

2011

Council on Aging
Cultural Council
Design/Sign Standards
EAC – Energy Adv Committee
Finance Committee
Board of Health

TOWN OF BOURNE

Board, Committee, or Commission: BOURNE COUNCIL ON AGING

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
January 20, 2011	1:45 P.M.	Bourne Veterans Memorial Community Center / Senior Center

Agenda Items

1. Minutes- Pat Morley
2. National Accreditation Update
 - a. Jacqueline Loring / next Planning Meeting: Tuesday, February 8 @ 11:00a
 - b. Mandi Speakman-Selectmen's meeting on February 8
3. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
4. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: Estelle Blake

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: January 18, 2011

cc: Town Clerk

TOWN CLERK'S OFFICE

2011 JAN 18 AM 9 34

Bourne Council on Aging

Date: January 20, 2011

2011 FEB 22 AM 8 35

Bourne Veterans Memorial Community Center/Senior Center

TOWN CLERK'S OFFICE

Members Present: Estelle Blake, Mary Fuller, Valerie Gudas, Monica Layton, Don Morrissey, Bette Songer, Dorothy Wilcox,

Excused: Marjorie McClung, Marie Johnson, Sue Arnold, Lorraine Young

Also Present: Diane Bergeron, Marie Billard, Arnie Carr, Ted Hatch, Lisa Laine, Carol MacDonald, Richard Menkello, Patricia Morley, Helen Sergi Hatch, Linda Silveira, Ann Marie Riley, Jacqueline Loring, Mandi Speakman, Debi Oliviere, Pat Houde, Lois Carr

Meeting started at 1:45

Change in meeting schedule:

Next month the COA meeting will start at 1:00pm, followed by the Friends meeting

Mandi – legally we have to disclose the starting time for the COA meeting – it behooves us to schedule COA meeting at 1pm with Friends meeting to follow. All agreed.

Minutes – Motion to accept minutes as written Mary Fuller, second – Bette Songer

National Accreditation – Mandi Speakman

The National Accreditation Planning Committee met again and brainstormed ideas about the celebration. Specific tasks were discussed such as sending an invitation to Governor Patrick, sending a letter to Therese Murray to petition the Governor to attend. Once we get a date from him we can then set a date for the celebration and start planning. Some ideas mentioned - huge gold bow for this building, gold pins, a sign out front. Mandi talked to Tom Guerino and let him know we are in the planning stages. Mandi will be going before selectmen on February 8th.

Outreach – Lois Carr

- Getting calls requesting oil
- The 6 Knox boxes we purchased have come in. We also received feedback from people who are no longer at home.
- See Outreach report as written

Assistant Director – Pat Houde

- Interesting to find out we have numerous people under 60 years old coming in to volunteer. It's heartbreaking because some of these people are out of work. We try to put them in volunteer positions. This has been going on over the past 6 or 7 months.
- The Men's Breakfast is really doing well. There is a consistent increase in attendance numbers. This month 40 men attended the breakfast. The next breakfast will have two police officers talking about interviews and interrogations.
- We have received a Cultural Grant for \$450.00 will fund the jazz performance in May.
- Actual funding received from the Scallop Fest is \$1,350.00. The Fest banner project money goes to the Food Pantry.

- Regarding holding Ladies' breakfasts - we will have a ladies' brunch and we are planning to do it in the spring.
- See written report as submitted

Directors Report – Mandi Speakman

- Cape Coast (of which Bourne is a member) is participating to pursue a \$20,000 Grant coming up in the spring, focusing on wellness and health. 14 of the 15 Cape COAs Participate in Cape COAST. Attending these training sessions keeps us in front.
- Local Emergency Planning Committee has met and we will see more information coming out of the Town of Bourne regarding snow emergencies, etc.
- Meeting with Marie Oliva, anything we need, the Chamber will be there to support us.
- Randy Hunt (Rep) will be here next month regarding tax returns – he is offering a strong tax program.
- WQRC and Bourne Enterprise both picked up the front page of our newsletter regarding how many participate in different programs. Our organization is special and unique.
- We will be seeing more on the Budget in the Courier. Every department in town is taking a hit. We have to have a plan and advocate for it. Mandi will go back to Tom Guerino to advocate for what will be least hurtful. It will be a long process between now and June.
- Jean Hills and Mandi have made some changes to the newsletter. The Newsletter will highlight special items/events with pictures, and feature a 2 page calendar. We will be looking for feedback.

Other supportive remarks:

- Estelle Blake mentioned it was wonderful to see people who care about people. We all admire and respect Mandi for the job she is doing.
- Ted Hatch mentioned that he attempted to do Wareham and it didn't work, that it's really heartwarming to see the way our Boards meld together and the heartfelt caring that goes on with this group. Part of our mission on the Friends is to help keeping programs going.
- Lisa Laine asked about the United Way – have not heard any news yet. When people need something, there should be a process where they can ask Friends for money. Ted added – part of our next fundraising agenda will include budgeting and goals.
- Mary Fuller told the group that Sandy always mentioned that Tom Guerino understands what the COA does. She suggested we put together a good video program that we could run at the Town Meeting, in the Lobby, including some handout materials. That way, we are showing why we are the gold standard.
- The Town Meeting has a mixed generational group that doesn't know what this Council does.

Motion to adjourn – Don Morrissey, seconded – Valerie Gudas
Meeting adjourned at 2:20pm

Respectfully submitted,
Patricia Morley, Secretary
Friends of Bourne
Council on Aging

Reports Distributed
– *Outreach*
– *Assistant Director*
– *Director*

TOWN OF BOURNE

Board, Committee, or Commission: BOURNE COUNCIL ON AGING

2011 FEB 15 AM 9 16

Schedule of Regular Meetings

TOWN CLERK'S OFFICE
2011 FEB 15 AM 9 16

<u>Date</u>	<u>Time</u>	<u>Place</u>
February 17, 2011	1:00 P.M.	Bourne Veterans Memorial Community Center / Senior Center

Agenda Items

1. Minutes- Pat Morley
2. National Accreditation Update-Mandi Speakman
 - a. Next meeting February 24 @ 9:30 am
3. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
4. Budget Update-COA presents to Fin Com and Selectmen on Feb. 28, 2011
5. FREE! EOE Board Training-March 31, 9-12 (see last month's handout)
6. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: Estelle Blake (as)

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: February 15, 2011

cc: Town Clerk

Bourne Council on Aging

Date: February 17, 2011

Bourne Veterans Memorial Community Center/Senior Center

2011 MAR 18 PM 2 42

Members Present: Estelle Blake, Mary Fuller, Monica Layton, Marjorie McClung, Don Morrissey, Bette Songer, Dorothy Wilcox,

TOWN CLERK'S OFFICE

Excused: Valerie Gudas, Susanne Arnold, Lorraine Young

Also Present: Arne Carr, Ted Hatch, Carol MacDonald, Nancy Manley, Richard Menkello, Patricia Morley, Helen Sergi Hatch, Linda Silveira, Lois Carr, Pat Houde, Ann Marie Riley, Mandi Speakman, Debi Oliviere, Judy Honan, Erin Honan Andrews

Meeting started at 1:00pm

Meeting Minutes – Motion to accept minutes as written – Bette Songer, second Monica Layton

National Accreditation – Mandi Speakman

Need to come up with a firm date for Governor to attend celebration. Meeting with the Accreditation Celebration Planning Committee at 10:00am on the 24th to update planning.

Outreach - Lois Carr

- Grandparents as parents are having workshops.
- Worked on the State Subcommittee and finished 1 page fact sheet for grandparents. Copy of fact sheet was passed around and is available to handout to grandparents. Will be under Health & Human services on the website.

Assistant Director – Pat Houde

Pat talked about the many meetings we have with the different committees and more and how very productive they are. All of the meetings are well worthwhile.

Director's Report - Mandi Speakman

Attending meetings has provided opportunities to network with legislators and Chambers of Commerce. Advocating for the Formula Grant to remain level-funded is time well spent.

Budget Update – Mandi Speakman

We will present a draft budget to the Finance Committee and Selectmen on Monday night 2/28. Mandi asked for the Board's support at this meeting. Mandi is continually working with Tom Guerino to advocate for the best interests of the COA. Anyone who can attend will be a great help. Time is 7:00pm and we are 1st on the agenda.

Board Training – Mandi Speakman

Board training will be March 31 in Barnstable – this is free training and a very worthwhile way to spend time. Loads of information will be given out.

Emerging Issues for next month. None were brought up.

Motion to adjourn meeting made by Don Morrissey, second by Bette Songer.

Respectfully submitted,
Patricia Morley, Secretary
Friends of Bourne, Council on Aging

Reports: - Outreach
- Assistant Director
- Director
Board Training
OML Training

TOWN OF BOURNE

Board, Committee, or Commission: **BOURNE COUNCIL ON AGING**

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
March 17, 2011	1:00 P.M.	Bourne Veterans Memorial Community Center / Senior Center

Agenda Items

1. Minutes- Pat Morley
2. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
3. Budget Update- Mandi Speakman
4. FREE! Open Meeting Law Training-see Handout
5. FREE! EOE Board Training-March 31, 9-12 (SIGN UP WITH MANDI TODAY)
6. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: Estelle Blake

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: March 15, 2011

TOWN CLERK'S OFFICE
2011 MAR 15 AM 11 44

cc: Town Clerk

Bourne Council on Aging
Date: March 17, 2011
Bourne Veterans Memorial Community Center/ Senior Center

Members Present: Susanne Arnold, Estelle Blake, Marjorie McClung, Don Morrissey, Bette Songer, Dorothy Wilcox, Lorraine Young

Excused: Mary Fuller, Valerie Gudas, Marie Johnson, Monica Layton

Also Present: Diane Bergeron, Arne Carr, Lois Carr, Ted Hatch, Lisa Laine, Carol MacDonald, Nancy Manley, Richard Menkello, Patricia Morley, Helen Sergi Hatch, Linda Silveira, Pat Houde, Mandi Speakman, Debi Oliviere, Ann Marie Riley

Meeting started at 1:05pm

Meeting Minutes – Motion to accept minutes as written – Don Morrissey, second Bette Songer - accepted by all.

Outreach - Lois Carr

Friday April 29th – the seniors will be interviewed by students in Bourne. This is an intergenerational program. The students will write a report with a follow-up session to present their reports. See Outreach written report as submitted.

Assistant Director – Pat Houde

Have contacted all history group attendees for the Medal of Honor award. See Assistant Director report as submitted.

Director – Mandi Speakman

Highlight is the budget. We have had daily meetings and requests for materials and provisions are ongoing. Anticipate more time will be taken with the budget and Mandi will go into more detail, which is on the agenda.

Budget Update - Mandi Speakman

- Full time secretary will be laid off
- Pat Houde hours will be cut to 25
- Eve Aseltine hours will be cut to 32
- We are likely losing Betty Connolly as a result of bumping

There are renewed discussions going on with the possibility of restoring some or all of our funding. This will be brought up on Monday and Tuesday night before the Finance and Selectmen. We are hoping it will be brought up Monday and voted on. We don't know what the vote will be. There have been many calls and emails coming in by people wanting to support the COA. We suggest waiting to see what the result is on Monday night.

In addition to Sagamore Fire station and others, the COA is the only one being considered for restoring funding. Betty Connolly will likely still be bumped even if the budget is restored.

TOWN CLERK'S OFFICE
2011 APR 29 PM 2 49

Estelle Blake said how much we all as a group, appreciate what Mandi Speakman and Pat Houde have done for the COA.

Open Meeting Law training - Estelle Blake
EOEA Board Training March 31
Today is the cut-off date to let Mandi know.

Any other issues:

Motion to adjourn the COA meeting made by Don Morrissey, second Bette Songer, approved unanimously.

Respectfully submitted,

Patricia Morley, Secretary
Friends of Bourne
Council on Aging

TOWN OF BOURNE

Board, Committee, or Commission: **BOURNE COUNCIL ON AGING**

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
April 21, 2011	1:00 P.M.	Bourne Veterans Memorial Community Center / Senior Center

Agenda Items

1. Moment of Silence for Emily Boudrot
2. Minutes- Pat Morley
3. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
4. National Conference Accreditation presentation-Mandi Speakman
5. Budget Update- Mandi Speakman
6. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: Estelle Blake (ES)

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: April 19, 2011

Please Note: The listings of agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

cc: Town Clerk

2011 APR 19 AM 11 32
TOWN CLERK'S OFFICE

Bourne Council on Aging

2011 MAY 25 PM 3 42

April 21, 2011

TOWN CLEAR Bourne Veterans Memorial Community Center/Senior Center

Members Present: Estelle Blake, Bette Songer, Mary Fuller, Valerie Gudas, Don Morrissey, Lorraine Young, Dorothy Wilcox

Excused: Suzanne Arnold, Marjorie McClung, Marie Johnson, Monica Layton

Also Present: Pat Houde, Mandi Speakman, Debi Oliviere, Ann Marie Riley, Carol MacDonald, Richard Menkello, Ted Hatch, Helen Sergi Hatch, Nancy Manley, Linda Silveira, Diane Bergeron, Lois Carr, Marian Carpentino

Meeting called to order at 1:00pm

A moment of silence was held for former board member Emily Boudrot.

Minutes motion to accept minutes as presented by Bette Songer seconded by Mary Fuller

UNANIMOUS VOTE

Outreach – Lois Carr

She is looking for more people to participate in the Intergenerational Memory Share program

Assistant Director – Pat Houde

Spoke how well the Opera series program is going and “Information Sharing Fair” at Swift Memorial church where Marjorie McClung distributed literature on the COA, Outreach, Bridging the Years and volunteers.

Director’s Report

Mandi introduced Marian Carpentino who will be replacing Marge Waitner. Marge is retiring and will be leaving on May 13.

Linda Zuern did a cable TV interview with Mandi on the workings of the Friends of the Bourne Council of Aging and the Bourne Council of Aging.

A thank you to all members that attended the seminar in Hyannis last month.

Jean Hills provided new name tags for all board members to be worn at the Volunteer Appreciation Program.

The National Conference in San Francisco will be attended by Sandy Vickery and Pat Houde who will accept our National Accreditation.

She would like all board members to express their thanks to Betty and Esther prior to their departures.

The budget will stand with Eve's hours decreased from 40 to 35 hours a week. Betty and Esther in the office are being bumped. Betty will be leaving May 13 due to vacation time that has to be used prior to end of year. Esther will be leaving sometime in June. The office will be without replacements for these 2 positions until July 1.

Discussion was held on the union representing Betty and Esther.

Motion to adjourn at 1:34pm by Bette Songer and seconded by Lorraine Young.

Respectfully submitted

Diane Bergeron

TOWN OF BOURNE

Board, Committee, or Commission: BOURNE COUNCIL ON AGING

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
May 19, 2011	1:00 P.M.	Bourne Veterans Memorial Community Building / Senior Center

Agenda Items

1. Minutes- Pat Morley
2. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
3. National Conference Accreditation presentation-Pat Houde
4. Bumping/Staffing Update- Mandi Speakman
5. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: Estelle Blake (saa)

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: May 17, 2011

Please Note: The listings of agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

cc: Town Clerk

TOWN CLERK'S OFFICE
2011 MAY 16 PM 3 38

Bourne Council on Aging

Date: May 19, 2011

2011 JUN 20 PM 3 03
Bourne Veterans Memorial Community Center/Senior Center

Members Present: Margorie McClung, Don Morrissey, Bette Songer, Dorothy Wilcox, Lorraine Young, Monica Layton

Excused: Susanne Arnold, Estelle Blake, Mary Fuller, Valerie Gudas

Also Present: Arne Carr, Mona Coombs, Ted Hatch, Lisa Laine, Jacquie Loring, Carol MacDonald, Joan McCarthy, Richard Menkello, Patricia Morley, Ann Marie Riley, Helen Sergi Hatch, Linda Silveira, Lois Carr, Pat Houde, Debi Oliviere, Mandi Speakman

Betty Songer chaired the meeting in Estelle Blake's absence. Meeting called to order at 1:05pm.

Minutes - Motion to accept minutes as submitted - Don Morrissey, 2nd - Monica Layton. Approved unanimously.

