo Dower conference on Martha's Vineyard.

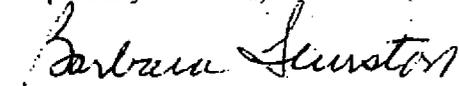
Topics for future discussion

Smoking policy

Next meeting scheduled for October 24, 2012 at 8:00 a.m.

Motion made by Mr. Bartholomew to adjourn at a.m. Motion seconded by Mr. Huff

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE

2012 OCT 19 PM 4 04

TOWN CLERK'S OFFICE
BOURNE, MASS**BOARD: Bourne Housing Authority****The Regular monthly meeting of the Board of Commissioners will be held on Wednesday, October 24, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA****AGENDA**

- Approval of minutes of the September 19, 2012 regular meeting
- Program Update
- Residents Report
- Status for CDBG grant/Roof replacement for Continental Apartments
- Status of decking and railings repair at Continental Apts.
- Inform Board MCAD decision of a claim against the BHA
- Open Family wait list
- Discuss NO SMOKING policy at Roland Phinney Place
- Discuss State Fee Accountant contract
- Discuss Utility Allowance schedule
- Discuss and adopt Fair Market Rents
- Discuss and approve Executive Director Contract
- Approve Executive Director's time sheet
- Update on Cape View Way
- Communication/Correspondence/Conferences
- Topics for future discussion
- Adjourn meeting

Signed: Barbara Thurston

Barbara Thurston, Executive Director

Date: October 19, 2012

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on October 24, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Fred Bartholomew, Al Huff, Larry Olson, Steven Litz

Members Absent: Paula McConnell

Others Present: Barbara Thurston, Executive Director

Meeting convened at 8:05 a.m.

Mr. Huff made a motion to accept the minutes of the regular meeting held on September 10, 2012. Motion seconded by Mr. Bartholomew. Unanimous vote.

2013 OCT 8 PM 3 47

TOWN CLERK'S OFFICE

BOURNE, MASS.

Treasurers Report

Ms. Thurston presented the Board with financial reports for August, 2012 for both State and Federal. Ms. Thurston informed the Board that DHCD is allowing 6.5% increase in non-utilities this year. Motion made by Mr. Bartholomew to accept the Treasurer's report. Motion seconded by Mr. Huff. Unanimous vote.

Program Update

Continental Apartments has one vacancy. Roland Phinney has one vacancy. Handicap development has two vacancies. Family development has no vacancies. Section 8 is fully leased with 76 vouchers. DIAL has 20 leased. We are administering 14 Portable vouchers.

Resident Report:

Mr. Bartholomew informed the Board that tenants from Roland Phinney Place had dinner at the Bourne VFW on October 16th. 18 residents attended. The October movie was "Grumpy Old Men". Residents will be going to the BBC in Sandwich for dinner on November 13th. The movie for November will be "On Golden Pond".

Ms. Thurston informed the Board that the roofers at Continental Apts. should be finished this week.

Ms. Thurston informed the Board that the Town of Bourne will be applying for another CDBG grant this year. They will be reviewing the projects that they plan to apply for and will let us know if there will be any money left. The maximum that can be applied for is \$900,000.

Ms. Thurston provided the Board with a copy of a letter from MCAD stating that they have determined that there is no probable cause in the case filed against us. Ms. Grace did a wonderful job.

Ms. Thurston informed the Board that we will need to open the family wait list again. We are down to three applicants on the three-bedroom list. Motion made by Mr. Bartholomew to open the waitlist as of November 1, 2012 and remain open for six weeks.. Motion seconded by Mr. Litz. Unanimous vote.

The Board discussed the non-smoking issue for Roland Phinney Place. It was determined that the Bourne Housing Authority will inform all applicants on the waiting list that, as of January 1, 2013, any new applicants who are housed will be not allowed to smoke. Current smokers will have one year (until January 1, 2014) to stop smoking. At that time, the entire development will become non-smoking. During that year, the BHA will help smoking residents with cessation programs and patches, etc. Barnstable County Health Dept. has a smoking cessation program with an agent who travels around the Cape to hold meetings. All tenants will be required to sign an addendum to their lease.

Mr. Bartholomew stated that several residents wanted to come to the meeting today. Ms. Thurston presented the Board with the Board Appearance Policy. Residents must follow the procedures in the Policy. Mr. Bartholomew stated that there are currently nine residents who smoke and two of them smoke outside.

Motion made by Mr. Bartholomew to adopt the non-smoking policy as discussed. Motion seconded by Mr. Litz. Unanimous vote.

Ms. Thurston informed the Board that she will prepare a contract for accounting services for Tom Joy and present it at the next meeting.

Ms. Thurston presented the Board with the new utility allowance schedule. Motion made by Mr. Bartholomew to accept the schedule. Motion seconded by Mr. Litz. Unanimous vote.

Ms. Thurston presented the Board with the new Fair Market Rents. Motion made by Mr. Bartholomew to accept the Fair Market Rent. Motion seconded by Mr. Litz. Unanimous vote.

Ms. Thurston presented the Board with an Executive Director's contract. The only things that were changed were the date and the salary. The contract is for five years. Motion made by Mr. Litz to approve the contract. Motion seconded by Mr. Huff. Unanimous vote.

The Board approved Ms. Thurston's time sheet for September

Cape View Way

Ms. Thurston informed the Board that she met yesterday with Mr. Lazar, Mr. Hill the attorney for ECHD, Corrine Moore, Tamara Warbur the architect for ECHD. They will be having a botanist do an environmental review. Also, it was discovered that the paper road was not deeded over the BHA. Mr. Hill will be researching this issue.

Community Preservation

Communications/Conferences/Correspondence

Mass Nahro Conference December 3 & 4

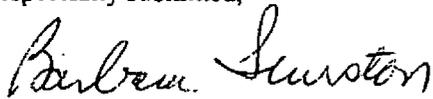
Topics for future discussion

Smoking policy

Next meeting scheduled for November 28, 2012 at 8:00 a.m.