Outreach - Lois Carr

- June 22, 7 – 8 pm - Grandparents as Parents Special Program
- Funding provided by Title III grant from Elder Services
- See report as written

Assistant Director – Pat Houde

- Tomorrow is volunteer appreciation event
- Refreshments provided by Senior Residences of Cape Cod at Pocasset
- See report as written

Director's Report – Mandi Speakman

- Cape COAST is now a standing committee under MCOA – Awarded grant from CHNA 27 – for improved mental health throughout aging and building resiliency. Forums will be based on Live Your Life Well model. This is a \$19,148 grant.
- Suicide prevention grant for at-risk older adults – Consortium received notification we have been approved for two years at \$60K total.
- Tracking unmet needs – There are things we are not able to do because of lack of staffing. We are keeping track of things we are not able to do.

National Conference Accreditation – Pat Houde

Sandy Vickery and Pat flew out to San Francisco to accept the award. There was a contingency from MA attending. Sandy will continue to work on the Accreditation program.

Bumping and Staffing update - Mandi Speakman

Bette has left and Esther has stepped up to the plate even though she is leaving too. She will be leaving June 16th. We were notified by the town that no staff would be moved until July 1st. With vacation time, Bette and Esther will leave much sooner.

Motion to adjourn at 2:15pm - Don Morrissy - 2nd Monica Monica Layton. Approved unanimously.

Respectfully submitted,

Patricia Morley, Secretary
Friends of Bourne Council on Aging

TOWN OF BOURNE

Board, Committee, or Commission: **BOURNE COUNCIL ON AGING**

2011 AUG 17 AM 3

TOWN CLERK'S OFFICE
BOURNE, MASS

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
August 25, 2011	1:00 P.M.	Bourne Veterans Memorial Community Building / Senior Center

Agenda Items

1. Introduction of new Board member: Kathleen Donovan - Estelle Blake
2. Introduction of new COA staff: Cheryl Gomes & Kimberly Griffin – Mandi Speakman
3. May 2011 Minutes- Pat Morley
4. Meeting time change (see January 2011 minutes) – Estelle Blake (vote)
5. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
6. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting: August 25, 2011 1:00pm Bourne Veterans
Community
Building/
Senior Center

Notice of Cancellation of Meeting: Regularly Scheduled Meeting: August 18, 2011 Cancelled

Signed: Estelle Blake *ag*

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: August 17, 2011

Please Note: The listings of agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed.

2011 AUG 17 AM 3 20

cc: Town Clerk

BOURNE COUNCIL ON AGING BOARD MEETING

**August 25, 2011
1 P. M.**

2011 OCT 5 PM 1 03

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

MEMBERS PRESENT: Estelle Blake, Bette Songer, Monica Layton, Mary Fuller, Kay Donovan, Dorothy Wilcox, , Marjorie McClung, Valerie Gudas, Don Morrissey, Lorraine Young.

MEMBERS EXCUSED: Susanne Arnold

Also Present: Arne Carr, Carol MacDonald, Dick Menkello, Janis Guiney, Joan McCarthy, Linda Silveira, Lisa Laine, Mona Coombs, Nancy Manley, Ted Hatch, Helen Sergi-Hatch, Mandi Speakman, Pat Houde, Jacqueline Loring, Lois Carr, Marion Carpentino, Kimberly Griffin, Cheryl Gomes, Karen Ross, Nancy Manley and Debbie Oliviere-Llanes.

The meeting was called to order at 1 p.m. At that time the Chair took a moment to recite the Serenity Prayer. The Chair noted that the change in meeting time was never formally voted on.

Upon a motion duly made by Lorraine Young and seconded by Kay Donovan the Board unanimously voted to change the Board Meeting time from 2 p. m. to 1 p. m.

MINUTES:

Upon a motion duly made by Bette Songer and seconded by Monica Layton the Board unanimously voted to approve the minutes of May 19, 2011 as written.

INTRODUCTION:

Chairwomen, Estelle Blake welcomed Kay Donovan to the Board of COA.

Director, Mandi Speakman introduced Cheryl Gomes and Kimberly Griffin as the new office staff.

OUTREACH – LOIS CARR

- Ms. Carr noted that due to the approaching storm emergency outreach will be done tomorrow.
- See report as written

DIRECTOR'S REPORT – MANDI SPEAKMAN

- Ms. Speakman informed the Board that Pat introduced her to Senator Teresa Murray at a private meeting in her Plymouth office. The meeting was set-up in order to maintain a good relationship with the Senator that Sandra Vickery, the retired Director of the COA has had with the Senator. The Senator reassured Mandi and Pat that there is no gloom and doom concerning the State Budget and the Formula Grant.
- Mandi also took this opportunity to thank both boards for attending the Board of Selectmen Meeting.
- See Report as written

ASSISTANT DIRECTOR – PAT HOUDE

- Ms. Houde informed the Board that the COA programs are going good and some new programs are coming in.
- See Report as written

EMERGING ISSUE TO BE PUT ON THE NEXT MONTH'S AGENDA

Upon a motion duly made and seconded the board unanimously voted to adjourn the meeting at 1:10 p. m.

Respectfully submitted,

Cheryl J. Gomes

Administrative Secretary

Bourne Council on Aging

Date: August 25, 2011
To: Bourne COA Board Members
From: Mandi Speakman
Re: Director's Report

This report covers my activities since the last COA Board meeting on May, 19, 2011.

Ongoing Monthly Meetings:

- Bourne Human Services Committee
- BVMCB meetings including Building, Rec and Human Resources Directors
- Cape COAST (COAs Serving Together)-Acting Secretary
- CHNA
- CIRCA
- COA Officers
- Community: continue to meet with and take phone calls/e-mails from
- DPH- Suicide Prevention Grant coordination with REACH and Samaritans of CC&I
- Friends Food Pantry Oversight Committee
- Friends Officers
- Policy Committee
- Program leaders: continue to meet with and take phone calls from
- Senior Social Programs Committee
- Staff (group and individually including Outreach, BTY, Pantry Coordinator, Pantry Administrator, Asst. Director, Office Staff, Both Special Projects Coordinators, Café Chef, Bus Driver)
- Town Administrator
- Town Dept. Heads
- Town Human Resources Director
- Upper Cape Consortium-Meeting and ongoing management of Suicide Prevention Grant

Other:


- Meeting: Samaritans on CC&I
- Meeting: Rep from Harbor Point
- Meeting: CC COAs New Directors
- Meeting: Service Providers surrounding one client
- Meeting: Pat Houde and I with Senate President Therese Murray
- Meeting: Requested by FFP Volunteers
- Meeting: VNA Community Services Coordinator
- Meeting: Barnstable COA Chairman
- Meeting: Independence House and Outreach regarding senior outreach
- Meeting: Charlie Noyes re: LEPC
- Meeting: Jacqui Loring on behalf of the UCC for SWOT/Mission Statement retreat
- Meeting: BOS Workshop (meetings, research, prep, power-point, attendance)
- Orientation of Cheri Gomes and Kim Griffin
- FFP Delivery Driver Training
- Hosted: EOEI Formula Grant Training with Emmett Schmarsow

- Hosted: MCOA Supportive Day Working Group tour and meeting
- COA Special Programs: "All That Jazz"; SHINE; Nutrition and Eating for One; Weight Loss Hypnosis; Fall Prevention Program (grant-funded through VNA); Stretching the \$(cancelled due to facilitator no-show); Reiki Attunement; Intergenerational Author/Ice Cream Social
- Booking/organizing COA Special Programs
- Attendance at Town Meeting
- Volunteer Appreciation Celebration
- Newsletter articles
- Tax Work-off new applicant interviews
- Office Manager duties in Betty Connolly's absence
- Office Secretary's duties in Esther Bernardo's absence
- Prepare materials for UCC meeting re: retreat

Tracking Unmet Needs:

- Lack of Friday driver due to Bus Driver's position being cut to 35 hours. Continue to try to supplement with Tax Work-off and Volunteer drivers.
- Postponements: Health Fair and CC Healthcare offerings due to: lack of staff or new, untrained staff; prioritizing other COA needs resulting in lack of time.

Respectfully submitted,



Mandi Speakman
Director, Bourne COA

**REPORT OF ASSISTANT DIRECTOR
TO BOARD OF BCOA – August 18, 2011**

SENATOR MURRAY - The Director and I met in Plymouth where I formally introduced our Director to Senate President Therese Murray. The Senator, COA Director, and discussed senior budget concerns as well as grant issues. Excellent meeting and as always the Senator speaks very highly of the Bourne COA

CORI CHECKS & INTERVIEWS – Interviews numbering thirteen (13) and CORI checks numbering eighteen (18): Café, BTY, Food Pantry, Tax Program, Bulletin Board volunteer and Books Volunteer.

JOB DESCRIPTIONS REVISED - All Café volunteers have signed revised Job Descriptions.

VOLUNTEER MEETING - Preparing for meeting be held for all Café volunteers. Renewal of CORIs and other pertinent paperwork, including confidentiality will be completed. Updated medical releases, safety and Board of Health regulations will be discussed.

MEN'S BREAKFAST - Department of Natural Resources had to cancel, Skip Barlow filled in and presented DNR information. Thirty Eight were in attendance. Next month's guest speaker is Police Chief Dennis Woodside.

MEETINGS ATTENDED: Staff, Pantry Oversight, Fundraising, Trips, Parade, Policy, and Board of Trustees, Board of Selectmen. I attended a meeting with Director pertaining to "Elders at Risk" and a meeting "Mandated Reporting" facilitated by Outreach Coordinator. Meeting with COA Director is daily.

MEETINGS HELD BY ASSISTANT DIRECTOR – Working with new personnel is ongoing, met with BTY Director, Outreach Coordinator, Chef, and Tax Program Coordinator. I also met with numerous volunteers.

SPECIAL PROJECTS – I met with Special Projects Coordinator regarding upcoming Fairs.

PSYCHIC FAIR – Had three (3) meetings with Fair coordinator.

MMA - Have been in contact several times with Coordinator of cadets for volunteers for two events.

HOLIDAY HAPPENING - Kristi Pappas and Jack Colombo have confirmed the December 20th performance.

BANNER PROJECT – Partnership with the Cape Cod Canal Region Chamber of Commerce is continuing.

Respectfully submitted,


Patricia G. Houde

To: Bourne COA Board Members
From: Lois Carr, Outreach Coordinator

August 2011 Report

Outreach- I accompanied the food pantry volunteers and staff on deliveries to homebound elders and disabled. I met the clients and distributed Triad emergency bags to those who did not already have one. We continue to get numerous referrals, calls and requests from elders, family members and community agencies for outreach services.

Elders At Risk – The Cape Consortium for Older at Risk Adults continues to meet. At our last meeting we had program updates from Karen Gardner, CEO of Community Health Center of Cape Cod, Elder Services of Cape Cod and Samaritans. Consortium members will participate in a SWOT analysis workshop on September 20. I continue to work with several elder at risk clients, who usually have multiple issues that need to be addressed.

Grandparents as Parents- The Information and Referral subcommittee of the State Commission of Grandparents Raising Grandchildren has been working on the development of a website for these caregivers. We hope to have it ready for the public by the end of August.

Fuel Assistance- I have received numerous calls about fuel assistance. The training is September 27 and we will start to take new applications in October. I am assisting seniors who have received fuel assistance recertification applications as well as real estate tax exemption forms.

Intergenerational- Authors in the Afternoon Intergenerational Ice Cream Social, August 23 at 2 p.m.

Knox Boxes- Currently all boxes are out on loan and there is a short waiting list. Recertification letters have been sent to many of the program participants, with most responding. Follow up calls will be made to those who have not yet responded.

Human Services- The committee did not meet in July or August.

Other- I attended a meetings with Independence House and the Food Pantry Oversight Committee.

Respectfully submitted



To: Bourne COA Board Members

From: Kari Leighton, Outreach Worker

August 2011 Report

Outreach- I have continued to be busy with home and office visits. We have had a lot of people in need of services or financial assistance.

Elders at Risk- I continue to work closely with several community resources to support the at risk clients I work with.

Fuel Assistance- Fuel assistance will be starting in October. People are already receiving recertification paperwork and I have met with a few people to help them complete the required paperwork. I will be attending Fuel Assistance training on September 27th.

Knox Boxes- I did two Knox Boxes during July and August.

Human Services- We have received many calls from non-seniors regarding utilities, rent assistance and wanting information about the food pantry and/or food stamps.

Respectfully submitted,


Kari Leighton

TOWN OF BOURNE

Board, Committee, or Commission: **BOURNE COUNCIL ON AGING**

2011 SEP 13 AM 9 20

TOWN CLERK'S OFFICE
BOURNE, MASS

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
September 15, 2011	1:00 P.M.	Bourne Veterans Memorial Community Center/ Senior Center

Agenda Items

1. Minutes- Cheryl Gomes
2. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
3. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: Estelle Blake (Ms)

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: September 13, 2010

cc: Town Clerk

TOWN OF BOURNE

COUNCIL ON AGING BOARD MEETING

Bourne Veterans Memorial Community Center/Senior Center

SEPTEMBER 15, 2011

2011 OCT 21 AM 10 58

TOWN CLERK'S OFFICE

BOURNE, MASS.

Meeting called to order at 1 p. m.

MEMBERS PRESENT: Estelle Blake, Bette Songer, Monica Layton, Mary Fuller, Kay Donovan, Dorothy Wilcox, Marjorie McClung.

MEMBERS EXCUSED: Suzanne Arnold, Don Morrissey, Lorraine Young and Valerie Gudas.

ALSO PRESENT: Arne Carr, Lois Carr, Mona Coombs, Janis Guiney, Ted Hatch, Pat Houde, Lisa Laine, Carol MacDonalod, Joan McCarthy, Dick Menkello, Nancy Manly, Debora Oliviere-Llanes, Karen Ross, Helen Sergi- Hatch, Linda Silveira, Mandi Speakman and Dot Wilson.

MINUTES:

Upon a motion duly made by Bette Songer and seconded by Mary Fuller the board unanimously voted to approve the minutes of August 25, 2011 as written.

OUTREACH – Lois Carr

- Ms. Carr noted that she has been very busy with her At-Risk clients this month.
- See attached report as written

DIRECTOR'S REPORT – Mandi Speakman

- Ms. Speakman reported on Cape COAST (COAs serving together) of which she is the clerk.
- She highlighted on the Wellness Forum that she will be making a presentation on at the MCOA annual conference in Sturbridge on October 5th, 6th, and 7th.
- Tracking the unmet needs of our seniors, the biggest is transportation with the lack of a driver for Fridays. With only one paid driver, who also schedules, dispatches and does all the necessary administrative work, the COA supplements with the tax work off program, a second driver is needed because of the minimum number of hours that must be met for RTA.
- See attached report as written

ASSISTANT DIRECTOR'S REPORT – Pat Houde

- Ms. Houde noted that Diane Bergeron did a great job with the two workshops for the Tax Work-Off Program. The first session had 52 people in attendance and the second had 42. Also 98 CORI's were submitted.
- See attached report as written

The Chair asked if there was any other business which there was none.

Upon a motion duly made by Bette Songer and seconded by Monica Layton the board unanimously voted to adjourn the meeting at 1:10 p. m.

Respectfully submitted,
Cheryl J. Gomes
Administrative Secretary
Bourne Council on Aging

TOWN OF BOURNE

Board, Committee, or Commission: **BOURNE COUNCIL ON AGING**

2011 OCT 17 PM 3 43
TOWN CLERK'S OFFICE
BOURNE, MASS

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
October 20, 2011	1:00 P.M.	Bourne Veterans Memorial Community Center/ Senior Center

Agenda Items

1. Minutes- Cheryl Gomes
2. "Article 6" Update – Mandi Speakman
3. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
4. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: Estelle Blake (ms)

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: September 17, 2010

cc: Town Clerk

**TOWN OF BOURNE
COUNCIL ON AGING BOARD MEETING**

2011 NOV 21 PM 2:31 Bourne Veterans Memorial Community Center/Senior Center

**TOWN CLERK'S OFFICE MINUTES OF OCTOBER 20, 2011
BOURNE, MASS**

MEMBERS PRESENT: Estelle Blake, Bette Songer, Monica Layton, Mary Fuller, Kay Donovan, Dorothy Wilcox, Marjorie McClung, Don Morrissey, and Lorraine Young

MEMBERS EXCUSED: Suzanne Arnold and Valerie Gudas

ALSO PRESENT: Arne Carr, Lois Carr, Mona Coombs, Marian Carpentino, Janis Guiney, Pat Houde, Lisa Laine, Jacqueline Loring, Carol MacDonald, Dick Menkello, Nancy Manley, Debora Oliviere-Llanes, Karen Ross, Linda Silveria, and Mandi Speakman, Nathan Carr

MINUTES: Upon a motion duly made by Bette Songer and seconded by Mary Fuller the board unanimously voted to approve the minutes of September 15, 2011 as written.