Motion made by Mr. Bartholomew to adjourn at 9:25 a.m. Motion seconded by Mr. Huff

Respectfully submitted,


Barbara Thurston, Ex-Officio Secretary

MEETING NOTICE

BOURNE HOUSING AUTHORITY

2012 OCT 31 PM 1 54

TOWN CLERK'S OFFICE
BOURNE, MASS

BOARD: Bourne Housing Authority

A Special Meeting of the Board of Commissioners will be held on Monday, November 5, 2012 at 12:05 p.m. Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- **Review and approve Change Order for Roof Replacement at Continental Apartments**
- **Review and approve Certificate of Substantial Completion for Roof Replacement at Continental Apartments**
- **Executive Session to hear complaint from two individuals**

Signed: *Barbara Thurston*
Barbara Thurston, Executive Director

Date: October 31, 2012

2012 NOV 20 PM 4 13

MEETING NOTICETOWN CLERK'S OFFICE
BOURNE, MASS**BOARD: Bourne Housing Authority**

The Regular Meeting of the Board of Commissioners will be held on Wednesday, November 28, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd, Pocasset, MA

AGENDA

- Approval of the Minutes of the Regular meeting held on October 24, 2012
- Approval of the Minutes of a Special meeting held on November 5, 2012
- Approval of Treasurers Report including Accounts Payable and Budget to Actuals
- Program Update
- Residents Report
- Inform Board of tenant-caused damage to column at Continental Apts.
- Status of Roof replacement at Continental Apartments
- Review and approve final payment request to Corolla Roofing
- Update of CDBG grant application
- Update for rebates from MassSave for boilers at Roland Phinney Place
- Review and approve contract for Tom Joy, accountant for State projects
- Review and approve decision from hearing held on November 5, 2012 regarding a grievance from a tenant
- Review and approve Executive Director's expenses and time sheet
- Communication/Correspondence/Conferences
- Topics for future discussion
- Adjourn meeting

Signed: 

Barbara Thurston, Executive Director

Date: November 20, 2012

Minutes of the Regular Board Meeting of the Bourne Housing Authority, held on November 28, 2012 at 8:00 a.m. at Roland Phinney Place, 871 Shore Rd., Pocasset, MA

Members Present: Fred Bartholomew, Al Huff, Larry Olson, Stephen Huff, Paula McConnell
2012 OCT 8 PM 3 47

Members Absent: none

Others Present: Barbara Thurston, Executive Director

TOWN CLERK'S OFFICE
BOURNE, MASS

Meeting convened at 8:00 a.m.

Mr. Huff made a motion to accept the minutes of the regular meeting held on October 24, 2012. Motion seconded by Mr. Bartholomew. Unanimous vote.

Treasurers Report

Ms. Thurston presented the Board with financial reports for September, 2012 for both State and Federal. Mr. Bartholomew to accept the Treasurer's report. Motion seconded by Mr. Huff. Unanimous vote.

Program Update

Continental Apartments has one vacancy. Roland Phinney has one vacancy. Handicap development has two vacancies. Family development has no vacancies. Section 8 is fully leased with 76 vouchers. DIAL has 20 leased. We are administering 14 Portable vouchers.

Resident Report:

Mr. Bartholomew informed the Board that tenants from Roland Phinney Place will attend a Holiday dinner at the Coonamesset on December 12th. Tenants watched "On Golden Pond" last night.

Ms. Thurston informed the Board that the contractors are almost done with the roof replacement at Continental Apts. There are only 6 or 7 minor items on the punch list that need to be done.

Ms. Thurston informed the Board that she will be having a phone conference with DHCD tomorrow regarding the decking and rail replacement at Continental.

Ms. Thurston informed the Board that a tenant at Continental was driving around the corner in the back of the building and hit one of the new columns. It broke in half. Ms. Thurston showed pictures to the Board. The tenant's insurance company has opened a claim and the original contractors will be doing the repairs.

Ms. Thurston informed the Board that the BHA will not be included in the CDBG grant application this year. The Town needs to put the full amount into the Downtown sign and facade program that took a back seat in the last application.

Ms. Thurston informed the Board that we have received the energy rebates in the amount of \$9,200 from National Grid (MassSave). They only paid us for the boilers and will send a separate check for the hot water heaters.

Ms. Thurston presented the Board with a five-year contract for Tom Joy, the State fee accountant. Motion made by Mr. Olson to approve Mr. Joy's contract. Motion seconded by Mr. Huff. Unanimous vote.

The Board reviewed the written decision by Ms. McConnell from the November 5th hearing with a tenant from the Handicapped development. Motion made by Mr. Bartholomew to approve the decision as written. Motion seconded by Mr. Olson. Unanimous vote.

The Board reviewed Ms. Thurston's expenses and time sheets. Motion made by Mr. Olson to approve both. Motion seconded by Mr. Bartholomew. Unanimous vote.

Ms. Thurston informed the Board that the Fisher plow was stolen from the parking space at Roland Phinney Place sometime over the holiday weekend (11/9 – 11/12). A police report was filed. Ms. Thurston thinks the insurance will not cover it. Ms. Thurston has spoken to our electrician to get estimates for a security system.

Cape View Way

Community Preservation

Communications/Conferences/Correspondence

Mass Nahro Conference December 3 & 4

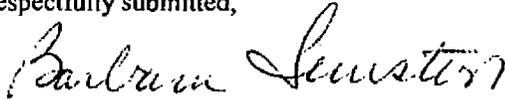
Topics for future discussion

Smoking policy

Next meeting scheduled for December 19, 2012 at 8:00 a.m.

Motion made by Mr. Bartholomew to adjourn at 8:50 a.m. Motion seconded by Mr. Huff

Respectfully submitted,



Barbara Thurston, Ex-Officio Secretary

2013 OCT 8 PM 3 47

TOWN CLERK'S OFFICE
BOURNE, MASS

DECEMBER

MEETING

CANCELLED

**Meeting of the Bourne Housing Partnership
Minutes**

Meeting of January 17, 2012

Time: 2:30 p.m.

2012 JUL 17 AM 9 24

Location: Bourne Housing Authority
871 Shore Rd., Pocasset, MA.

TOWN CLERK'S OFFICE
BOURNE, MASS

Present: Coreen Moore, Al Hill, Barbara Thurston, and Frances Anderegg
Absent: Sue Ross (Excused)

Others present: Kerry Horman, Affordable Housing Specialist

Ms. Thurston, acting as chairperson, informed the Committee that Mr. Horman had asked that the minutes be waved from the last meeting.

Mr. Hill moved that the minutes of the last meeting be waved

Ms. Anderegg seconded the motion and the motion passed unanimously

Ms. Thurston asked Mr. Horman to present the first item on the agenda which was the submission of the FY 2013 request for funding from the CPA Committee.

Mr. Horman said that normally Ms. Ross took the lead on this process but he said this year because of medical reasons she was unable to fulfill her normal role. He provided the Committee with a copy of the proposed application for continuation of funding for the Housing Specialists services and related expenses and noted that the Housing Authority was also seeking funding for repairs to Continental Apartments. Mr. Horman said that the same amount of money is being requested for the Housing Specialist and expenses as last year with the exception that slightly more money was put into administrative support services and less in travel and equipment.

Mr. Hill asked if Mr. Horman had been successful in finding a part-time assistant.

Mr. Horman said that after a difficult beginning, he had found someone that was working out well.

Ms. Moore said that she had read the application and that she thought that the cover letter concerning Ms. Ross's health situation might be worded a little bit differently.

Ms. Thurston agreed

Mr. Horman said that he would revise it based upon their recommendations and he asked if there were any comments on the last section that dealt with other sources of funding.

The Committee reviewed it and Ms. Moore suggested that it might be clearer to simply identify other sources of funds that have been leveraged through the housing specialist position rather than try to explain each source.

Mr. Horman agreed.

Mr. Hill moved that the joint application for CPA funds for the affordable housing specialist be approved and submitted.

Ms. Anderegg seconded the motion and the motion passed unanimously.

Ms Anderson arrived.

Mr. Horman noted that in preparing the budget for CPA funds he realize that approximately \$13,000 of previously committed funds for the Housing Specialist was laying dormant in an account and he said he would've thought that it would have been used up before the current fiscal funds were utilized.

A general discussion ensued as to how the Town views unexpanded CPA funds and it was determined that Ms. Moore would research how those funds might be utilized in the future.

Mr. Horman moved on to the third item of the agenda which was a discussion of the use of the 2% fee eligible to the monitoring agent for managing the resale of affordable property. This provision exists in the most recent versions of the Universal Deed Rider. Mr. Horman and Ms. Ross had suggested that being able to utilize these funds to encourage real estate agents to bring in eligible buyers on these properties would be of great benefit to the Town, since often the time frames to find a buyer are relatively short and the Partnership generally does not have access to use the multiple listing service if no commission is being paid. Also discussed was the fact that the deed rider resale requirements are different depending upon when the property was originally built since the deed riders were originally created on a local basis rather than by the State with a unified deed rider as is currently done.

A general discussion occurred relative to current market conditions, the willingness of brokers to work with 2% commission, and the fact that currently Bourne has a short-term bottleneck of re-sales in new sales. The consensus was that the timing was not appropriate to request this item from the Selectmen.

The discussion shifted to the item of resales and role of monitoring agent and the subject of 4 Tattler Circle Mr. Horman said Habitat for Humanity was buying back ownership and that the Partnership had been offered the opportunity to market the property and find a new buyer. He noted that if the Partnership did not take on this role that it was likely that Housing Assistance Corp would represent Habitat for the sale. The Committee discussed the condition of the building and Mr. Horman's workload.

Mr. Hill moved that the Partnership pass on the opportunity to find a buyer for 4 Tattler Circle.

Ms. Thurston seconded the motion in the motion passed unanimously.

Mr. Horman said that as far as further updates he had provided them n his written report and he asked whether Ms. Moore would update the Committee on the status of the Community Development Block Grant Housing rehab program.

Ms. Moore said that a group called TRI had been hired to implement the program and they would be based out of Town Hall and staffed there three days a week.

There being no further business, Ms.Thurston moved that the meeting be adjourned.

Mr. Hill seconded the motion and the motion passed unanimously.

The meeting was adjourned at 3:50PM

Respectfully submitted,

Kerry Horman, Affordable Housing Specialist

Bourne Housing Partnership meeting
Thursday, March 29, 2012 at 4:30 PM
Second Floor Conference Room
Town Hall
24 Perry Ave
Buzzards Bay MA 02532

2012 MAR 26 PM 2 56

TOWN CLERK'S OFFICE
BOURNE, MASS

Agenda

1. Review and vote on Minutes
2. Review the status Community Development Block Grant program and consider amending the provisions for eligibility under the emergency repair provisions for properties outside the Target Area.
3. Review and act, as the monitoring agent, on deed restricted property at 46 Deseret Dr., Bourne which the owners have indicated their intent to sell.
4. Discuss the use of the 2% fee eligible to the Monitoring Agent on the resale of some affordable deed restricted homes as a commission to real estate agents that provide the successful buyer to the sale; and, other methods of utilizing the real estate brokerage industry in identifying eligible buyers for the resale of deed restricted affordable homes.
5. Status reports and actions on the following items:
 - Town owned Properties
 - B-HOPP
 - Ready Resale list and monitoring
 - Affordable Housing Action Plan
 - Trust Projects
 - Correspondence Received
6. Report of the Affordable Housing Specialist
7. Discussion for future agenda items.

Thank You,

Kerry Horman

DRAFT

Meeting of the Bourne Housing Partnership
Minutes

Meeting of March 29, 2012 ^{2012 JUL 17 AM 9 24}

TOWN CLERK'S OFFICE
BOURNE, MASS

Time: 4:30 p.m.

Location: Upstairs Meeting Room, Town Hall -- 24 Perry Avenue, Buzzards Bay

Present: Town Planner Coreen Moore, Partnership Chairwoman Susan Ross, Al Hill, Barbara Thurston, and Frances Anderegg

Absent:

Others present: Kerry Horman, Affordable Housing Specialist, and Betsy Anderson, Administrative support

Ms. Ross called the meeting to order at 4:30 P.M. and asked for a review of the minutes of the two previous meetings. Members read the minutes of November 16, 2011 and after minor corrections of spellings due to Dragon speech recognition software, Ms. Anderegg moved to accept the minutes as amended. Ms. Moore seconded the motion, and the vote was unanimous. Ms. Ross and Mr. Hill both abstained from the vote as they were not present at the November meeting.

After review of the minutes of January 17, minor spelling corrections were noted. Mr. Hill made a motion to accept the minutes as amended, and Ms. Anderegg seconded; the vote was unanimous.

Ms. Moore spoke about the Community Development Block Grant program and said a Rehab manager, a clerk, a housing specialist and lead specialist had been hired and is moving along well. Of the 17 applications received, 12 units have been approved; one out of the target area that is an emergency, and five that are pending. There are five lead inspections that have been conducted. Lead is a priority, and once inside, the housing specialist will address other projects. Mr. Hill asked how much money has been spent in hiring them. Ms. Moore responded with an explanation of the incidentals purchased and reported that Sharon Gay had been paid after working for some time. She stated that other consultants and contractors have not yet been paid; the housing specialist and the lead specialist have both worked, but have not submitted invoices. Ms. Moore further explained that as work goes on and more needs surface, there will be more expenses. She stated that she will have a detailed report by the next meeting. She noted that setting up the accounting procedures is long and involved.

Five projects are due to move forward in early April, Ms. Moore reported. Affordable Housing Specialist Kerry Horman praised the speed with which the program is moving along. Ms. Moore stated that five pre-approved contractors have been identified so far. Ms. Ross asked if local contractors can be used. Ms. Moore stated that there are six new applications from local contractors.

The Partnership members discussed some of the projects to be completed, and Ms. Moore showed samples of what is to be done. Ms. Ross explained what happens if the homeowner is

trying to sell and is "under water" when the time comes. Ms. Moore went on to explain that not all people qualify or may not have a lot of equity in their homes, so they will be allowed to do repairs within the range of equity. Members discussed how to assist homeowners who may be underwater or whose homes have decreased in value. For purposes of value, the grant program is going by the Town of Bourne assessed value, which is not always accurate, Ms. Moore stated.

Ms. Moore asked for a vote on amending the items included under "emergencies" that are eligible outside the target area. Priorities are safety and remediation of code violations. Ms. Moore asked that once a house is inspected, she and the project manager be allowed to sign off on what represent emergency needs. The committee discussed responsibility for hazards such as lead and mold, which require immediate remedy. In the case of emergency repair when the cost exceeds the allowed amount, homeowners will be steered to other agencies, Ms. Moore stated. She said that the housing specialist will prioritize needed repairs.