ARTICLE 6: Mandi updated the board members on the Town of Bourne Special Town Meeting Revolving Account. Town Counsel informed the Town Administrator that articles dealing with money can only be voted on at the Annual Town Meeting. Article 6 has been postponed until the Annual Town Meeting.

OUTREACH-Lois Carr

- Ms. Carr discussed the three Flu Shot Clinics of which 158 shots were given at the October 17, 2011 clinic here in the Community Building Gym. The next clinic will be held on October 24, 2011 from 9-12 at St. John's in Pocasset. The third clinic will be held at the Town Hall on October 27, 2011 in the evening from 4:30-7:30 and is opened to residents of all ages.
- See attached report as written

ASSISTANT DIRECTOR'S REPORT-Pat Houde

- Has applied for a \$450 Cultural Council Grant for the Trooper Dan's St. Patrick's Day program in March.

- Update on new programs: Well known Reiki Master will resume at the beginning of the year.
- In December Chef John will return with the very popular informative food presentation.
- In January the cell phone program will return at the request of numerous citizens with update of our last program.
- See attached report as written

DIRECTOR'S REPORT-Mandi Speakman

- Ms. Speakman updated the board on the proposed departmental reconfiguration, with limited opportunity for discussion.
- Proposal includes COA/Human Services in the new "Department of Culture and Leisure" with the Library, Recreation Department and Community Building staff. Head of this proposed department has yet to be determined. The Town Administrator is presenting his proposal to the Board of Selectmen at their untelevised workshop on Tuesday, October 25th at 7 p.m. which is opened to the public.
- A discussion ensued concerning the Town Administrator proposal and the consensus was that putting the COA under Culture and Leisure was an insult. That the programs were more human services than culture and leisure programs.
- Mandi gave the Board a brief synopsis on the Annual MCOA Conference held in Sturbridge.
- See attached report as written

The Chair asked if there was any other business which there was none.

Upon a motion duly made by Bette Songer and seconded by Monica Layton the board unanimously voted to adjourn the meeting at 1:20 p.m.

Respectfully submitted,
 Cheryl J. Gomes
 Administrative Secretary
 Bourne Council on Aging

TOWN OF BOURNE

Board, Committee, or Commission: **BOURNE COUNCIL ON AGING**

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
November 17, 2011	1:00 P.M.	Bourne Veterans Memorial Community Center/ Senior Center

2011 NOV 15 PM 12 0.
TOWN CLERK'S OFFICE
BOURNE, MASS

Agenda Items

1. Minutes- Cheryl Gomes
2. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
3. Chairperson's Report/Discussion regarding Departmental Reconfiguration- Estelle Blake
4. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: Estelle Blake (ms)

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: November 15, 2011

cc: Town Clerk

Bourne Council on Aging
Date: November 16, 2011

2011 DEC 20 AM 11:00
Bourne Veterans Memorial Community Center/Senior Center

TOWN CLERK'S OFFICE
BOURNE, MASS.
Members Present: Estelle Blake, Kay Donovan, Valerie Gudas, Monica Layton,
Marjorie McClung, Bette Songer, Dorothy Wilcox, Lorraine Young

Excused: Mary Fuller, Don Morrissey, Susanne Arnold

Also Present: Arne Carr, Mona Coombs, Janis Guiney, Ted Hatch, Lisa Laine, Jacqui Loring, Carol MacDonald, Nancy Manley, Joan McCarthy, Richard Menkello, Patricia Morley, Debi Oliviere, Ann Marie Riley, Karen Ross, Helen Sergi Hatch, Linda Silveira, Mandi Speakman, Lois Carr, Marion Carpentino, Pat Houde

Meeting Start: 1:05pm

Minutes: Upon a motion duly made by Bette Songer and seconded by Valerie Gudas, the board unanimously voted to approve the minutes of October 20, 2011 as written.

Outreach: Lois Carr

- Starting a new intergenerational program - need 30 seniors to write letters and become a pen pal.
- Part of the Intergenerational program
- See attached report as written.

Assistant Director: Pat Houde

- Holiday Fair was a great success with a Gross of \$7,045.00.
- White Elephant table made over \$700
- Cookies made \$266 and the Bake Table did well
- Pat thanked all for their contributions, donations and time spent.
- 63 baskets were done by Ann Marie Riley
- See attached report as written

Pat also announced when will be retiring March 4, 2012 - her last day will be December 31st.

Directors Report: Mandi Speakman

- No detail on transition plans or maternity coverage right now. Mandi is meeting with Tom Guerino tomorrow and will communicate the plans as soon as concrete details are available.
- Another important Selectmen's meeting Tuesday, November 29th. Fees will be brought up again. The plan Town wants to put in place in lieu of revolving account will be discussed. Several options involve the revolving account. If there is a movement to do something immediately, it will be very difficult for the COA staff. Mandi will share any details as soon as she has them.

Discussion:

Carol MacDonald: Asked Mandi to explain what the revolving account is. Mandi – the revolving account is broken down as follows:

1. Programs – 18 programs are fee-based... instead of instructor collecting the money, it would go directly to the town and a check would be issued to pay for the instructor's time.
2. Café and Bridging the years is where the grey area comes in. It's on the radar and a meeting is scheduled to come up with a plan.

Mandi will send an email regarding the upcoming Trustees Meeting, November 29th at 4:30pm.

Diane Bergeron: Regarding the revolving fund ... is the account a clear wash?

- Mandi – we charge only the minimum with no profit to be made. The instructors can make any donation to the Friends. If there's an extra dollar or two charged, that extra goes to offset the newsletter and that no longer will be the case.

Estelle Blake: Regarding placement of COA under Culture and Leisure account.

- Estelle has written a letter about this subject. She passed the letter around to the COA members for their consideration.

Mandi – when this plan was rolled out, Mandi contacted other towns and found many towns are grouping in this way. The move seems to be more towards getting an assistant town manager. Being under Culture and Leisure is not the norm. Colleagues report to HR department or Public Safety – those towns see their council as an important service.

Jacquie Loring has talked to Tom Guerino and expressed her concern, but he said it was semantics and he may change the name. Would the people in charge be experienced with seniors and gerontology.

Mandi researched what is the norm and found that Bourne is truly unique. We operate on a different scale than most of our colleagues in other towns. There is possibly a lack of education with the general public on what we actually do.

Upon a motion duly made by Bette Songer and seconded by Lorraine Young, the board unanimously voted to adjourn the meeting at 1:32pm.

Respectfully submitted,
Patricia Morley
Secretary
Friends of Bourne Council on Aging

Date: December 15, 2011
To: Bourne COA Board Members
From: Mandi Speakman
Re: Director's Report

Ongoing Monthly Meetings:

- Booking/organizing COA Special Programs
- Bourne Human Services Committee
- BVMCB meetings including Building, Rec, Human Resources Directors and Trustees
- Cape COAST (COAs Serving Together)- Co-Clerk
- CHNA (Community Health Network Area 27)
- CIRCA
- COA Officers
- Community: continue to meet with and take phone calls/e-mails from
- Consortium for At-Risk Older Adults
- Friends Food Pantry Oversight Committee
- Friends of BCOA Officers
- Newsletter articles and organization
- Policy Committee
- Program leaders: continue to meet with and take phone calls from
- Senior Social Programs Committee
- Staff (group and individually including Outreach, BTY, Pantry Coordinator, Pantry Administrator, Asst. Director, Office Staff, Both Special Projects Coordinators, Café Chef, Bus Driver)
- Tax Work-off Coordinator
- Town Administrator
- Town Dept. Heads
- Town Human Resources Director

Other:

- Completed and submitted FY 13 COA Budget; Follow up review meeting with TA
- Meeting: Tax Work-off Coordinator and Library Director
- Meeting: REACH Coordinator re: possible Go4Life programming
- Meetings re: transition planning following Pat Houde's retirement with TA, Human Resources, Pat Houde and Lois Carr
- Meeting: Tom Cahir/CCRTA re: fixed route service
- Meeting: TA and Finance Director
- Meeting: Sue Quick and Liz Carpenito of Bourne school system re: collaborative mentor and volunteer programs, possibly including Community Center and Recreation Departments; brainstorming to resume in Spring, with tentative start date of Fall 2012
- Meetings and follow-up w/ Tax Work-off Drivers-new requirements from Town and CCRTA
- Presentation at Board of Selectmen Meeting
- Newsletter-completed only after 3 days of organizing volunteers due to Thanksgiving holiday
- Recurrent Staff and Ongoing staff training

Tracking Unmet Needs:

- Transportation: continue to try to supplement with Tax Work-off and Volunteer drivers. Lack of second paid driver and insurance requirements for volunteers results in inability to accommodate all requests for rides, including medical appointments and Fridays.
- Postponement of new programming due to: ongoing, unresolved issues surrounding COA financing and building usage; Director's pending maternity leave; Asst. Director's pending retirement.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mandi Speakman". The signature is written in black ink and has a long horizontal flourish extending to the right.

Mandi Speakman
Director, Bourne COA

TOWN OF BOURNE

Board, Committee, or Commission: **BOURNE COUNCIL ON AGING**

2011 DEC 13 AM 9 35

TOWN CLERK'S OFFICE
BOURNE, MASS

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
December 15, 2011	1:00 P.M.	Bourne Veterans Memorial Community Center/ Senior Center

Mission: The Bourne COA is established to plan, develop, implement and provide programs and services that enhance the quality of life for residents of Bourne who have reached their 60th year of age and to advocate for programs and services that support seniors. Further, the COA will promote the well-being of Bourne residents of any age, by acting as the Human Services Agency for the Town of Bourne.

Town of Bourne By-Laws: (full text Chapter 2, Article 2.5)

Duties of the Council on Aging shall be to:

1. Identify the total needs of the community's elderly population.
2. Educate the community and enlist support participation of all citizens concerning these needs.
3. Design, promote and implement services to fill these needs and coordinate present existing services in the community.
4. Promote and support programs designed to assist the elderly in the community.

Agenda Items

1. Minutes- Cheryl Gomes
2. Highlights of written reports to be incorporated into the Minutes
 - a. Outreach – Lois Carr
 - b. Assistant Director – Pat Houde
 - c. Director's Report- Mandi Speakman
3. Thank you from AARP Driving Class attendees
4. Farewell to Pat Houde
5. Emerging Issues to be put on next month's Agenda

Notice of Special Meeting (include date, time and place)

Notice of Cancellation of Meeting (Specify meeting being cancelled.)

Signed: 

Estelle Blake
Title: Chair, Bourne Council on Aging
Date: December 13, 2011

cc: Town Clerk

2012 JAN 25 AM 9 02

TOWN OF BOURE

COUNCIL ON AGING BOARD OF DIRECTORS

BOURNE VETERANS MEMORIAL COMMUNITY CENTER/SENIOR CENTER

TOWN CLERK'S OFFICE

MINUTES DECEMBER 15, 2011

BOURNE, MASS

MEMBERS PRESENT: Estelle Blake, Kay Donovan, Valerie Gudas, Monica Layton, Marge McClung, Don Morrissey, Bette Songer, Dorothy Wilcox and Lorraine Young.

MEMBERS EXCUSED: Mary Fuller

ALSO PRESENT: Diane Bergeron, Arnold Carr, Janis Guiney, Helen Sergi Hatch, Ted Hatch, Lisa Laine, Carol MacDonald, Joan McCarthy, Richard Menkello, Patricia Morley, Debi Oliviere, Ann Marie Riley, Linda Silveira, Marian Carpentino, Jacqueline Loring, Lois Carr, Pat Houde and Karen Ross.

EXCUSED: Mandi Speakman

Meeting was called to order 1:05 p. m.

MINUTES: Upon a motion duly made by Bette Songer and seconded by Lorraine Young approved the minutes with the following correction: Helen and Ted were not present at the meeting of November 16, 2011.

OUTREACH: Lois Carr

- Thanked the Friends Board for the 10 Knox boxes
- Updated the Board on the additional duties she will assume during Mandi's maternity leave
- See attached report as written

ASSISTANT DIRECTOR: Pat Houde

- See attached report as written
- Thank you read by Pat from the AARP driving class

DIRECTOR'S REPORT: Mandi Speakman

- See attached report as written

The Chairman informed the board that there will be a farewell open house for Pat Houde on January 4, 2012 from 10 a. m. to noon here at the Community Center Café. Also that the COA and Friends Board members must submit a copy of their drivers license and CORI form to Diane prior to leaving.

Upon a motion duly made by Bette Songer and seconded by Monica Layton the meeting adjourned at 1:20 p. m.

Respectfully submitted, Cheryl J. Gomes, Administrative Secretary COA

Date: January 19, 2012
To: Bourne COA Board Members
From: Mandi Speakman
Re: Director's Report

Ongoing Monthly Meetings:

- Booking/organizing COA Special Programs
- Bourne Human Services Committee
- BVMCB meetings including Building, Rec, Human Resources Directors and Trustees
- Cape COAST (COAs Serving Together)- Co-Clerk
- CHNA (Community Health Network Area 27)
- CIRCA
- COA Officers
- Community: continue to meet with and take phone calls/e-mails from
- Consortium for At-Risk Older Adults
- Friends Food Pantry Oversight Committee
- Friends of BCOA Officers
- Newsletter articles and organization
- Policy Committee
- Program leaders: continue to meet with and take phone calls from
- Senior Social Programs Committee
- Staff (group and individually including Outreach, BTY, Pantry Coordinator, Pantry Administrator, Asst. Director, Office Staff, Both Special Projects Coordinators, Café Chef, Bus Driver)
- Tax Work-off Coordinator
- Town Administrator
- Town Dept. Heads
- Town Human Resources Director

Other:

- FY 13 COA Budget; meeting with TA in prep for Finance Committee
- Meetings re: transition planning following Pat Houde's retirement with TA, Human Resources, Pat Houde and Lois Carr
- Christmas Luncheon & Show
- Meeting: Ann Marie Riley in prep for Post-Fair Review
- Meeting: Post-Fair review with crafters, quilters, knitters, etc.
- Meeting: Lisa Laine re: Food Pantry branding
- Pat Houde's Retirement Open House prep, setup, breakdown
- Newsletter Committee
- Finance Committee FY 2013 Budget presentation
- Men's Breakfast-introduction and follow up with speaker
- Cellphone Program-setup
- Grant submission: martap transportation grant for 2 new wheelchairs
- Grant submission: MA EOEIA Service Incentive Grant, FY 12-14 to supplement COA transportation program

To: Bourne COA Board Members
From: Lois Carr, Outreach Coordinator

January 2012 Report

Outreach- I participated in a Cape Cod Healthcare Community Benefits focus group for the Upper Cape. The focus was on the 60+ population, chronic disease management, vulnerable populations and oral health. The information obtained will be used towards the development of a three year plan. Kari and I also met with Roseanne DeVito, Options Counselor of the ADRC of Cape Cod and the Islands.

Elders At Risk – At the Cape Consortium for At Risk Older Adults meeting, members discussed “what’s next” in terms of expansion of at risk categories, need for additional members, and development of new goals and objectives.

Grandparents as Parents- This group continues to grow with many new members. I have been working on planning workshops for the Title III grant and a program on adolescent issues is tentatively scheduled for February. The next group meeting is January 23.

Fuel Assistance- We have been busy with fuel applications and emergencies. Kari will be doing fuel assistance on both days when Mandi is out on leave. I will still be available for emergency applications. Since October 3, a total of 88 applications were taken 42 seniors, 46 non seniors. I also did two Good Neighbor applications.

Knox Boxes- Three have been installed this past month and currently there is no waiting list.

Intergenerational- Letters have been exchanged between participants in the new intergenerational pen pal program. The Intergenerational Memory Share with fifth graders from the Bourne Middle School is scheduled for March 20. Anyone who is interested in participating please let me know. I will be attending a meeting with representatives from the library, school department and recreational dept. to plan a bullying workshop to be held on March 7. Parents, grandparents and children are all invited to attend.

Human Services- The Bourne Human Services Committee submitted its recommendation for agency funding from the FY 2013 Human Services budget to the town administrator.

Other- I have attended meetings of the Pantry Oversight Committee, Policy Committee, Senior Social Program Committee and the Finance Committee.

Respectfully submitted



To: Bourne COA Board Members

From: Kari Leighton, Outreach Worker

January 2012 Report

Outreach- I have continued to be busy with home and office visits. I have had a lot of people in need of services or financial assistance. We are working on an Intergenerational Program with some of our Seniors and a third grade class from St. Margarets School. The third graders will be pen pals with our Seniors. The Seniors have received the first letter and we are coordinating being sure they send back a letter and also helping several of them write letters. This is a wonderful experience for both the Seniors and the children.

I have started working four additional hours which I will be paid for while Mandi is on maternity leave and until the Volunteer Coordinator position is filled. I will spend this additional time covering fuel assistance for Lois since she will have additional duties. I have also been approved to run CORIS and will be meeting with individuals inquiring about volunteer opportunities.

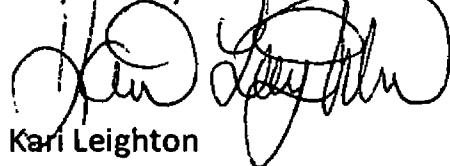
Elders at Risk- I continue to work closely with several community resources to support the at risk clients I work with.

Fuel Assistance- Fuel assistance is in full swing. We have been very busy completing applications for people. I completed 12 applications this month. I have also met with several people to help them complete the required recertification paperwork and as always we have had many emergencies which are people below 1/8 of a tank.

Knox Boxes- I did one Knox box this month.

Human Services- We have received many calls from non-seniors regarding utilities, rent assistance and wanting information about the food pantry and/or food stamps.

Respectfully submitted



Kari Leighton

Outreach Worker

REPORT OF THE ASSISTANT DIRECTOR
TO BOARD OF BCOA – December 15, 2011

VOLUNTEERS – Interviewed and CORIED ten (10) individuals for Senior Tax Work-off, Café, COA.

CORI CHECKS – I have been updating Cori information pertaining to instructors and facilitators.

MEETINGS ATTENDED – Staff, Fundraising, Trustees, Selectmen's.

ASSISTANT DIRECTOR POSITION – I met with COA Director and the town's Human Resource Director regarding filling the Assistant Director's position.

CAPE COD NURSING HOME – Will be donating baked goods for the January 14th fundraiser.

LOBBY HOLIDAY TREASURES – Lobby Fair follow up is moving along very nicely, community members love being able to pick up handmade gifts for the Holidays.

MEETINGS – I have met with the bus driver, Café Chef, Supportive Day Director and meet daily with the COA Director.

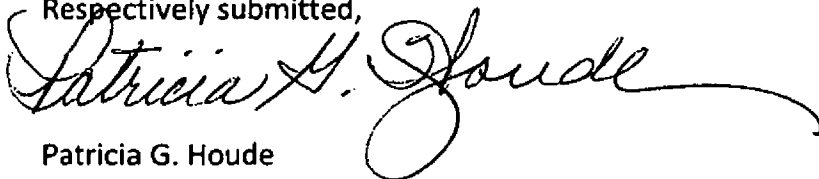
MEN'S BREAKFAST – Always well attended. Attendees number from 30 to 42. They come for the excellent breakfast and to hear the month's presenter. January's speaker is Lt. Colonel Richard Bertone, Base Commander, Camp Edwards.

INFORMATION ORGANIZATION FOR INTERIM DIRECTOR & INCOMING ASSISTANT DIRECTOR –

Organization has already started. I have been meeting with Outreach, the Supportive Day Director and COA Director regularly to discuss programs, volunteers, CORI checks, community events, relationships with local businesses and community organizations and other subject matter that pertains to the job of the Assistant Director and all that has evolved since starting in the position of Volunteer Coordinator and the last seven (7) years as Assistant Director.

U.S. AIR FORCE WOODWINDS QUARTET – Coming to perform a variety of music: jazz, Latin, Patriotic. There will be no fee for this program. There will be however suggested items in lieu of tickets for the Friends Food Pantry.

Respectively submitted,



Patricia G. Houde

To: Bourne COA Board Members
From: Lois Carr, Outreach Coordinator

December 2011 Report

Outreach- We continue to get numerous referrals, calls and requests from elders, family members and community agencies for outreach services.

Elders At Risk - We also continue to receive elder at risk referrals, who usually have multiple issues that need to be addressed.

Grandparents as Parents- This group continues to grow with many new members. I have been working on planning workshops for the Title III grant. Topics will include bullying and how parenting has changed over the years. The I&R subcommittee of the Massachusetts Commission on Grandparents Raising Grandchildren will be meeting this week to set our goals for the upcoming year.

Fuel Assistance- We have been very busy with fuel applications and emergencies. Since October 3, a total of 79 applications were taken 39 seniors, 40 non seniors. I also did one Good Neighbor application.

Knox Boxes- We received the 10 Knox boxes that Friends purchased. Three have been installed and two are scheduled for next week.

Holiday Gifts- We did receive the Thanksgiving Stop&Shop gift cards from Wareham Lodge of Elks # 1548 which were distributed to needy seniors and the Christmas ones will be distributed this week. We also received gifts for 15 seniors from the Home Instead Be a Santa to a Senior program which are in the process of being delivered.

Intergenerational- 30 seniors have volunteered to participate in the new intergenerational pen pal program with a third grade class from St. Margaret's School. I submitted the names to the teacher who will distribute them to her students. The students are currently working on their first letters which should arrive in the next few weeks.

Human Services- I frequently receive calls regarding at risk residents who are not over the age of 60. In these cases we may be able to provide some information and referral, depending on their circumstances.

Other- I have been meeting with Mandi and Pat to learn more about the additional duties I will be performing during Mandi's maternity leave.

Respectfully submitted



To: Bourne COA Board Members

From: Kari Leighton, Outreach Worker

December 2011 Report

Outreach- I have continued to be busy with home and office visits. I have had a lot of people in need of services or financial assistance. I arranged for several seniors to go to the Trowbridge Tavern for a Thanksgiving dinner or to have a meal delivered if they were unable to get out or be with family. This was very successful. We also had some Christmas gifts donated and I have been busy getting those to people as well.


Elders at Risk- I continue to work closely with several community resources to support the at risk clients I work with.

Fuel Assistance- Fuel assistance is in full swing. We have been very busy completing applications for people. I completed 13 applications this month. I have also met with several people to help them complete the required recertification paperwork and as always we have had many emergencies which are people below 1/8 of a tank.

Knox Boxes- I did one Knox box this month.

Human Services- We have received many calls from non-seniors regarding utilities, rent assistance and wanting information about the food pantry and/or food stamps.

Respectfully submitted,


Kari Leighton
Outreach Worker

Bourne Cultural Council Committee Meeting

2011 NOV 21 AM 11 45

Tuesday, November 29th, 2011

TOWN CLERK'S OFFICE 7:00 pm in the Bourne High School Professional Library,
BOURNE, MASS 75 Waterhouse Road, Bourne, MA 02532

Agenda:

1. **Review of finances and status of grants for FY2011.**
2. **Review of applications for the FY2012 grant cycle and selection of grant recipients.**

Submitted 11/17/11

Patricia Parker

Treasurer – Bourne Cultural Committee

Design/Sign Standards Sub-Committee
of the BDC - Downtown Business District

Proposed Agenda
Monday, November 7, 2011
10 am; Town Hall

2011 NOV 2 AM 10 34
TOWN CLERK'S OFFICE
BOURNE, MASS

1. Open Meeting
2. Define goal and objectives of sub-committee
3. Define parameters of Bourne's Downtown District standards
4. Determine process/timeline of tasks to meet sub-committee goal
5. Identify tasks to be completed by next meeting
6. Adjourn

Sallie K. Riggs, sub-committee facilitator

Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

Minutes of the Meeting
November 7, 2011
Town Hall

Attending: Sibel Asantugrul, Coreen Moore, Marie Oliva, Douglas Shearer, Facilitator Sallie Riggs

The meeting opened at 10:04 am.

Goal and objectives: The sub-committee's members reviewed the proposed goal and objectives with consensus that, in general, they reflected an appropriate direction for the sub-committee. Members also suggested that a vision statement would help create a context for the sub-committee's decisions. A discussion followed about an appropriate vision with the conclusion that each member should bring a draft of his/her vision to the next meeting.

Parameters of the sub-committee's work: After a brief discussion, there was consensus that the sub-committee's work should focus first on determining which guidelines should become standards before beginning discussions about the review process and enforcement. The group quickly reviewed the existing design guidelines and determined that not all were appropriate for conversion to standards. It was decided that at the next meeting the group would analyze each guideline and begin to suggest language appropriate for standards. Both the blight and slum inventory and the historic inventory can be used in the group's work - Coreen agreed to see that each member has those inventories.

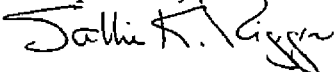
Timeline: The sub-committee's work goal is to have suggested language for a by-law on standards for the 2012 spring Town Meeting which requires a place-holder in mid-January. In the meantime, the group will plan to update the Planning Board on its work in mid-December.

Tasks for next meeting:

- a) Draft vision statements for the Downtown District
- b) Review guidelines for decisions on which should become standards

Adjourn: The meeting adjourned at 11 am.

Respectfully submitted



Sallie K. Riggs
Facilitator

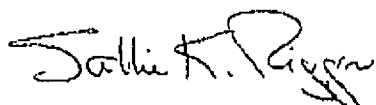
2011 NOV 21 AM 9 52
TOWN CLERK'S OFFICE
BOURNE, MASS

These Minutes were accepted by the sub-committee members at the November 14, 2011 meeting.

Design/Sign Standards Sub-Committee

Proposed Agenda
Monday, November 14, 2011
10 am; Town Hall

1. Open Meeting
2. Review and VOTE on Minutes of the November 7, 2011 meeting
3. Review suggested vision statements for Bourne's Downtown District
4. Review of blight and slum inventory and of historical building inventory
5. Begin discussion of which existing guidelines should become standards
6. Identify tasks to be completed by next meeting
7. Reports/Updates from committee members
8. Adjourn



Sallie K. Riggs, sub-committee facilitator

2011 NOV 9 AM 11 18
TOWN CLERK'S OFFICE
BOURNE, MASS

Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

2011 DEC 5 AM 11 36

TOWN CLERK'S OFFICE
BOURNE, MASS.

Minutes of the Meeting
November 14, 2011
Town Hall

Attending: Sibel Asantugrul, Coreen Moore, Marie Oliva, Douglas Shearer, Facilitator Sallie Riggs, Elizabeth Hude

The meeting opened at 10 am.

Minutes: Sallie asked for any corrections or edits to the draft of the Minutes of the meeting on November 7. There being none, it was MOVED, SECONDED and VOTED unanimously to accept the Minutes of the November 7, 2011 meeting as circulated.

Vision statement: There was a brief discussion of the vision for Bourne's Downtown with consensus that it should be a modern New England style village developed with the principles of new urbanism. It was also agreed that the term *new urbanism* needs definition.

Blight and slum and historical inventories: It was agreed to postpone review of these two inventories until later in the process.

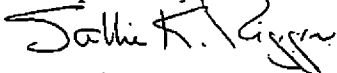
Guidelines and Standards: The group began a review of the existing guidelines and identified many that are candidates for becoming standards. There was agreement that the guidelines and standards may be organized differently at the end of the process. There was also a question about which items are already addressed in the existing Downtown District Zoning By-law. Elizabeth agreed to make a comparison for the meeting next week.

Tasks for next meeting:

- a) Continue review of guidelines for decisions on which should become standards
- b) Identify guidelines which are already addressed in the Downtown District By-law -- Elizabeth

Adjourn: The meeting adjourned at 11 am.

Respectfully submitted



Sallie K. Riggs
Facilitator

These Minutes were accepted at the November 21, 2011 meeting of the sub-committee.

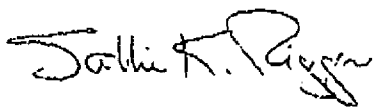
Design/Sign Standards Sub-Committee

2011 NOV 16 PM 12 30

TOWN CLERK'S OFFICE
BOURNE, MASS

Proposed Agenda
Monday, November 21, 2011
10 am; Town Hall

1. Open Meeting
2. Review and VOTE on Minutes of the November 14, 2011 meeting
3. Continue discussion of which existing guidelines should become standards
4. Identify tasks to be completed by next meeting
5. Reports/Updates from committee members
6. Adjourn



Sallie K. Riggs, sub-committee facilitator

Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

Minutes of the Meeting
November 21, 2011
Town Hall

Attending: Sibel Asantugrul, Coreen Moore, Douglas Shearer, Facilitator Sallie Riggs. Elizabeth Hude

The meeting opened at 10 am.

Minutes: Sallie asked for any corrections or edits to the draft of the Minutes of the meeting on November 14. There being none, it was MOVED, SECONDED and VOTED unanimously to accept the Minutes of the November 14, 2011 meeting as circulated.

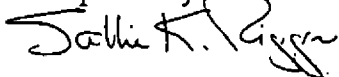
Guidelines and Standards: The group continued its review of the existing guidelines and discussed possible format changes. There was agreement to create a section on "green" building that would include the various guidelines currently found in different sections. Elizabeth distributed the beginning of an analysis of items already addressed in the existing Downtown District Zoning By-law.

Tasks for next meeting:

- a) Members should continue their review of guidelines for decisions on which should become standards
- b) Elizabeth will continue identifying guidelines which are already addressed in the Downtown District By-law

Adjourn: The meeting adjourned at 11:20 am.

Respectfully submitted



Sallie K. Riggs
Facilitator

2011 DEC 28 PM 2:55
TOWN CLERK'S OFFICE
BOURNE, MASS

These Minutes were accepted by the sub-committee members at the December 5, 2011 meeting.

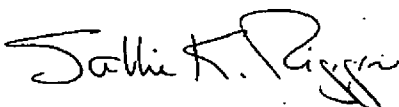
Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

2011 NOV 21 AM 11 23

TOWN CLERK'S OFFICE
BOURNE, MASS

Proposed Agenda
Monday, November 28, 2011
10 am; Town Hall

1. Open Meeting
2. Review and VOTE on Minutes of the November 21, 2011 meeting
3. Continue discussion of which existing guidelines should become standards
4. Identify tasks to be completed by next meeting
5. Reports/Updates from committee members
6. Adjourn



Sallie K. Riggs, sub-committee facilitator

Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

Minutes of the Meeting
November 28, 2011
Town Hall

Attending: Sibel Asantugrul, Coreen Moore, Douglas Shearer, Facilitator Sallie Riggs. Elizabeth Hude

The meeting opened at 10:05 am.

Minutes: Sallie noted that she had not prepared the Minutes for the November 21 meeting. They will be ready for review at the next meeting.

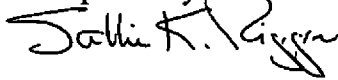
Guidelines and Standards: Elizabeth led a comparison review of the existing Downtown District Zoning By-laws and the guidelines and proposed standards. Consolidation and changes in formatting were discussed.

Tasks for next meeting:

- a) Members should continue their review of guidelines for decisions on which should become standards
- b) Elizabeth will continue identifying guidelines which are already addressed in the Downtown District By-law
- c) Sallie will bring a PowerPoint projector so that both proposed and old can be projected at the same time. She will also try to get a version of the guidelines in Word.