Mr. Hill asked what motion is needed for a vote. Ms. Moore asked for a motion to allow the Town Planner and the program manager to determine which are emergency issues to be approved. Ms. Anderegg stated she would prefer that life safety issues would not include lead paint and/or septic systems. Ms. Moore explained that lead paint cannot be eliminated and only a failed septic system can be considered an emergency. There was more discussion of the purpose of the program. Clarification of Ms. Moore's motion was that it is necessary to be able to evaluate emergencies encompassing life safety issues. Ms. Ross suggested that the motion would grant permission to the Town Planner and program manager to approve emergency repairs of code violations on a case-by-case basis, prioritized by health and life safety issues. Ms. Anderegg moved to adopt the motion as stated; Mr. Hill seconded, and the vote was unanimous.

Ms. Moore distributed the guidelines for housing rehabilitation, and the committee members talked about the content. Mr. Hill mentioned investor-owned properties, and Ms. Ross spoke about the process, and who sets the rent for the homes. Committee members discussed at length the formula, affordable rentals, deed restrictions and the possibility of a monitoring agent.

Mr. Horman asked about attaining the deed to the property on Old Plymouth Rd. in Sagamore Beach, and Ms. Moore said she will check on the status. Mr. Horman gave status reports on B-HOPP and Trust properties. He said Shearwater had been sold; Adams St. was under agreement, and the Trust can begin to look for new properties.

The 4-page fold-out was distributed by Mr. Horman. He touched on the re-sale condo in Buzzards Bay, the colonial on Mirasol, and the saltbox on Sheppard Rd., saying there are three active buyers interested in the home on Sheppard Rd. Mr. Horman also spoke on the possibility of losing the affordability deed restriction on the home on Sheppard if it does not sell. The committee talked about asking the Housing Authority to assign rights to the Trust to buy the property. Ms. Moore made a motion that they ask the Housing Authority to assign the rights to purchase the property to the Trust if it is not sold within the time limit. Mr. Hill seconded the motion and the vote was unanimous.

Mr. Horman distributed correspondence from the owners of 36 Deseret Drive offering their property for sale. Committee members discussed the facts and agreed that the owners should make a diligent effort to find buyers, as the Partnership cannot help them sell the house. After Mr. Horman reported that he had been unable to arrange a meeting with the owners, Mr. Hill moved that Mr. Horman respond via registered letter that the current deed rider must stay in

place and the Town of Bourne will not accept the offer to purchase or market the home. Ms. Anderegg seconded the motion, and the vote was unanimous.

Mr. Horman handed out the summary on the Canal Crossing property at 15 Honora Lane. The committee members discussed using the 2% re-sale fee to pay a realtor, and agreed that no Realtor would agree to co-broke on such a fee. Mr. Horman suggested that the Partnership give Ms. Ross the authority to sell the property to households whose incomes were greater than 80% of median income up to 120% of median income or whatever the State may allow. Ms. Moore made the motion and Mr. Hill seconded; the vote was unanimous.

There being no further business to come before the Partnership members, Ms. Moore made a motion to adjourn the meeting and Mr. Hill seconded. The vote was unanimous, and the meeting was adjourned at 6:12 P.M.

Respectfully submitted,

Betsy Anderson,
Administrative support

Edited by Kerry Horman

To: Town Clerk's Office

From: Kerry Horman

Re: Please post the following meeting. I will email agenda to everyone on our Board.

Bourne Housing Partnership meeting
Thursday, November 15, 2012 at 5:00 PM
Bourne Housing Authority Offices
871 Shore Rd.
Pocasset, 02559

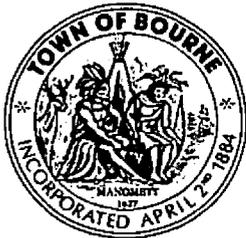
Agenda

1. Review and vote on Minutes of the last meeting
2. Reconsideration of the maximum CDF Housing Rehabilitation subsidy waiver for 29 Canal View Rd.
3. Discussion and action on the Target Area and windshield Survey for the FY 2013 Community Development Fund Program.
4. Discussion with grant writer Sharon Gay concerning upcoming FY 2013 Block grant and actions as necessary
5. Report of the Affordable Housing Specialist
6. Discussion for future agenda items.

Thank You,

Kerry Horman, Affordable Housing Specialist

2012 NOV 7 PM 12 13
TOWN CLERK'S OFFICE
BOURNE, MASS



Bourne Human Services Committee Meeting Notice



Date: Tuesday
January 10, 2012

Time: 4:00 P.M.

Location: Upper Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

2012 JAN 4 PM 8 45
TOWN CLERK'S OFFICE
BOURNE, MASS

AGENDA

1. Approve minutes of previous meeting
2. Budget/Agency Allocation
3. Human Service Need Survey
4. Updating Human Service Booklet
5. Topics for further Discussion
6. Date for next meeting

Andrew Murray
January 3, 2012

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Speakman, Tavares, Thurston, Varnerin, Garcia, Johnson,
Chapman, Sullivan

**MINUTES OF THE MONTHLY MEETING OF THE BOURNE HUMAN SERVICES
COMMITTEE
TUESDAY, JANUARY 10, 2012
BOURNE TOWN HALL**

Present: Barbara Thurston, Leona Bombaci, Andrew Murray, Mandi Speakman

Absent: Olivia Garcia, Richard Tavares, Lois Carr

Meeting convened at 4:00 p.m.

Ms. Thurston made a motion to approve the minutes to the December 20, 2011 meeting.
Motion seconded by Ms. Bombaci. Unanimous vote

The Committee discussed budget/agency allocations from last month.

The Committee discussed the feasibility of a Human Services Needs Survey.

The Committee discussed the updating of the Human Services Booklet and how we could fund it. Perhaps Mr. Guerino could provide some funds.

Next meeting scheduled for Tuesday, February 21, 2012 at 4:00 p.m.

Meeting adjourned at 4:50 p.m.

Respectfully submitted,

Barbara Thurston

2012 JUL 18 PM 12 52
TOWN CLERK'S OFFICE
BOURNE, MASS



Bourne Human Services Committee Meeting Notice



Date: Tuesday
February 21, 2012

Time: 4:00 P.M.

Location: Upper Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

2012 FEB 10 AM 9 37
TOWN CLERK'S OFFICE
BOURNE, MASS

AGENDA

1. Approve minutes of previous meeting
2. Budget/Agency Allocation Follow Up
3. Human Service Need Survey Discussion
4. Updating Human Service Booklet Report
5. Topics for further Discussion
6. Date for next meeting

Andrew Murray
February 9, 2012

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Speakman, Tavares, Thurston, Varnerin, Garcia, Johnson,
Chapman, Sullivan

MINUTES OF THE MONTHLY MEETING OF THE BOURNE HUMAN SERVICES
COMMITTEE
TUESDAY, FEBRUARY 21, 2012
BOURNE TOWN HALL

Present: Lt. Richard Tavares, Lois Carr, Barbara Thurston, Leona Bombaci, Andre Murray, Jack Mulkeen

Absent: Olivia Garcia

Meeting convened at 4:00 p.m.