Adjourn: The meeting adjourned at 11:33 am.

Respectfully submitted



Sallie K. Riggs
Facilitator

2011 DEC 28 PM 2 55
TOWN CLERK'S OFFICE
BOURNE, MASS

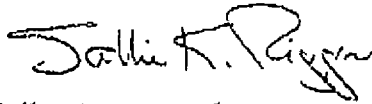
These Minutes were accepted by the sub-committee members at the December 5, 2011 meeting.

Design/Sign Standards Sub-Committee
of the Planning Board

2011 NOV 30 AM 11 21
TOWN CLERK'S OFFICE
BOURNE, MASS

Proposed Agenda
Monday, December 5, 2011
10 am; Town Hall

1. Open Meeting
2. Review and VOTE on Minutes of the November 21 and 28 meetings
3. Continue discussion of which existing guidelines should become standards
4. Identify tasks to be completed by next meeting
5. Reports/Updates from committee members
6. Adjourn



Sallie K. Riggs, sub-committee facilitator



Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

Minutes of the Meeting
December 5, 2011
Town Hall

Attending: Sibel Asantugrul, Coreen Moore, Marie Oliva, Douglas Shearer, Facilitator Sallie Riggs, Elizabeth Hude

The meeting opened at 10:03 am.

Minutes: Sallie asked for any corrections or edits to the draft of the Minutes of the meeting on November 21. There being none, it was MOVED, SECONDED and VOTED with one abstention to accept the Minutes of the November 21, 2011 meeting as circulated. She then asked for any corrections or edits to the draft of the Minutes of the meeting on November 28. There being none, it was MOVED, SECONDED and VOTED with one abstention to accept the Minutes of the November 28, 2011 meeting as circulated.

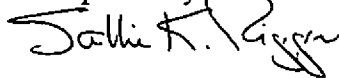
Guidelines and Standards: The group continued its review of the existing guidelines guided by Elizabeth who had circulated a draft document in advance of the meeting. The draft rearranges the section for a better flow and to eliminate duplicative language. The discussion focused on Sections 1.0 to 3.9.

Tasks for next meeting:

- a) Members should continue their review of guidelines for decisions on which should become standards with a focus on section 3.12 and beyond.
- b) Coreen will e-mail the Bedford document as an example of possible format for the final presentation to Town Meeting.
- c) Elizabeth will continue identifying guidelines which are already addressed in the Downtown District By-law and reorganizing for better flow and to eliminate duplication.

Adjourn: The meeting adjourned at 11:30 am.

Respectfully submitted



Sallie K. Riggs
Facilitator

2011 DEC 28 PM 2 56
TOWN CLERK'S OFFICE
BOURNE, MASS

These Minutes were accepted by the sub-committee members at the December 12, 2011 meeting.

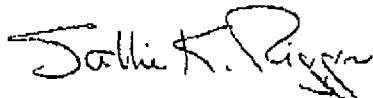
Design/Sign Standards Sub-Committee
of the Planning and Zoning Commission

2011 DEC 7 AM 11 51

TOWN CLERK'S OFFICE
BOURNE, MASS

Proposed Agenda
Monday, December 12, 2011
10 am; Town Hall

1. Open Meeting
2. Review and VOTE on Minutes of the December 5 meeting
3. Continue discussion of which existing guidelines should become standards and appropriate format for final documents
4. Identify tasks to be completed by next meeting
5. Reports/Updates from committee members
6. Adjourn



Sallie K. Riggs, sub-committee facilitator



Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

Minutes of the Meeting
December 12, 2011
Town Hall

Attending: Coreen Moore, Marie Oliva, Douglas Shearer, Facilitator Sallie Riggs. Elizabeth Hude

The meeting opened at 10:04 am.

Minutes: Sallie asked for any corrections or edits to the draft of the Minutes of the meeting on December 5. There being none, it was **MOVED, SECONDED** and **VOTED** unanimously to accept the Minutes of the December 5, 2011 meeting as circulated.

Guidelines and Standards: The group continued its review of the existing guidelines guided by Elizabeth. There was a lengthy discussion of architectural styles and which were appropriate for the vision of Downtown Bourne. While there is agreement that "coastal New England" is the vision, there is lots of discussion on the tangible interpretation of that phrase. The group also reviewed images that could serve as examples.

Tasks for next meeting:

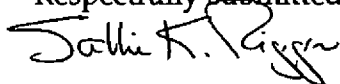
- a) Members should identify photographs and drawings of commercial buildings that illustrate the "coastal New England" architectural style.
- b) Elizabeth will continue reorganizing the current guidelines document for a better flow, to eliminate duplication, and to reference appropriate sections in the existing By-laws.

Adjourn: There was a discussion of meeting times resulting in the following changes:

- 1- Regular meetings of the sub-committee will move to 3 pm on Mondays.
- 2- The meetings that would have been on holidays (December 26 and January 2) are moved to Wednesdays, December 28 and January 4.

The meeting adjourned at 10:58 am.

Respectfully submitted



Sallie K. Riggs
Facilitator

2011 DEC 28 PM 2 56
TOWN CLERK'S OFFICE
BOURNE, MASS

These Minutes were accepted by the sub-committee members at the December 19, 2011 meeting.

Design/Sign Standards Sub-Committee

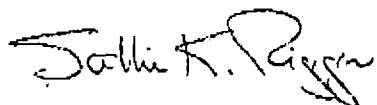
2011 DEC 15 AM 9 50

Proposed Agenda
Monday, December 19, 2011
3 pm; Town Hall

TOWN CLERK'S OFFICE
BOURNE, MASS

NOTE: Change in time

1. Open Meeting
2. Review and VOTE on Minutes of the December 12 meeting
3. Continue discussion of which existing guidelines should become standards and appropriate format for final documents, including images
4. Identify tasks to be completed by next meeting
5. Reports/Updates from committee members
6. Adjourn



Sallie K. Riggs, sub-committee facilitator

Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

Minutes of the Meeting
December 19, 2011
Town Hall

2012 JAN 11 AM 9 44

TOWN CLERK'S OFFICE
BOURNE, MASS

Attending: Sibel Asantugrul, Coreen Moore, Douglas Shearer, Facilitator Sallie Riggs, Elizabeth Hude

The meeting opened at 3:04 pm.

Minutes: Sallie asked for any corrections or edits to the draft of the Minutes of the meeting on December 12. There being none, it was **MOVED, SECONDED** and **VOTED** unanimously to accept the Minutes of the December 12, 2011 meeting as circulated.

Guidelines and Standards: The group continued its review of the existing guidelines led by Elizabeth. The discussion was guided by documents Elizabeth had distributed in advance of the meeting. A major focus of the discussion was on the images - which ones best match what the committee's vision is for Bourne's Downtown.

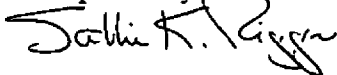
Tasks for next meeting:

- a) Members should continue to identify photographs and drawings of commercial buildings that illustrate the desired "coastal New England" architectural style.
- b) The focus of the discussion at the December 28 meeting will be on the Architectural Design Review Committee composition and charge and on the process and timeline that a property owner will conform to.

Adjourn: The next meeting is scheduled for December 28 at 3 pm.

The meeting adjourned at 4:26 pm.

Respectfully submitted



Sallie K. Riggs
Facilitator

These Minutes were accepted by the sub-committee members at the December 28, 2011 meeting.

Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

Minutes of the Meeting
December 19, 2011
Town Hall

2012 MAR 5 AM 11 57

TOWN CLERK'S OFFICE
BOURNE, MASS

Attending: Sibel Asantugrul, Coreen Moore, Douglas Shearer, Facilitator Sallie Riggs, Elizabeth Hude

The meeting opened at 3:04 pm.

Minutes: Sallie asked for any corrections or edits to the draft of the Minutes of the meeting on December 12. There being none, it was MOVED, SECONDED and VOTED unanimously to accept the Minutes of the December 12, 2011 meeting as circulated.

Guidelines and Standards: The group continued its review of the existing guidelines led by Elizabeth. The discussion was guided by documents Elizabeth had distributed in advance of the meeting. A major focus of the discussion was on the images - which ones best match what the committee's vision is for Bourne's Downtown.

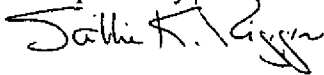
Tasks for next meeting:

- a) Members should continue to identify photographs and drawings of commercial buildings that illustrate the desired "coastal New England" architectural style.
- b) The focus of the discussion at the December 28 meeting will be on the Architectural Design Review Committee composition and charge and on the process and timeline that a property owner will conform to.

Adjourn: The next meeting is scheduled for December 28 at 3 pm.

The meeting adjourned at 4:26 pm.

Respectfully submitted



Sallie K. Riggs
Facilitator

These Minutes were accepted by the sub-committee members at the December 28, 2011 meeting.

Design/Sign Standards Sub-Committee
Sallie Riggs, Chair, Sallie Riggs, Sub-Committee

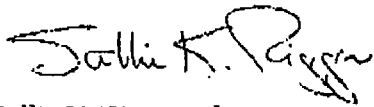
2011 DEC 21 AM 11 05

TOWN CLERK'S OFFICE
BOURNE, MASS

Proposed Agenda
Wednesday, December 28, 2011
3 pm; Town Hall

NOTE: Change in day and time

1. Open Meeting
2. Review and VOTE on Minutes of the December 19 meeting
3. Continue discussion of which existing guidelines should become standards and appropriate format for final documents, including images
4. Identify tasks to be completed by next meeting
5. Reports/Updates from committee members
6. Adjourn



Sallie K. Riggs, sub-committee facilitator

Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

2012 JAN 11 AM 9 44

TOWN CLERK'S OFFICE
BOURNE, MASS

Minutes of the Meeting
December 28, 2011
Town Hall

Attending: Sibel Asantugrul, Coreen Moore, Marie Oliva, Facilitator Sallie Riggs. Elizabeth Hude

The meeting opened at 3:03 pm.

Minutes: Sallie asked for any corrections or edits to the draft of the Minutes of the meeting on December 19. There being none, it was MOVED, SECONDED and VOTED with one abstention to accept the Minutes of the December 19, 2011 meeting as circulated.

Guidelines and Standards: The group continued its review of the draft of guidelines and standards led by Elizabeth. The discussion resulted in a much more compact and less repetitive document than previously. There was consensus to reduce the references to specific numbers and percents. The discussion then moved to the composition of an Architectural Design Review Committee and the process for review and enforcement. It was recommended that the Committee include an architect, a landscape architect or civil engineer, a representative of the Main Street Steering Committee, a business owner from the downtown district, and one citizen-at-large. The Committee would be appointed by the Board of Selectmen and staffed by the Town Planner. In addition to reviewing proposed new construction and renovation for conformance with the standards and guidelines, the Committee would review any new sign. The Committee would refer any violations to the Building Inspector for enforcement. Information about the Committee would be presented for vote by Town Meeting as Section 2814 (e).

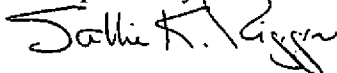
Tasks for next meeting:

- a) Elizabeth and Coreen will develop a "final draft" and get it to sub-committee members for their review at the next meeting. Members should continue to identify photographs and drawings of commercial buildings that illustrate the desired "coastal New England" architectural style.
- b) Members are asked to review the Falmouth description of an Architectural Design Review Committee and bring their recommendations for change or adoption.

Adjourn: The next meeting is scheduled for January 4, 2012 at 3 pm.

The meeting adjourned at 4:08 pm.

Respectfully submitted



Sallie K. Riggs
Facilitator

These Minutes were accepted by the sub-committee members at the January 4, 2012 meeting.

Design/Sign Standards Sub-Committee
of the BFDC's Main Street Steering Committee

Minutes of the Meeting
December 28, 2011
Town Hall

2012 MAR 5 AM 11 57

TOWN CLERK'S OFFICE
BOURNE, MASS

Attending: Sibel Asantugrul, Coreen Moore, Marie Oliva, Facilitator Sallie Riggs, Elizabeth Hude

The meeting opened at 3:03 pm.

Minutes: Sallie asked for any corrections or edits to the draft of the Minutes of the meeting on December 19. There being none, it was MOVED, SECONDED and VOTED with one abstention to accept the Minutes of the December 19, 2011 meeting as circulated.

Guidelines and Standards: The group continued its review of the draft of guidelines and standards led by Elizabeth. The discussion resulted in a much more compact and less repetitive document than previously. There was consensus to reduce the references to specific numbers and percents. The discussion then moved to the composition of an Architectural Design Review Committee and the process for review and enforcement. It was recommended that the Committee include an architect, a landscape architect or civil engineer, a representative of the Main Street Steering Committee, a business owner from the downtown district, and one citizen-at-large. The Committee would be appointed by the Board of Selectmen and staffed by the Town Planner. In addition to reviewing proposed new construction and renovation for conformance with the standards and guidelines, the Committee would review any new sign. The Committee would refer any violations to the Building Inspector for enforcement. Information about the Committee would be presented for vote by Town Meeting as Section 2814 (e).

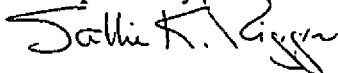
Tasks for next meeting:

- a) Elizabeth and Coreen will develop a "final draft" and get it to sub-committee members for their review at the next meeting. Members should continue to identify photographs and drawings of commercial buildings that illustrate the desired "coastal New England" architectural style.
- b) Members are asked to review the Falmouth description of an Architectural Design Review Committee and bring their recommendations for change or adoption.

Adjourn: The next meeting is scheduled for January 4, 2012 at 3 pm.

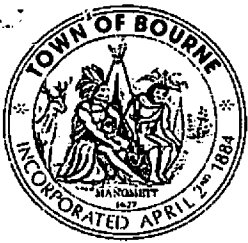
The meeting adjourned at 4:08 pm.

Respectfully submitted



Sallie K. Riggs
Facilitator

These Minutes were accepted by the sub-committee members at the January 4, 2012 meeting.



Selectmen's Energy Advisory Committee Meeting Notice



Date: Wednesday
January 12, 2011
Time: 7:00 P.M.
Location: Bourne Middle School – Media Center
77 Waterhouse Road
Bourne, MA 02532

AGENDA

1. Approval of Minutes 12/8/10
2. Cape Light Compact Audit work in Bourne
3. Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position.
4. EAC plans and direction for 2011
5. Website overview/public info and update on Energy Savers Club
6. Plan for Jan school event & ideas for a spring Earth Day forum.
7. New Generation wind update
8. The Green Communities "Purchase Only Fuel Efficient Vehicles Policy"
9. The challenges of locating renewable energy projects in Historic Districts and role of EAC.
10. Falmouth wind turbine moratorium and New Generation wind
11. Cut to energy efficiency tax credit and update on PACE
12. CLC Update
13. Cape and Vineyard Electric Co-Op. Update

2011 JUN 10 PM 0 45
TOWN CLERK'S OFFICE

cc: Town Clerk
Selectmen
Buckley, Caporelli, Curtis, Jr., Daniels, Kapsambelis, Knox, O'Keefe, Schofield

Cape Light Compact (CLC) audit work in Bourne

Rise Engineering to go over the building and check all records at the BHS for what additional things can be done.

Website additions and plan

- Add Energy Policy, then link to Wind Bylaw.
- Pictures of the BMS school roof, add a link.
- Add link to the Mass. Maritime Academy, Upper Cape Tech.
- Add scoping assessments
- Energy Audits
- Committee members updated
- Energy savings tips
- Free audits

Bizer-Knox will email Elrick some of the school links.

Public info on EAC

Discussion of a newsletter, but to start the EAC will create a website. Discussion of a updates in newspapers. Bizer-Knox suggested informational papers distributed through the schools.

Education programs and Solar Birthday Party

Wednesday, 10/27/10 at the BMS from 2:30 pm – 4:30 pm. There is interest in the schools, but no transportation. Programs will be held after school, using basic kits (solar fan, solar balloon), art contest using recyclables, calculate carbon footprint. There will be an Energy Advisory Committee logo contest.

Looking for a solar energy expert to give tours and explain how it works. Bizer-Knox will go to town website for possible contacts. Teacher from Upper Cape Tech coming to programs for demonstrations and bringing information of UCT to the middle school students.