Ms. Thurston did not have the minutes for the January meeting. She will provide them for the next meeting.

Mr. Jack Mulkeen is a new member of the Committee and was introduced to members.

Mr. Murray asked for input from member regarding a survey of needs in the Town. The Committee discussed school resources and perhaps contacting the school nurse/guidance counselors and other service agencies to discuss needs, what they provide and how we could help. We could do a list of specific questions, provide for comments and make it simple. The end results would provide the Committee with the greatest needs, identify what the gaps are in the services and what the Committee could do to address the needs. We would be looking for health, medical, dental, mental health, recreation, after-school activities, day care, education, housing, unemployment, transportation, etc. Perhaps a priority scale of 1 -10 of importance in each agency as it applies. We would need general numbers of the amount of families in need.

We would present the results to the Town Selectmen/Town Manager to make them aware of the needs and how the Town could best address the needs.

Ms. Carr stated that the COA is the COA/Human Services Dept. of the Town. She receives referrals from many agencies. The COA has no funds for needy requests.

Lt. Tavares mentioned the difficulty he had when calling MassHealth today. Lots of voice prompts and not able to maneuver through the commands. It must be very difficult and frustrating for the elderly. Social Security is same. Ms. Thurston stated that many of her tenants have that problem and the staff tries to help.

Ms. Bombaci provided members with a Resource Directory published by the Barnstable County Dept. of Human Services.

Mr. Murray suggested having a monthly speaker at our meetings.

Mr. Mulkeen asked if our Committee had any funding. Ms. Carr explained that the Town has a Human Services budget that our committee reviews every December.

2012 JUL 18 PM 12:52
TOWN CLERK'S OFFICE
BOURNE, MASS

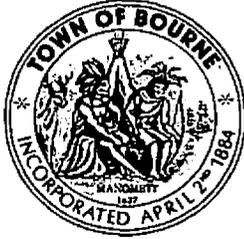
Ms. Bombaci stated that Falmouth and Mashpee have a Human Services Department and perhaps we should talk to them.

Next meeting scheduled for Tuesday, March 20, 2012 at 4:00 p.m.

Meeting adjourned at 5:05 p.m.

Respectfully submitted,

Barbara Thurston



Bourne Human Services Committee Meeting Notice



2012 MAR 14 AM 10 10

TOWN CLERK'S OFFICE
BOURNE, MASS

Date: Tuesday
MARCH 20, 2012

Time: 4:00 P.M.

Location: Upper Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA

1. Approve minutes of previous meeting
2. Budget/Agency Allocation Follow Up
3. Human Service Need Survey Discussion
4. Updating Human Service Booklet Report
5. Discussion of Barnstable County Human Services Newsletter
6. Date for next meeting

Andrew Murray
March 13, 2012

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Speakman, Tavares, Thurston, Varnerin, Garcia, Johnson,
Chapman, Sullivan

Minutes of the Bourne Human Services Committee Meeting

March 20, 2012

Bourne Town Hall

2012 APR 23 AM 8 24
TOWN CLERK'S OFFICE
BOURNE, MASS

Members Present: Andrew Murray, Richard Tavares, Lois Carr, Leona Bombaci, Jack Mulkeen

Excused: Barbara Thurston, Olivia Garcia

Meeting convened at 4:10 p.m.

Minutes: Minutes from the February 21, 2012 meeting were read. A motion to approve the minutes was made by Jack Mulkeen and seconded by Lois Carr.

Barnstable County Human Services newsletter was discussed. Committee members can subscribe on their own if they want to. Leona Bombaci offered to be listed as the contact person for the committee.

There was no report on the progress of updating the Bridge to Human Services resources guide as Barbara Thurston was not at the meeting. Jack will contact Barbara to offer his assistance in contacting agencies listed in the guide for updates. Committee members will also review the guide to make any changes that they are aware of.

There was discussion on what should be our main focus- updating the resource guide or the human services needs survey. The committee agreed that the resource guide was the priority at this time and that the survey would be addressed at a future meeting. Lois passed out a list of topics that were discussed at the last meeting regarding the needs survey.

Jack had the opportunity to tour the Duffy Health Care van and suggested that we have a representative come to our next meeting. Leona made a motion that we contact Duffy Center and Rich seconded. Lois will contact Heidi Nelson, CEO to invite her to the April meeting.

Andy Murray stated that he hasn't had the opportunity to set up a meeting with Falmouth or Mashpee Human Services.

Follow up on the Human Services budget with Town Administrator was done by Lois. Budget figures have been double checked to make sure that all are correct for town meeting.

Lois will notify members of the next meeting date after she speaks with Ms. Nelson.

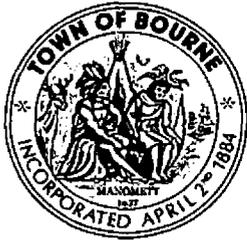
Jack made a motion to adjourn, seconded by Rich.

Meeting adjourned 4:55 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lois Carr".

Lois Carr



Bourne Human Services Committee Meeting Notice



2012 APR 20 AM 11 10
TOWN CLERK'S OFFICE
BOURNE, MASS

Date: Tuesday
APRIL 24

Time: 4:00 P.M.

Location: Upper Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA

1. Approve minutes of previous meeting
2. Presentations by Heidi Nelson Dir. Duffy Health Center and Karen Gardner CEO Community Health Center of Cape Cod
3. Any other business that may come before the committee
4. Set date for next meeting

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Speakman, Tavares, Thurston, Varnerin, Garcia, Johnson,

Chapman, Sullivan

**MINUTES TO THE MONTHLY MEETING OF THE BOURNE HUMAN SERVICES
COMMITTEE
APRIL 24, 2012
BOURNE TOWN HALL**

Present: Lois Carr, Leona Bombaci, Lt. Richard Tavares, Barbara Thurston, Jack Mulkeen,

Excused: Andy Murray, Chairperson, Olivia Garcia

Meeting convened at 4: 10 p.m. - Leona Bombaci took the minutes of the meeting

1. Approve minutes of previous meeting

The minutes for the March 20, 2012 meeting were presented. Motion made by Jack Mulkeen to approve the minutes. Motion seconded by Richard Tavares. Unanimous approval vote and filed

April 24, 2012 , Agenda presented by, Lois Carr

2. Lois Carr reported that the speaker for today's meeting Heidi Nelson, Director of the Duffy Health Center and Karen Gardner CEO Community Health Center of Cape Cod had confusion as to the place and date of meeting and consequently did not attend. Lois will attempt to schedule them for next months meeting.

3. Updating Human Service booklet

Barbara Thurston and Jack Mulkeen volunteered to review the existing Bourne Resource booklet published in 2009 by the BHS Committee and make any updated changes. This is still a work in progress. Lois will begin to enter new data on to the master Flash drive for the Booklet.

4. Topics for further discussion

A school representative for this committee has not been identified to date

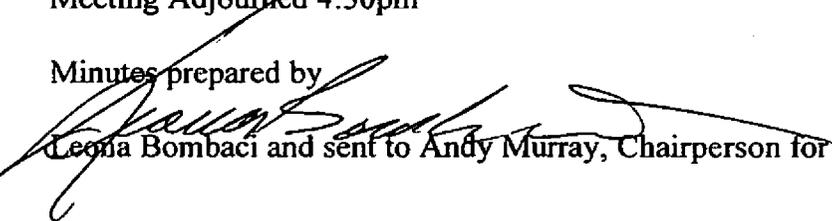
5. Date for next meeting

Next meeting date set for Tuesday, May 22, 2012 at 4pm

Motion to Adjourn by Richard Tavares and Seconded by Barbara Thurston: unanimously approved

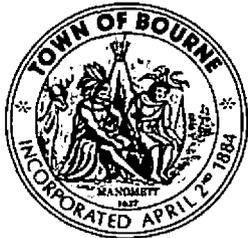
Meeting Adjourned 4:30pm

Minutes prepared by


Leona Bombaci and sent to Andy Murray, Chairperson for distribution.

BOURNE, MASS
TOWN CLERK'S OFFICE

2012 MAY 23 AM 8 25



Bourne Human Services Committee Meeting Notice



2012 MAY 18 AM 8 37

TOWN CLERK'S OFFICE
BOURNE, MASS

Date: Tuesday
May 22, 2012

Time: 4:00 P.M.

Location: Upper Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA

1. Approve minutes of previous meeting
2. Heidi Nelson, Director of the Duffy Center, will talk to the Committee about the programs and services offered by the Center.
3. Discussion of Updating Bourne Human Services Booklet
4. Date for next meeting

Andrew Murray
May 15, 2012

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Speakman, Tavares, Thurston, Varnerin, Garcia, Johnson,
Chapman, Sullivan

Minutes of the Bourne Human Services Committee Meeting

May 22, 2012

Bourne Town Hall

2012 JUN 13 AM 8 20

TOWN CLERK'S OFFICE
BOURNE, MASS

Members Present: Andrew Murray, Jack Mulkeen, Leona Bombaci, Lois Carr

Excused: Barbara Thurston, Richard Tavares, Olivia Garcia

Meeting convened at 4:05 p.m.

Minutes: Minutes from the April 24, 2012 meeting were read. A motion to approve the minutes was made by Lois Carr and seconded by Jack Mulkeen.

Heidi Nelson, CEO of the Duffy Health Center was the guest speaker. She apologized for missing the March 20 meeting. The Duffy Center which is located in Hyannis is an independent, non-profit community center caring for the homeless and those at risk of being homeless across Cape Cod. They provide a variety of services – medical care, case management, mental health and substance abuse screening and assessment, and benefits enrollment.

The case managers are able to link clients to services 80% of the time. They have also been able to find housing for clients by working closely with landlords and guaranteeing continued case management.

They also have a team who do outreach to individuals who live on the streets and camps in the Hyannis area. Heidi was not aware if their outreach services are available in Bourne.

They also have a Mobile Health Clinic that currently travels to the Falmouth Service Center, Noah Shelter in Hyannis, Lower Cape Outreach Center in Orleans and a site in Dennisport. Currently the schedule is filled and expansion is dependent on the availability of additional hours and funding for a nurse practitioner.

The Duffy Center saw 3,200 people last year who were either homeless, near homelessness or in an unstable housing situation. Heidi said that there is an increase in the hidden homeless, those who temporarily stay with family members and friends.

There was discussion about Heidi returning to a future meeting with a case manager to discuss how to determine the health care needs of this population in Bourne and the possibility of a case manager to work with the homeless. Also the development and funding of a needs assessment and a community meeting to assess the town's needs was discussed.

The Bridge to Human Services information was updated by Lois with the changes found by Jack and Lois. Funding for an updated version will be discussed at a future meeting.

It was determined that Karen Gardner, Director of the Community Health Center of Cape Cod be invited to our June meeting. Lois will contact her and see if she is available for either June 12 or 26 and will let the committee know which date.

Jack made a motion to adjourn seconded by Leona.

Meeting adjourned at 5:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lois Carr".

Lois Carr

Minutes of the Bourne Human Services Committee Meeting

May 22, 2012

Bourne Town Hall

Members Present: Andrew Murray, Jack Mulkeen, Leona Bombaci, Lois Carr

Excused: Barbara Thurston, Richard Tavares, Olivia Garcia

Meeting convened at 4:05 p.m.

Minutes: Minutes from the April 24, 2012 meeting were read. A motion to approve the minutes was made by Lois Carr and seconded by Jack Mulkeen.

Heidi Nelson, CEO of the Duffy Health Center was the guest speaker. She apologized for missing the March 20 meeting. The Duffy Center which is located in Hyannis is an independent, non-profit community center caring for the homeless and those at risk of being homeless across Cape Cod. They provide a variety of services – medical care, case management, mental health and substance abuse screening and assessment, and benefits enrollment.

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2012 JUL 18 PM 12 52
TOWN CLERK'S OFFICE
BOURNE, MASS.

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It was determined that Karen Gardner, Director of the Community Health Center of Cape Cod be invited to our June meeting. Lois will contact her and see if she is available for either June 12 or 26 and will let the committee know which date.

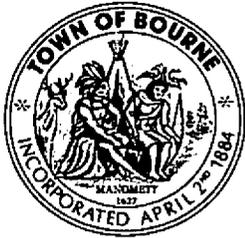
Jack made a motion to adjourn seconded by Leona.

Meeting adjourned at 5:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lois Carr".

Lois Carr



Bourne Human Services Committee Meeting Notice



Date: Tuesday
June 12, 2012

Time: 4:00 P.M.

Location: Upper Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

2012 JUN 5 PM 4 21
TOWN CLERK'S OFFICE
BOURNE, MASS

AGENDA

1. Approve minutes of previous meeting
2. Presentations by Heidi Nelson Dir. Duffy Health Center and Karen Gardner CEO Community Health Center of Cape Cod
3. Any other business that may come before the committee
4. Set date for next meeting

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Speakman, Tavares, Thurston, Varnerin, Garcia, Johnson,

Chapman, Sullivan

MINUTES OF THE MONTHLY MEETING OF THE BOURNE HUMAN SERVICES COMMITTEE

TUESDAY, JUNE 12, 2012

BOURNE TOWN HALL

TOWN CLERK'S OFFICE

BOURNE, MASS

Present: Andrew Murray, Barbara Thurston, Lois Carr, Jack Mulkeen

Absent: Olivia Garcia, Richard Tavares, Leona Bombacci

Others Present: Karen Gardner, Community Health Center

Meeting convened at 4:05 p.m.

Motion made by Ms Carr to approve the minutes for the May 22, 2012 meeting. Motion seconded by Mr. Mulkeen. Unanimous vote.