Looking for a wind turbine demonstration. Several suggestions given by the EAC (Debbie Fenton; Co-chair of the Falmouth Energy Committee – Joan Muller; Meghan Amsler, Self Reliance to name a few).

Bizer-Knox to send out an update of program to the committee members.

CLC Update

Energy audit program will change as of April 1, 2010. The State will take control and the format will change. Smaller vendors wanting to get involved prompted interest. CLC currently using Rising Engineering. A major change will be three (3) different vehicles (one to handle, one to set up audits, adding vendors).

Until April 1, 2010, everything will be status quo.

CLC will be announcing electric rates at the end of November and will commit to rate for 6 month period with possibility of long term commitment through 2012

Cape & Vineyard Electric Co-Op (CVEC) update

Request for proposals for the installation of two (2) 1.8 megawatt turbines in Brewster, MA.

CVEC has an RFP going out to do some installation on landfills on the Cape. Bourne could not participate, as it doesn't have any pieces of large open space

New Generation wind project

TA Guerino said the Selectmen will have this topic on their agenda next week. They are bringing in a proponents and non-proponents. Heindrich Luke will speak against project per Selectmen, in a 20-minute presentation. TA Guerino will receive documentation from the consultant who is going before the BOH, and will distribute to the Selectmen before next week's Selectmen's meeting.

Jerry Ingersoll will give TA Guerino for some contacts as a proponent from a scientific community.

TA Guerino suggested Elrick get in touch with Paul Nedswiki to see if that is the norm, based on the Commission rules with regard to speaking before elected officials. Mr. Ingersoll will state outcome in an email to TA Guerino.

General comments from Kapanbellis stating there are issues due to distances. What is the intent of the regulation? Mr. Ingersoll will research to see if a corporation can endorse a project "with the following reservations."

Mr. Ingersoll stated having two decibel studies done (the winter and in July). However, July has insect interference, and hard to get a fixed decibel reading. Mr. Ingersoll to email the Atlantic Design Engineers study of feasible homes to O'Keefe.

Mr. Ingersoll notified the EAC of a turbine meeting being held on November 15, 2010 at 6:00 pm at the BHS before the Cape Cod Commission.

ISWM working group report to Selectmen presentation of 9/14

The group is working with Phil Goddard and Dan Barrett to set up a consultant to put together an RFP. This will go out to various groups to see what they will propose to rent or lease up to 6 acres on the site to run various projects, without adding or disturbing the ISWM operation.

Schofield MOVED and SECONDED by Bizer-Knox that the EAC to the Selectmen vote in favor of the ISWM working group's proposal to carry forward with the Selectmen with an RFP and going through the motions in seeing what we can come up with in bettering our situation at the landfill. UNANIMOUS VOTE.

Bourne Energy Forum scheduled for Wed. 10/27/10 at the Community Building from 2:00 pm – 3:30 pm

Agenda recited by Elrick. Outreach will be through press releases.

Discussion of new anti-wind group Windwise and how other municipal energy committees should respond

Windwise forums are doing the work of the anti's, and it is important for the proponents to try and be as active. Kapanbellis will email members with regard to obtaining information from one of the forums.

Next forum held on 10/21/10 at 7 pm at CCCC.

Next meeting

November 3 – meeting place TBD.

Adjournment

Schofield MOVED and SECONDED by Bizer-Knox to adjourn. Meeting adjourned at 9:15 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Chapman, Wendy

From: lgroezinger@gmail.com
Sent: Wednesday, January 26, 2011 1:00 PM
To: Chapman, Wendy
Subject: EAC meeting agenda of Wednesday, 2/2/11 @ 7 pm - TO POST

Meeting Notice
Energy Advisory Committee
Wednesday, 2/2/11
7 pm
Bourne Middle School, media center

Agenda items

1. Approval of Minutes 12/8/10
2. Cape Light Compact Audit work in Bourne
3. Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position.
4. Update on ISWM activities and meeting on 2/15
5. EAC plans and direction for 2011
6. Green Communities "Purchase Only Fuel Efficient Vehicles Policy"
7. challenges of locating renewable energy projects in Historic Districts and role of EAC.
8. cut to energy efficiency tax credit and update on PACE
9. update on Falmouth wind turbine moratorium and New Generation wind
10. Website overview/public info and update on Energy Savers Club
11. Plan for Jan school event& ideas for a spring Earth Day forum.
12. CLC Update
13. Cape and Vineyard Electric Co-Op. Update

Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 JAN 26 PM 2 01

**Energy Advisory Committee Meeting Minutes – February 2, 2011
Bourne Middle School**

Attendance

Richard Elrick - Energy Coordinator

Liz Caporelli, Chairman; Bob Schofield, Vice Chairman; Grey Curtis; Chris Kapsanbelis; and Paul O'Keefe, Alan Daniels

List of Documents

- NA

Meeting called to order

7:05 pm

Approval of Minutes 12/8/10: Minutes approved, Daniels first
Next meeting March 9th.

- Cape Light Compact Audit work in Bourne:

Richard E.: Nicole from CLC confirmed that the boilers controls have been installed, insulation has been installed and the lighting work has been done. The highschool audit was done in 2004 so the building is not eligible for new lighting. The highschool has an active proposal to be converted from oil to gas. Bourne Fire Station and Pocasset Fire station have gotten 33k of retrofits with AARR funds. Pocasset had an incident that they lost heat after rise audit. Plumber had to come in for \$1600 through a contract w/county. Need to check with CLC for any refund or if Rise was involved. Richard is working on savings opportunities for the library. Richard will check with Nicole Price at CLC on opportunities for the library. Consider library switching to gas. Richard will look into National Grid contact for converting Library from oil to gas. Richard will check on the size of the solar system on the Bourdale school, a 35kw system was planned but the size has not been confirmed. Richard will contact business manager at school department.

Alan D.: Concerns with impacts of Town budget cuts but they will probably not change efficiency measures

- 3. Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position. We can quantify energy saved with information from CLC. Through the end of Nov 207,225 kw hrs have been saved. Towns trying to create revenue stream w/solar and wind through net metering. Towns are producing more than needed so they generate a credit like Kingstown. Estimated that 5 acre parcels of land are needed for one KW of ground mounted solar. EAC will work on a proposal to the town to fund energy coordinator as a percentage of savings and input. EAC needs to put something in writing to present to the town. EAC will look at the town report of savings with having an energy coordinator and highlight how the position will pay for itself. Opportunities for funding include: demand response, load curtailment, performance contracting, state contractors, peak summer loads, alternative energy recs. Paul O. will send info to Richard.

Pavepaws has two turbines that they are ready to put in. They have funding to do the two.

- Update on ISWM activities and meeting on 2/15 at 6pm : discussion on the business plan for ISWIM facility. The ISWIM working group has been working w/ISWIM and the new operations

2011 FEB 14 PM 8 50

manager to assess oportunities at the facility. The new operations person is also a civil engineer. A RFP go out and the group is already communicating with National Grid to purchase and clean gas for sale. Still getting permit for reciprocation.

- Green Communities "Purchase Only Fuel Efficient Vehicles Policy"

Draft for committee to review. Richard has given copy to Tom to be discussed the Feb 15 or March Selectmen meetings. The EAC proposes that the selectmen approve the five Green Communities requirements individually.

Richard will ask for fuel bills to so we can keep track of fuel use and opportunities. Richard is meeting with Ian Finlayson at DOER to get information on the cost and comparison w/implementation of the stretch codes.

- 9. Update on Falmouth wind turbine moratorium and New Generation wind:

CCC issue wanted to do a DRI does not require a moratorium. CCC is proposing a mdatory threshold 65ft or greater would need to go through the DRI process. Town process is being put on Hold until the DRI process takes place.

Falmouth planning board has taken the step to seek a town meeting vote on a moratorium. No permits for wind turbines until May 1 2012. This is for any type of turbine including commercial and residential. A County wide District of Critical Planning Concern (DCPC) would create a moratorium on the Martha Vineyard and would require a 3000 ft setback from residences unless there is proof of no impact -DRI. CCC will continue meetings on the proposal and will vote on 17th.

- 10. Website overview/public info and update on Energy Savers Club
EAC collecting more information for Town website

- Plan for Jan school event& ideas for a spring Earth Day forum.

CLC Update Richard: Debbie Fitton of CLC holding regional energy committee members meeting in Barnstable. March 1st 2-4.

Spring Energy Fair at Barnstable youth center.

Turn in appliances. Recycling focus, trash disposal. Tentative date: Sat in April 9th.

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Friday, February 11, 2011 11:55 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: EAC amended meeting notice

Energy Advisory Committee (EAC)
Amended Meeting Notice

Bourne Middle School, Media Center
Tuesday, 2/15/11
7 pm

Agenda Items:

Joint meeting between ISWM, BOS, BOH, FinCom and EAC to continue discussion of future options for ISWM.

Presentation by Mr. George Aronson, Commonwealth Resource Management Corp. and ISWM staff regarding:

- update and discussion on the process of waste acquisition for the landfill;
- update and discussion of an RFP for leasing land at the ISWM facility;
- update and discussion of an RFP for landfill gas utilization at ISWM;
- proposed timeline and resources for both RFPs
- update and discussion regarding recent legal opinion from attorney Bob Troy and proposed actions relative to the Town Charter and Site Assignment
- general discussion, questions and answers and possible votes if needed

Liz Caporelli
Chairman

Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 FEB 11 PM 3 26

Chapman, Wendy

From: Lisa Groezinger [lgroezinger@gmail.com]
Sent: Wednesday, February 09, 2011 7:30 PM
To: Chapman, Wendy
Subject: EAC - amended meeting agenda - TO POST

Energy Advisory Committee (EAC)
Amended Meeting Notice

Bourne Middle School, Media Center
Tuesday, 2/15/11
6 pm

Agenda Items:

Joint meeting between ISWM, BOS, BOH, FinCom and EAC to continue discussion of future options for ISWM.

Presentation by Mr. George Aronson, Commonwealth Resource Management Corp. and ISWM staff regarding:

- update and discussion on the process of waste acquisition for the landfill;
- update and discussion of an RFP for leasing land at the ISWM facility;
- update and discussion of an RFP for landfill gas utilization at ISWM;
- proposed timeline and resources for both RFPs
- update and discussion regarding recent legal opinion from attorney

Bob Troy and proposed actions relative to the Town Charter and Site Assignment

- general discussion, questions and answers and possible votes if needed

Liz Caporelli
Chairman

TOWN CLERK'S OFFICE
2011 FEB 10 AM 10 00

Energy Advisory Committee (EAC)
Meeting Notice

Bourne Middle School, Media Center
Tuesday, February 15, 2011
6:00 pm

Agenda Items:

Joint Meeting between between ISWM, BOS, BOH, FC and EAC to continue discussion
of future options for ISWM.

Elizabeth Caporelli
EAC Chairman

TOWN CLERK'S OFFICE
2011 FEB 8 AM 10 32

Chapman, Wendy

From: lgroezinger@gmail.com
Sent: Tuesday, March 08, 2011 3:43 PM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: EAC meeting notice of Wed. 3/9 CANCELLED and wiii hold the meeting on 3/16/11 - TO POST

MEETING NOTICE - CANCELLATION
Energy Advisory Committee
Wednesday, 3/9/11
7 pm
Bourne Middle School

2011 MAR 8 PM 4 00
TOWN CLERK'S OFFICE

Meeting Agenda:

1. Approval of Minutes 2/9
2. Cape Light Compact Audit work in Bourne, update on Library
3. Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position.
4. New Generation wind project, the proposed setback changes being proposed for the wind bylaw through May town meeting, and the new CCC wind DRI threshold
5. EAC plans and direction for 2011, recruiting new members for EAC
6. Website overview/public info and update on Energy Savers Club
7. Plan for Jan school event & ideas for a spring Earth Day forum.
8. CLC Update
9. Cape and Vineyard Electric Co-Op. Update

Liz Caporelli
EAC Chairman
Sent from my BlackBerry® by Boost Mobile

Dastous, Anne

To: lgroezinger@gmail.com
Subject: RE: EAC meeting agenda of Wed. 3/3/11 - TO POST

-----Original Message-----

From: lgroezinger@gmail.com [mailto:lgroezinger@gmail.com]
Sent: Friday, March 04, 2011 7:15 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: EAC meeting agenda of Wed. 3/3/11 - TO POST

MEETING NOTICE
Energy Advisory Committee
Wednesday, 3/9/11
7 pm
Bourne Middle School, media center

Meeting Agenda:

1. Approval of Minutes 2/9
2. Cape Light Compact Audit work in Bourne, update on Library
3. Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position.
4. New Generation wind project, the proposed setback changes being proposed for the wind bylaw through May town meeting, and the new CCC wind DRI threshold
5. EAC plans and direction for 2011, recruiting new members for EAC
6. Website overview/public info and update on Energy Savers Club
7. Plan for Jan school event & ideas for a spring Earth Day forum.
8. CLC Update
9. Cape and Vineyard Electric Co-Op. Update

Liz Caporelli
EAC Chairman
Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 MAR 4 PM 9 04

> MEETING NOTICE
> Energy Advisory Committee
> Wednesday, 3/16/11

> 7 pm
> Bourne Middle School, Room 100

> Meeting Agenda:

> 1. Approval of Minutes 2/9

> 2. Cape Light Compact Audit work in Bourne, update on Library

> 3. Information on money saved and efficiency measures to date and look
> for opportunities for funding to continue support the Energy
> coordinator position.

> 4. New Generation wind project, the proposed setback changes being
> proposed for the wind bylaw through May town meeting, and the new CCC
> wind DRI threshold

> 5. EAC plans and direction for 2011, recruiting new members for EAC

> 6. Website overview/public info and update on Energy Savers Club

> 7. Plan for Jan school event & ideas for a spring Earth Day forum.

> 8. CLC Update

> 9. Cape and Vineyard Electric Co-Op. Update

> Liz Caporelli

> EAC Chairman

> Sent from my BlackBerryR by Boost Mobile

2011 MAR 14 AM 10 14
TOWN CLERK'S OFFICE

2011 MAR 14 AM 10 15
TOWN CLERK'S OFFICE

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Monday, April 11, 2011 10:07 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: EAC meeting agenda of Wednesday, 4/13/11 at 7:00 pm

MEETING NOTICE

Energy Advisory Committee (EAC)
Wednesday, 4/13/11
7:00 pm
Bourne Middle School, Room 100

Agenda:

1. Approval of Minutes 2/9 and 3/16
2. Cape Light Compact Audit work in Bourne, update on Library
3. CCC wind DRI threshold and Bill requiring a 3,000 foot setback
4. EAC continued discussion and review of the wind bylaw changes being proposed for the May town meeting
5. Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy Coordinator position
6. EAC plans and direction for 2011, recruiting new members for EAC
7. Website overview/public info and update on Energy Savers Club
8. Plan for Jan school event & ideas for a spring Earth Day forum
9. CLC Update
10. Cape and Vineyard Electric Co-Op update

Liz Caporelli
EAC Chairman
Sent from my BlackBerry® by Boost Mobile

2011 APR 11 AM 10 21
TOWN CLERK'S OFFICE

**Energy Advisory Committee
Meeting Minutes – April 13, 2011
Bourne Town Hall
24 Perry Avenue, Buzzards Bay, MA 02532**

Attendance

Richard Elrick - Energy Coordinator

Liz Caporelli, Chairman; Allyson Bizer-Knox, Clerk; Grey Curtis; Chris Kapsambelis;
and Paul O'Keefe

Member(s) excused: Bob Schofield, Vice Chairman

List of Documents

Meeting called to order

7:00 pm

Approval of Minutes

Bizer-Knox MOVED and SECONDED by Kapsambelis to approve minutes of 2/9/11 as submitted. VOTE 4-1 (O'Keefe).

Cape Light Compact Audit work in Bourne update in library

Library is exploring option to convert to gas heat. Mr. Elrick working with Everett Horne of National Grid to pick out an appropriate boiler available through National Grid at a discount. Two independent free-standing boilers were suggested (Burnham Alpine boilers – 94% efficiency). Retail rates came to about \$7,600/boiler; National Grid rates \$500/boiler. EAC to discuss with Capital Outlay, then they will make a recommendation to the Selectmen.