Ms. Gardner made a presentation for Community Health Center. It started as Falmouth Free Clinic. Their full-scale health center serves about 14,000 primary care patients, of which about 1300 are Bourne residents. They average about 200-300 new patients per month without advertising. They have dental services, psychiatry, mental health counseling, gynecology, family practice, social workers, lab services etc. They also help with applying for health insurance, finding a primary care doctor, veteran's benefits. Main office is in Mashpee. There is a location on Waterhouse Rd. in Bourne with two full-time medical staff in addition to the behavioral health staff. It is not an urgent care facility. They work with school systems doing screening for suicide, depression, anxiety, behavior health. They offer sliding scale fees if patients do not have insurance. They will also help with transportation by providing a voucher. They will soon provide pharmacy services with reduced prices for prescriptions. There will also be radiology in the future.

Mr. Mulkeen inquired about the other side of the Canal and means of transportation for those who have none such as the Duffy Health Service van. Ms. Gardner stated that they work collaboratively with Duffy that has a van that travels throughout Cape Cod. They work with the homeless (or at risk of homeless) population.

Mr. Mulkeen stated that the Duffy van would have to be funded for extra staff.

Mr. Murray was also concerned about transportation for people on this side of the bridge. He stated that he does not hear too many people talking about it. Ms. Gardner stated that many times the patient does not raise the issue when doing intake.

Mr. Mulkeen stated that there is a new bus service in Town. Ms. Carr stated that the clinic is not on the route but that could change.

Ms. Carr stated that she likes the behavioral health element because she can refer patients and they can receive the help right there.

The Board thanked Ms. Gardner for her presentation.

Mr. Mulkeen was at the food pantry the other day and Ms. Reilly mentioned that she needs more Human Services booklets.

Topics for future discussion:

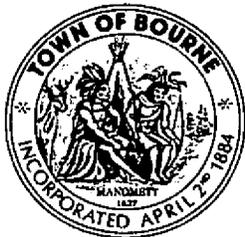
- Finish updating the HS booklet and request money from Mr. Guerino to have them printed
- School representative for the Committee

Next meeting scheduled for September 18, 2012

Meeting adjourned at 5:00 p.m.

Respectfully submitted,

Barbara Thurston



Bourne Human Services Committee Meeting Notice



2012 SEP 20 PM 2 46

TOWN CLERK'S OFFICE
BOURNE, MASS

Date: Tuesday
September 25, 2012

Time: 4:00 P.M.

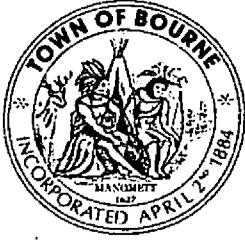
Location: Lower Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA

1. Approve minutes of previous meeting
2. Board Vacancies
3. Goals for upcoming year
4. Topics for future discussion
5. Next meeting date

Andrew Murray
September 20, 2012

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Mulkeen, Tavares, Thurston, Garcia



Bourne Human Services Committee Meeting Notice



2012 SEP 25 PM 5 17

TOWN CLERK'S OFFICE
BOURNE, MASS

Date: Tuesday
September 25, 2012

Time: 4:00 P.M.

Location: Lower Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA

1. Approve minutes of previous meeting
2. Board Vacancies
3. Goals for upcoming year
4. Topics for future discussion
5. Next meeting date

Andrew Murray
September 20, 2012

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Mulkeen, Tavares, Thurston, Garcia

*Duplicate
notice*

Minutes of the Bourne Human Services Committee Meeting

September 25, 2012

Bourne Town Hall

2012 OCT 23 PM 4 55
TOWN CLERK'S OFFICE
BOURNE, MASS

Members Present: Andrew Murray, Jack Mulkeen, Leona Bombaci, Lois Carr, Richard Tavares

Excused: Barbara Thurston, Olivia Garcia

Meeting convened at 4:15 p.m.

Minutes: Minutes from the June 12, 2012 meeting were read. A motion to approve the minutes was made by Lois Carr and seconded by Richard Tavares.

There are currently two vacancies on the Committee; a representative from the School Department and a representative from the Council on Aging. It was noted that Lois Carr is a staff member of the COA, but is a member at large on the Committee. Andy Murray will contact Bourne School Superintendent Steven Lamarche and request that he appoint a member. Lois will invite Felicita Monteiro, the new Council on Aging Director, to the next meeting. Ms. Monteiro can then decide if she would like to be the COA representative. There also may be a Youth Representative vacancy. Lois will find out if Olivia Garcia has been reappointed.

Goals for the upcoming year were discussed. The Committee determined that updating "The Bridge to Human Services" resource guide and obtaining funding to print copies was a priority. Also the guide on the Town of Bourne web site needs to be updated.

Another goal is a needs assessment for residents aged 18 to 59. Duffy Center is interested in partnering with the town to do a needs assessment of the health care needs for unstably housed residents, but funding would need to be obtained. Duffy will be encouraged to send in a proposal for human services funds.

The Committee would also like to identify the need for the Duffy Health Center van to be available for Bourne residents. Rich Tavares stated that there is a homeless camp situated in the woods behind the post office on Main St. This could possibly be a site to be addressed.

A topic for the next meeting will be the election of a new chairperson. Any member who is interested or has a nomination can do so at the meeting.

The next meeting of the Bourne Human Services Committee is scheduled for Tuesday, October 23, 2012 at 4 p.m.

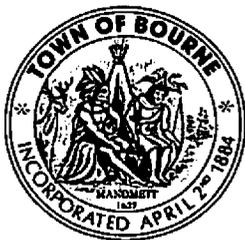
Motion was made by Jack Mulkeen to adjourn and seconded by Leona Bombaci.

Meeting adjourned at 4:55 p.m.

Respectfully submitted,



Lois Carr



Bourne Human Services Committee Meeting Notice



Date: Tuesday
October 23, 2012

Time: 4:00 P.M.

Location: Upper Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

2012 OCT 15 PM 3 59
TOWN CLERK'S OFFICE
BOURNE, MASS

AGENDA

1. Approve minutes of previous meeting
2. Review copies of award letters to agencies for FY13
3. Continue discussion concerning update of booklet
4. Any other business that may come before the committee
5. Set date for next meeting

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Speakman, Tavares, Thurston, Varnerin, Garcia, Johnson,

Chapman, Sullivan

**MINUTES TO THE MONTHLY MEETING OF THE
BOURNE HUMAN SERVICES COMMITTEE
October 23, 2012
BOURNE TOWN HALL**

Present, Lois Carr, Leona Bombaci, Barbara Thurston, Jack Mulkeen
Absent: Andy Murray, Chairperson. Richard Tavares

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TOWN CLERK'S OFFICE
BOURNE, MASS

Agenda:

1) Minutes of the 9/25/12 meeting submitted by Lois Carr.

Motion by LC to approve the minutes, second by BT and all approved.