Mr. Elrick to speak with National Grid about a signed commitment to purchase gas from National Grid if purchase boilers. He is also working on a spreadsheet for all energy audit measures implemented by the Town to put together a financial figure.

BCCC wind DRI threshold and bill requiring a 3,000 foot setback

Mr. Elrick attended subcommittee public hearing of Assembly of Delegates for input with proposed new wind DRI regulations. Mr. Elrick has specific concerns with the setbacks and the municipal waiver (one 250 k turbine on a single parcel) and spoke in opposition.

BCCC to make recommendation to the Assembly of Delegates. Mr. Elrick believes vote will be to bring regulations back to the BCCC and believes there is a good chance that Barnstable, Mashpee, Brewster and Dennis will vote against as regulations are overly broad.

TOWN CLERK'S OFFICE
BOURNE, MASS.
APR 14 2011

Mr. Elrick draft letter with regard to stakeholder process to the Assembly of Delegates. Next step would be to draft inclusive process to work out regulations.

EAC continued discussion and reviewed of the wind bylaw changes being proposed for the May town meeting

Purpose of reviewing proposed petition vs. existing bylaw for changes is to determine if EAC will make a recommendation to the Selectmen. Selectmen 4/19/11 meeting agenda item to discuss EAC roles and possible recommendations with regard to the wind bylaws (proposed turbines locations per Town Planner). A five-acre parcel needed for a one 250 k turbine.

June 10, 2011 is the next Green Communities filing deadline and Mr. Elrick doesn't believe it will be met at this time.

Review/Recommendations to Selectmen

- 3463. Definitions. Item F - CWES Fall and Ice Shed Zone (Safety Zone)
"...Safety Zone shall in no event be less than that specified by the supplier and/or manufacture ..."

EAC looking for clarification of Safety Zone.

- Development Requirements – Item A, # 6 - Setbacks a) Safety Zone. Item A, #8 Noise, 8.1 "... observe a minimum acoustical setback from any residentially used or zoned parcel a distance of at least ten (10) times rotor diameter, measured from the closed part of the WECS tower to the closest property line of all residentially used or zoned parcels."

There is no way to measure acoustics. There is concern that 10 decibels is too restrictive for rotor diameter. Data is not based on size. Question on where specific numbers come from [8.2, a) – e]. Do existing turbines meet these requirements? Is Bourne inventing a standard to be recognized? What are the noise standards? Is Barnstable County trying to duplicate Martha's Vineyard District Commission?

- 8.13 "All sound pressure level ..."

Issues are with sound.

- 8.3 "All above measurements shall be attended and shall be taken on any adjacent residentially used property ..."

Is this new?

DISCUSSION

Mr. Elrick encourages EAC to read Mr. Engersoll's email response. He also added that shadow flickering is also an issue, which he feels is clearly the most extreme standard.

Planning Board to vote at their meeting tomorrow (4/14/11).

EAC recommends identifying what the impacts of this bylaw on the development of wind for the Town of Bourne, specifically on large turbines, which could provide economic benefit to the Town and its residents. Also, this bylaw would have prevented some of the working turbines in Town that have not had any issues with residents in Bourne to be installed.

EAC to review draft minutes of tonight to respond at the 4/19/11 Selectmen meeting.

Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy Coordinator position
Tabled to next meeting.

EAC plans and direction for 2011, recruiting new members for EAC
Tabled to next meeting.

Website overview/public info and update on Energy Savers Club
Tabled to next meeting.

Plan for Jan school event and ideas for a spring Earth Day forum
Tabled to next meeting.

Ideas for a Spring Earth Day Forum. What type of forum, what is the target audience, who should be included.
Tabled to next meeting.

CLC Update
Tabled to next meeting.

Cape and Vineyard Electric Co-Op. Update
A press conference on 4/21/11 to announce selected contracts to install two (2) 1.8 MW turbines in Freeman's Way Industrial Park. This is the largest non-utility project in the country.

Next meeting

Decide after Planning Board direction. (May 11, 2011 – TBD)

Adjourn

O'Keefe MOVED and SECONDED by Curtis to adjourn. Meeting adjourned at 9:20 pm. UNANIMOUS VOTE.

Respectfully submitted - Lisa Groezinger, sec.

**Energy Advisory Committee
Meeting Minutes – April 13, 2011**

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

Attendance

Richard Elrick - Energy Coordinator

Liz Caporelli, Chairman; Allyson Bizer-Knox, Clerk; Grey Curtis; Chris Kapsambelis;
and Paul O'Keefe

Member(s) excused: Bob Schofield, Vice Chairman

List of Documents

Meeting called to order

7:00 pm

Approval of Minutes

Bizer-Knox MOVED and SECONDED by Kapsambelis to approve minutes of 2/9/11 as submitted. VOTE 4-1 (O'Keefe).

Cape Light Compact Audit work in Bourne update in library

Library is exploring option to convert to gas heat. Mr. Elrick working with Everett Horne of National Grid to pick out an appropriate boiler available through National Grid at a discount. Two independent free-standing boilers were suggested (Burnham Alpine boilers – 94% efficiency). Retail rates came to about \$7,600/boiler; National Grid rates \$500/boiler. EAC to discuss with Capital Outlay, then they will make a recommendation to the Selectmen.

Mr. Elrick to speak with National Grid about a signed commitment to purchase gas from National Grid if purchase boilers. He is also working on a spreadsheet for all energy audit measures implemented by the Town to put together a financial figure.

BCCC wind DRI threshold and bill requiring a 3,000 foot setback

Mr. Elrick attended subcommittee public hearing of Assembly of Delegates for input with proposed new wind DRI regulations. Mr. Elrick has specific concerns with the setbacks and the municipal waiver (one 250 k turbine on a single parcel) and spoke in opposition.

BCCC to make recommendation to the Assembly of Delegates. Mr. Elrick believes vote will be to bring regulations back to the BCCC and believes there is a good chance that Barnstable, Mashpee, Brewster and Dennis will vote against as regulations are overly broad.

2011 JUL 26 PM 8 54

Mr. Elrick draft letter with regard to stakeholder process to the Assembly of Delegates. Next step would be to draft inclusive process to work out regulations.

EAC continued discussion and reviewed of the wind bylaw changes being proposed for the May town meeting

Purpose of reviewing proposed petition vs. existing bylaw for changes is to determine if EAC will make a recommendation to the Selectmen. Selectmen 4/19/11 meeting agenda item to discuss EAC roles and possible recommendations with regard to the wind bylaws (proposed turbines locations per Town Planner). A five-acre parcel needed for a one 250 k turbine.

June 10, 2011 is the next Green Communities filing deadline and Mr. Elrick doesn't believe it will be met at this time.

Review/Recommendations to Selectmen

- 3463. Definitions. Item F - CWES Fall and Ice Shed Zone (Safety Zone)
"...Safety Zone shall in no event be less than that specified by the supplier and/or manufacture ..."

EAC looking for clarification of Safety Zone.

- Development Requirements – Item A, # 6 - Setbacks a) Safety Zone. Item A, #8 Noise, 8.1 "... observe a minimum acoustical setback from any residentially used or zoned parcel a distance of at least ten (10) times rotor diameter, measured from the closed part of the WECS tower to the closest property line of all residentially used or zoned parcels."

There is no way to measure acoustics. There is concern that 10 decibels is too restrictive for rotor diameter. Data is not based on size. Question on where specific numbers come from [8.2, a) – e]. Do existing turbines meet these requirements? Is Bourne inventing a standard to be recognized? What are the noise standards? Is Barnstable County trying to duplicate Martha's Vineyard District Commission?

- 8.13 "All sound pressure level ..."

Issues are with sound.

- 8.3 "All above measurements shall be attended and shall be taken on any adjacent residentially used property ..."

Is this new?

DISCUSSION

Mr. Elrick encourages EAC to read Mr. Engersoll's email response. He also added that shadow flickering is also an issue, which he feels is clearly the most extreme standard.

Planning Board to vote at their meeting tomorrow (4/14/11).

EAC recommends identifying what the impacts of this bylaw on the development of wind for the Town of Bourne, specifically on large turbines, which could provide economic benefit to the Town and its residents. Also, this bylaw would have prevented some of the working turbines in Town that have not had any issues with residents in Bourne to be installed.

EAC to review draft minutes of tonight to respond at the 4/19/11 Selectmen meeting.

Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy Coordinator position
Tabled to next meeting.

EAC plans and direction for 2011, recruiting new members for EAC
Tabled to next meeting.

Website overview/public info and update on Energy Savers Club
Tabled to next meeting.

Plan for Jan school event and ideas for a spring Earth Day forum
Tabled to next meeting.

Ideas for a Spring Earth Day Forum. What type of forum, what is the target audience, who should be included.
Tabled to next meeting.

CLC Update
Tabled to next meeting.

Cape and Vineyard Electric Co-Op. Update
A press conference on 4/21/11 to announce selected contracts to install two (2) 1.8 MW turbines in Freeman's Way Industrial Park. This is the largest non-utility project in the country.

Next meeting

Decide after Planning Board direction. (May 11, 2011 – TBD)

Adjourn

O'Keefe MOVED and SECONDED by Curtis to adjourn. Meeting adjourned at 9:20 pm. UNANIMOUS VOTE.

Respectfully submitted - Lisa Groezinger, sec.

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Monday, May 23, 2011 3:54 PM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: EAC meeting notice of wed. 5/25/11 - TO POST

EAC Meeting Notice
Wednesday, 5/25/11
7:00 pm
Bourne Middle School, Room 100

MEETING AGENDA:

Approval of Minutes 4/11

Cape Light Compact Audit work in Bourne, update on Library

CCC wind DRI threshold and Bill update

Overview of wind bylaw change and Planning Board's findings

Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position

EAC plans and direction for 2011, recruiting new members for EAC

Website overview/public info and update on Energy Savers Club

CLC Update

Cape and Vineyard Electric Co-Op Update. Second phase of pv installs; ground mounted, roof mounted or even parking lot opportunities. Sites need to be identified over the next couple months

Liz Caporelli
EAC Chairman
Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 MAY 23 PM 4 17

**Selectmen's Energy Advisory Committee
Minutes of May 25, 2011, Room 100
Bourne Middle School
Bourne, MA 02532**

Elizabeth Caporelli, Chairman (excused)
Robert Schofield, Vice Chairman
Paul O'Keefe
T. Gray Curtis
Chris Kapsambelis
Allyson Bizer-Knox (excused)

Richard Elrick, Energy Coordinator

Guests: Proponents to the New Wind Energy

List of documents:
None.

Meeting called to order
7:04 pm

Approval of meeting minutes from 4/13/11
Tabled to next meeting.

Cape Light Compact audit work in Bourne, update on Library

Sagamore Fire Station. Fire Chief Green expressed desire for roof top solar pv and inquired if appropriate to have an energy audit report done. (Cape Light Compact to install instant hot water in the future).

All audit work that has been done in Bourne is documented in detail. Most of the schools have been done (some as early as 2004 which was before CLC). Some buildings ready to be looked at again. Mr. Elrick said he will get back into the school side after working on the municipal side.

Library. Moving forward with gas conversion (Burnham Alpine 399 boiler). TA Guerino is waiting for close of fiscal year, but looks like \$35,000 in capital costs. He will go to FinCom once the numbers are in. Gasoline was locked in a rate at \$3.18/gallon for four (4) months. Mr. Elrick will contact Mr. Patrick Marshall.

BOURNE MASS
TOWN CLERK'S OFFICE
2011 JUL 14 PM 8 42

CCC wind DRI threshold and bill update

Minimum performance standards were passed by the Cape Cod Commission, but did not pass a threshold. Issue of discretionary threshold, as it is possible for Town and legislature to determine if project is of developmental regional impact.

As it now stands, for any project, 10x rotor diameter setback; noise setback above 660 kW; fall zone of 1.5x height; flicker issue no more than 20 hrs/yr were raised.

New Generation project is before the CCC again. Second hearing is set for 6/16/11.

Cape and Vineyard Electric Co-Op Update.

O'Keefe summarized Phase I. In order to help Towns out who didn't have landfills (opportunity for towns to lock in low electric rates for about 20 years), a second phase of pv installs. Ground mounted, roof mounted or even parking lot opportunities. Sites need to be identified over the next couple of months.

As of rights zoning, Mr. Elrick to met with Town Planner and chose two (2) sites: area around landfill but includes several private abutters and in the industrial district. As of rights zoning districts can include either or both municipal and private. No special permit needed.

Mr. Elrick maps: Working Map for the EAC Discovery Process for Solar Energy, Town-Owned Properties: Map 2. CVEC willing to provide a consultant to assist the EAC when considering solar energy sites.

Town Forest and the Bourne Green Technology Park, ridge up to the UCT were possible areas discussed. Curtis will get together with Mr. Elrick to look at TOPO maps for further discussion. EAC to look at maps objectively at the next EAC meeting. Curtis to invite Mr. Steve Balentine to a future EAC meeting.

Overview of wind bylaw change and Planning Board's findings

PB was looking specifically at the noise issue last evening.

Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy Coordinator position

Best opportunities for funding position are the Green Communities Act, and the next phase of CVEC.

EAC plans and direction for 2011, recruiting new members for EAC

Looking for new members and discussed placing ad in newspaper. EAC charge was expanded in March 2011 and need to revisit.

Website overview/public info and update on Energy Savers Club

Energy Savers Club. Cindy McCain of Bourne will be honored for work in energy education outreach made by CLC on 6/9/11 at 2 pm at County Courthouse in Barnstable. Schofield is planning to attend.

Website overview. EAC comment on the New Wind Generation on website (suggestion of EAC to write a letter to the editor).

CLC Update

There is a lot of money for energy audits and CLC is looking for EAC to convince businesses to do an audit.

Next meeting

6/15/11

Adjournment

O'Keefe MOVED and SECONDED by Kapsambelis to adjourn. Meeting adjourned at 9:00 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Selectmen's Energy Advisory Committee
Minutes of May 25, 2011, Room 100
Bourne Middle School
Bourne, MA 02532

Elizabeth Caporelli, Chairman (excused)
Robert Schofield, Vice Chairman
Paul O'Keefe
T. Gray Curtis
Chris Kapsambelis
Allyson Bizer-Knox (excused)

Richard Elrick, Energy Coordinator

Guests: Proponents to the New Wind Energy

List of documents:
None.

Meeting called to order
7:04 pm

Approval of meeting minutes from 4/13/11
Tabled to next meeting.

Cape Light Compact audit work in Bourne, update on Library

Sagamore Fire Station. Fire Chief Green expressed desire for roof top solar pv and inquired if appropriate to have an energy audit report done. (Cape Light Compact to install instant hot water in the future).

All audit work that has been done in Bourne is documented in detail. Most of the schools have been done (some as early as 2004 which was before CLC). Some buildings ready to be looked at again. Mr. Elrick said he will get back into the school side after working on the municipal side.

Library. Moving forward with gas conversion (Burnham Alpine 399 boiler).

TA Guerino is waiting for close of fiscal year, but looks like \$35,000 in capital costs. He will go to FinCom once the numbers are in. Gasoline was locked in a rate at \$3.18/gallon for four (4) months. Mr. Elrick will contact Mr. Patrick Marshall.

TOWN CLERK'S OFFICE
BOURNE MASS
JUL 26 PM 8 54

CCC wind DRI threshold and bill update

Minimum performance standards were passed by the Cape Cod Commission, but did not pass a threshold. Issue of discretionary threshold, as it is possible for Town and legislature to determine if project is of developmental regional impact.

As it now stands, for any project, 10x rotor diameter setback; noise setback above 660 kW; fall zone of 1.5x height; flicker issue no more than 20 hrs/yr were raised.

New Generation project is before the CCC again. Second hearing is set for 6/16/11.

Cape and Vineyard Electric Co-Op Update.

O'Keefe summarized Phase I. In order to help Towns out who didn't have landfills (opportunity for towns to lock in low electric rates for about 20 years), a second phase of pv installs. Ground mounted, roof mounted or even parking lot opportunities. Sites need to be identified over the next couple of months.