2) Review Copies of Award letters sent to agencies for FY 13. Lois Received copies of the FY 13 Budget award letters listing amounts that agencies received. Lois did not have copies with her but had the Town FY 2013 Print Out of all awards distributed to agencies. Need to clarify what will happen to the \$1952.50 not awarded to VNA. Lois presented the Budget award letters of FY 11. Jack questioned the wording of Paragraph 2 and suggested we see the 2012 letters for comparison and explanation as to what that paragraph means. Also noted the Big Brothers, Big Sisters agency allotment was not on the Town Fund Report run of 10/3/12. Lois will bring FY 12 letters at next meeting for review. Motion made by BT, seconded and approved, to send letters to New BHS grantees inviting them to attend the next BHS meeting to give presentations about their agency and use of funds. Lois will draft and send out these invite letters to New Grantees.

3) The Bridge to Human Services Booklet Goal. Funding source is needed to reprint a new edition. Work by Jack, Barbara and Lois has the booklet information updated and will need a final review before printing. Previously Booklet was funded by Town Administrators budget and need to confirm if the same will happen with reprint. First Print in 2009 cost about \$840 for 1000 copies and 2nd print in 5/2010 was about \$640 for 1000 copies. Funds will need to be secured and estimate of cost gathered.

4) At last meeting, Andy announced that we wanted to consider leaving his Chairperson position and welcomes another member to take the Chairperson role on. Also new members are needed to be on the Committee. This discussion will be tabled to next meeting as Andy was not present.

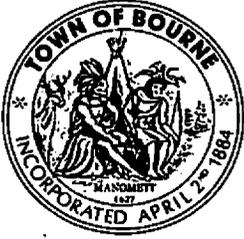
5) Topics for future discussion:

Jack proposed the idea of distributing Human Service Agency information in public places. Leona presented the idea to have a public Launching of the Booklet when ready and have a public forum or informational set up where the agencies in the booklet can set up their information about what they offer.

NEXT MEETING Scheduled for November 27, 2012

Motion made and approved to adjourn: 4:55pm

Minutes submitted by: Leona Bombaci



Bourne Human Services Committee Meeting Notice



Date: Tuesday
November 27, 2012

Time: 4:00 P.M.

Location: Upper Conference Room
Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

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TOWN CLERK'S OFFICE
BOURNE, MASS

AGENDA

1. Approve minutes of previous meeting
2. Representatives from Big Brothers Big Sisters, Aids Support Group and Cape Cod Child Development will describe the services their agencies provide and the number of Bourne residents that are served.
3. Election of a Chairperson and Treasurer
4. Discussion of how Bourne residents may help the victims of Hurricane Sandy
5. Date and time of next meeting

Andrew Murray
Chairperson
November 20, 2012

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Tavares, Thurston, Garcia, Mulkeen, Johnson, Chapman, Sullivan

Bourne Human Services Committee

Minutes of Meeting

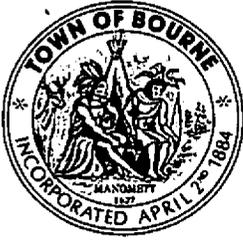
November 27, 2012

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TOWN CLERK'S OFFICE
BOURNE, MASS

Members Present: Andrew Murray, Jack Mulkeen

Excused: Lois Carr, Leona Bpmbaci, Barbara Thurston, Richard Tavares,

There was not a quorum for this meeting, but the members in attendance did meet with a representative from Cape Cod Child Development, who spoke about her agency and services provided to Bourne families



Bourne Human Services Committee Meeting Notice



Date: Tuesday
December 11, 2012

Time: 4:00 P.M.

Place: Room 3
Bourne Community Bldg.
Main Street, Buzzards Bay

2012 DEC 4 PM 10 20
TOWN CLERK'S OFFICE
BOURNE, MASS

Approval of minutes of last meeting

Presentations by members of Big Brothers and Big Sisters and
the Cape Cod Aids Support Group

Election of officers for the year

Any other business that should come before the Committee

Set date for next meeting

cc: Town Clerk
Committee: Bombaci, Carr, Murray, Tavares, Thurston, Johnson, Chapman, Sullivan,

Minutes of the Bourne Human Services Committee Meeting

December 11, 2012 2013 JAN 11 PM 1 42

Bourne Memorial Community Building
TOWN CLERK'S OFFICE
BOURNE, MASS

Members Present: Andrew Murray, Barbara Thurston, Lois Carr, Leona Bombaci

Excused: Richard Tavares, Jack Mulkeen, Christina Stuart

Guests: Felicita Monteiro, Director of Bourne COA and Courtney Watson, Director of Development- Big Brothers/Big Sisters

Meeting convened at 4:10 p.m.

Courtney Watson spoke about Big Brothers/ Big Sisters of Cape Cod. This agency was started in 1974 by Stu Peoples. Their mission is to help kids aged 7-12 who are in crisis, by providing one to one professionally supportive mentorship. Mentors help kids to know what is right from wrong. It has been proven that participants do better in school, make better choices and have greater self esteem.

Courtney noted that Barnstable County has the highest rate of juvenile crime in Massachusetts. Currently there are 2,000 kids on the Cape who need a Big Brother or Big Sister, but only 250 are actively served in the program.

Bourne is one of two towns on the Cape that have a school based program where high school students are matched with elementary students. This is a weekly, supervised after school program with 26 matches

Requirements for the community based program include the Big Brother or Sister committing to spending 2-4 hours every two weeks with their little brother or sister. They must pass a CORI check and both bigs and littles have an extensive interview with one of the Match Support Specialists. There are currently more than 20 matches as well as a waiting list in Bourne. The agency is actively recruiting mentors.

Funding for Big Brothers/ Big Sisters of Cape Cod comes from the United Way (13%), local town governments (20%) and individual and corporate fundraising.

Ms. Watson was thanked by the committee for her presentation.

Ms. Carr noted that she had tried to contact the AIDS Support group of Cape Cod to also do a presentation, but never got a response.

Mr. Murray reported that he and Jack Mulkeen did meet with a representative from Cape Cod Child Development on November 27. No other committee members were able to attend that meeting.

Motion was made by Lois Carr to approve the minutes of the October 23 meeting, seconded by Barbara Thurston. Unanimous vote.

Election of Officers: Andy Murray nominated Lois Carr as Chairman, seconded by Ms. Thurston. There were no other nominations. Ms. Carr agreed to take the position as long no other members were interested. Other committee members will continue to take meeting minutes on a rotating basis. Unanimous vote.

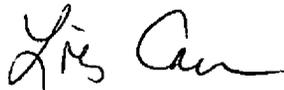
Proposals for Human Services funding are due December 12, 2012. Lois will contact Debbie Judge at the Selectmen's office to see when committee members will be able to pick up their binders. She will also call Tom Guerino to see when the approved budget needs to be submitted.

The next meeting of the Bourne Human Services Committee is tentatively scheduled for Tuesday, January 22, 2012 at 4 p.m. at the Bourne Memorial Community Building.

Motion was made by Barbara Thurston to adjourn and seconded by Leona Bombaci.

Meeting adjourned at 5:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lois Carr".

Lois Carr