As of rights zoning, Mr. Elrick to met with Town Planner and chose two (2) sites: area around landfill but includes several private abutters and in the industrial district. As of rights zoning districts can include either or both municipal and private. No special permit needed.

Mr. Elrick maps: Working Map for the EAC Discovery Process for Solar Energy, Town-Owned Properties: Map 2. CVEC willing to provide a consultant to assist the EAC when considering solar energy sites.

Town Forest and the Bourne Green Technology Park, ridge up to the UCT were possible areas discussed. Curtis will get together with Mr. Elrick to look at TOPO maps for further discussion. EAC to look at maps objectively at the next EAC meeting. Curtis to invite Mr. Steve Balentine to a future EAC meeting.

Overview of wind bylaw change and Planning Board's findings

PB was looking specifically at the noise issue last evening.

Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy Coordinator position

Best opportunities for funding position are the Green Communities Act, and the next phase of CVEC.

EAC plans and direction for 2011, recruiting new members for EAC

Looking for new members and discussed placing ad in newspaper. EAC charge was expanded in March 2011 and need to revisit.

Website overview/public info and update on Energy Savers Club

Energy Savers Club. Cindy McCain of Bourne will be honored for work in energy education outreach made by CLC on 6/9/11 at 2 pm at County Courthouse in Barnstable. Schofield is planning to attend.

Website overview. EAC comment on the New Wind Generation on website (suggestion of EAC to write a letter to the editor).

CLC Update

There is a lot of money for energy audits and CLC is looking for EAC to convince businesses to do an audit.

Next meeting

6/15/11

Adjournment

O'Keefe MOVED and SECONDED by Kapsambelis to adjourn. Meeting adjourned at 9:00 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Energy Advisory Committee (EAC)
Meeting Notice
Wednesday, 7/13/11
7:00 pm
Bourne Town Hall, upper CR

Agenda Items:

1. Approval of Minutes 4/13/11 & 5/25/11
2. Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position.
3. Cape Light Compact Audit work in Bourne:
 - a. Library
 - b. PV sighting locations for CVEC installations (ISWM-High school-Town Hall-Community center)
4. CCC wind DRI threshold and Bill update
5. Overview of BOH regulations
6. Recruiting new members for EAC
7. Website overview/public info and update on Energy Savers Club
8. CLC Update
9. Cape and Vineyard Electric Co-Op. Update

TOWN CLERK'S OFFICE
BOURNE, MASS.
2011 JUL 11 PM 2 23

**Energy Advisory Committee
Meeting Minutes – July 13, 2011
Bourne Town Hall**

24 Perry Avenue, Buzzards Bay, MA 02532

DRAFT

Attendance

Richard Elrick - Energy Coordinator

Liz Caporelli, Chairman; Bob Schofield, Vice Chairman,
Allyson Bizer-Knox, Clerk; Grey Curtis; Chris Kapsambelis; and Paul O'Keefe

2011 AUG 11 AM 3 06
TOWN CLERK'S OFFICE
BOURNE, MASS.

List of Documents:

- 1) CVEC: PV Initiative Round II – Rooftop and Ground Mount Inventory Review, Bourne Updated 7-5-11

Meeting called to order

7:10 pm

Next meeting: Aug. 10, 2011

Approval of Minutes

O'Keefe MOVED and SECONDED by Bizer-Knox to approve minutes of 4/13/11 as submitted. VOTE 5-1 (Schofield abstain).

O'Keefe MOVED and SECONDED by Schofield to approve minutes of 5/25/11 as submitted. VOTE 4-2 (Knox- Caporelli abstain).

- 1) Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position.

Richard E.: Hours reduced from 15hrs to 10hrs to keep Richard on until end of Aug. Tom G. will look for opportunities. Library conversion will save 11k per year. Where we can find money: CVEC renewable energy projects. Barnstable is seeking a supplemental money to cover cost until the money comes in. Committee will gather information to present to BOS.

- 2) Cape Light Compact Audit work in Bourne: High school could be an opportunity for a gas conversion to save money.

- a. Library: Audit is finished, gas conversion work underway. Estimated to save ~\$11,000 per year savings on the conversion to gas. Richard is working with Tom on finding funds for the installation cost. One of the challenges was the procurement/vendor selection,

section 44 of the green communities act allows the Town to contract directly and not do an RFP for bids. They are looking for the funds for the installation cost. The Library needs a new system so it may be an emergency situation where they need a boiler. They are working on getting an estimate for the work. They may not need require an RFP.

Sagamore Fire stations: Insulation is ok in roof, recommend that they switch to an on demand system to replace the two 100gal hot water tanks. The National Grid auditor (Bill Blantan) will provide a report to the town. Could be a substantial savings on gas savings.

ISWIM: Did not see opportunities for CLC at the DPW building. They will hold off on any work.

Richard: plans to meet with the Business Manager for the schools to discuss opportunities for the high school Richard will check if they replaced the boiler at Peebles. .

Richard will also look into getting a few Performance Contractors in to talk to the town about opportunities for the buildings.

b. PV sighting locations for CVEC installations (ISWM-High school-Town Hall-Community center)

Argo Consulting who has been contracted by CVEC to asses potential sites for PV on the Cape. Several sites in the town off Bourne have been looked at including roof mounted on: the Sagamore Fire station, ISWM transfer building, Community Center, Town Hall, Bourne Town Hall Service Building, High School. Report will be submitted.

The following Ground mounted sites have been looked at: behind Sagamore Fire station, ISIM 4.5 acres open space - town attorney has delayed RFP being issued until the Town meeting gives BOS and Town Manager to issue an RFP. Additional open spaces in ISWIM have been looked at.

There will be a round III of assessing sites in Bourne. Gray and Richard are in the process of reviewing other larger parcels of town owned land for potential ground mounted sites. As of right zoning for PV. PB has said that they will provide some assistance with the As of Right Zoning for PV. These would meet the Green Communities Act requirements. Will the Cape Cod Commission make developers go through the Commission process of installing ground mounted PV.

Richard and Bob are still trying to confirm how many kW are on the new school and if it is 35kW system.

3) CCC wind DRI threshold and Bill update

Richard: CCC have adopted minimum thresholds of 10 times the rotor diameter for larger than 660kW turbines but have not set a DRI threshold.

We should discuss amendments to the wind by law at time meeting to match CCC and Planning Board.

New Generation project is 4 turbines and July 20th 5pm upper tech. CCC draft Ocean management DCPM on July 21st at 3pm at the Barnstable district court.

4) Overview of BOH regulations: potential new regulation of no flicker on abutters. There are also sound regulations and suggestions for shut down.

5) Recruiting new members for EAC: Blurb in the paper to recruit members – write to Diana and Paul_gately@hotmail.com.

6) Website overview/public info and update on Energy Savers Club:

Members should check on the website and see if new information needs to go up. Checking if there is a counter so we can see how many visits. Energy Savers club: Allyson – design logo for EAC we can put on the website.

4-H has not spent all the funds from the Clean Energy Funds. NOAA's science on a sphere – see wind, PV data, also possibility to bring Energy Savers club on a boat out of New Bedford to look at environmental issues. Allyson will look into opportunities when school starts again.

7) CLC Update: Bob: New PR material on Energy Programs from CLC.

8) Cape and Vineyard Electric Co-Op. Update Paul: PV opportunities on the Cape. Potential for two turbines 1.8kW in Brewster. Opponents have been questioning CVEC for records and minutes and taken questions to the Attorney General.

-Meetings: Green Communities Fuel Efficient Vehicle Policy will be voted on at the Sept BOS meeting.

(VI) Adjournment

Liz Caporelli, Chairman

Thomas M. Guerino, Town Administrator

cc: Town Clerk, Selectmen, Caporelli, Curtis, Kapsambelis
Knox, O'Keefe and Schofield

Meeting Notice
Energy Advisory Committee (EAC)
Bourne Town Hall, lower conf rm
Wednesday 8/10/11
7:00 pm

Meeting Agenda:

Approval of Minutes 7/13

Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position.

Cape Light Compact Audit work in Bourne

Update on PV sighting locations for CVEC installations

PACE update

Overview of BOH regulations

Recruiting new members for EAC

Website overview/public info and update on Energy Savers Club

CLC Update

Cape and Vineyard Electric Co-Op. Update

Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
BOURNE, MASS
2011 AUG 8 PM 12 40

Energy Advisory Committee
Meeting Minutes – 8/10/11

Bourne Town Hall
24 Perry Avenue, Buzzards Bay, MA 02532
2011 NOV 10 08:29 01

TOWN CLERK'S OFFICE
BOURNE, MASS

Attendance

Richard Elrick - Energy Coordinator
Liz Caporelli, Chairman; Bob Schofield, Vice Chairman,
Allyson Bizer-Knox, Chris Kapsambelis; and Paul O'Keefe

Information on money saved and efficiency measures to date and look for opportunities for funding to continue support the Energy coordinator position:

- Will request form the selectmen and propose to take it to Town meeting to request funds.

Cape Light Compact Audit work in Bourne:

- Working on a new list of potential opportunities.

Library: using National Grid contractor

- NG is preparing an estimate
- Town may use emergency funding to install the boilers.
- Goal is to have the conversion completed before Fall. They will need to get rid of heating oil in the tank.

Update on PV sighting locations for CVEC installations:

- Richard will be meeting next week with CVEC contractor to assess sites.

PACE update: They are still working out the details at a Federal level.

Overview of BOH regulations: Vote today on health related regulations regarding wind turbines.

Recruiting new members for EAC: post in paper and on website

Website overview/public info and update on Energy Savers Club: Nothing to report

CLC Update: Nothing to report

Cape and Vineyard Electric Co-Op. Update: Nothing to report except Solar sighting program

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Monday, September 12, 2011 10:18 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: EAC meeting notice - TO FILE

2011 SEP 12 AM 11 07

TOWN CLERK'S OFFICE
BOURNE, MASS

MEETING NOTICE

Selectmen's Advisory Committee (EAC)
Bourne Middle School
Wednesday, 9/14/11
7:00 pm

Meeting Agenda:

- 1) Approval of Minutes
- 2) Green Communities Vehicle policy BOS meeting Sept 27.
- 3) Preparation for Oct Town Meeting: status, volunteers to speak, media options, what data we will present on each of the following:
 - funding for the energy coordinator position --as-of-right siting bylaw
- 4) Turnover activities from Richard Elrick-responsibilities/tasks the EAC can take over on the following:
 - library NG installation
 - CVEC PV installations
 - other ongoing opportunities
- 5) CLC Update
- 6) Cape and Vineyard Electric Co-Op. Update

Sent from my BlackBerry® by Boost Mobile

Chapman, Wendy

From: Lisa Groezinger [lgroezinger@gmail.com]
Sent: Wednesday, October 05, 2011 9:29 PM
To: Chapman, Wendy
Cc: Johnson, Barry; lgroezinger
Subject: EAC - meeting notice of 10/12/11 - TO POST

2011 OCT 6 AM 9 38

TOWN CLERK'S OFFICE
BOURNE, MASS.

MEETING NOTICE

Selectmen's Energy Advisory Committee
Wednesday, 10/12/11
Bourne Middle School, Room 100
7:00 pm

Agenda Items:

- 1) Welcome new EAC member Frank M.Kodzis and provide him with information on our activities to date.
- 2) Approval of Minutes
- 3) Green Communities Vehicle policy BOS meeting.
- 4) Preparation for Oct 17th Town Meeting: status, volunteers to speak, what data we will present on each of the following:
 - funding for the energy coordinator position (updated letter to BOS) -as-of-right siting bylaw
- 5) Update on activities in Bourne:
 - library NG installation
 - CVEC PV installations visit updates
- 6) CLC Update
- 7) Cape and Vineyard Electric Co-Op. Update

Energy Advisory Committee
Meeting minutes of 10/12/11
Bourne Middle School, Bourne, MA, 02533

2011 NOV 10 AM 9 01

Richard Elrick, Energy Coordinator

TOWN CLERK'S OFFICE
BOURNE, MASS

Liz Caporelli, Chairman
Bob Schofield, Vice Chairman
Allyson Bizer-Knox, Clerk (arrived at 7:45 pm)
T. Gray Curtis
Chris Kapsambelis
Paul O'Keefe
Frank Kodzis

Meeting called to order
7:05 pm.

Approval of minutes

August meeting minutes will be tabled to the next meeting. Town Clerk's office seeking copies of previous meeting minutes and Chm. Caporelli and recording secretary will work to get filed.

New committee member Frank Kodzis

Chm. Caporelli introduced new member Frank Kodzis and committee and Energy Coordinator introductions were made.

O'Keefe suggested Kodzis go on the State website and look up Renewable Portfolio Standard. Chm. Caporelli will send the Committee Charge, Energy Policy and FTP site. Mr. Elrick will send some documentation as well.

Preparation for October Town Meeting: status, volunteers to speak, media options, what data we will present on each of the following:

- **Funding for Energy Coordinator (EC) position**

EC position was funded by a grant which expired in August. The Town Administrator found some funding for a couple of months. The EAC is looking for \$15,000, 10 hr./wk. to fund EC position. This Article is endorsed and approved by both the Selectmen and approved by the Finance Committee. Special Town Meeting is 10/17/11 for Town vote.

Chm. Caporelli said TA Guerino mentioned EC position would be included in the Facilities Manager to act as a liaison between architect and builders.

- **As-of-right siting bylaw**

Mr. Elrick said the Planning Department (Coreen Moore and Chris Farrell) will take the lead, and volunteered to speak on behalf of the EC at Special Town Meeting (STM). Gray suggested a committee member speak for further discussions.

Planning Board meeting on 10/13/11 on the zoning districts.

Green Communities Program

- **Vehicle Policy** – meeting on 11/1/11 which needs BOS approval

Safety issues with energy efficient vehicles was raised by a citizen at the Selectmen's meeting. Vehicle Policy states any 2-wheel drive vehicles to get at least 29 mi/gal. There are exemptions.

Stretch Code will need to put forth at the next Annual Town Meeting – asking Selectmen endorsement.

- **As of Right Sighting for Alternate Energy** – bylaw for solar zoning districts
- **Building Codes** – more energy efficient codes
- **Expedite permitting for projects** – in place
- **Energy Use Base Inventory** – in place

Turnover activities from Richard Elrick – responsibilities/tasks the EAC can take over the following:

- **Library NG installation**

Library conversion from oil to natural gas providing significant savings to the Town and through the State. Looking at about \$12,000 savings between conversions.

- **CVEC PV installations**

Another article in the STM looking for money sufficient for boiler purchase and installation through National Grid. Mr. Elrick available to speak at the Special Town Meeting.

- **Other ongoing opportunities**

Peebles and the High School opportunities.

Bourne site visits to be included in an RFP:

- **ISWM**
 - A four to five acre parcel at the Bourne landfill potential, but ISWM is also looking at other opportunities and some question if parcel will also be included.
 - Two buildings - Transfer Station and Bailer building
 - Three other ground mounted locations
- **Bourne High School - rooftop installation.**
- **The Sagamore Fire Station – the flat roof is suitable for solar**

- Community Center – TA Guerino working on replacing roof and asking for funding in the Annual Town Meeting (ATM)
- DNR garage - potential

Mr. Elrick to include potential revenue with potential sites when speaking at the STM. Moving forward, he will update the EAC.

Other business, Mr. Elrick announced the upcoming wind legislation hearing of the Joint Committee on Telecommunications, Utilities and Energy at the Barnstable High School in the Knight Auditorium. This is one hearing.

Kapsambelis said The Wind Energy Siting Reform Act (WESRA) calls for wind turbine siting standards, yet to be determined, that will serve as a basis for waivers of any and all local by-laws, and a basis for court decisions on compliance.

CLC Update

Educational workshop in Hyannis on 11/8/11.

Education/Energy Savers Club

Bizer-Knox will attend the Educational workshop on 11/8/11. She is holding an after school program on the Energy Wind Power in Barnstable, the rest of the school year will be other alternative energy projects. Mr. Elrick will be speaking this program. She is also working on a Climate Change curriculum in New Bedford.

Bizer-Knox suggested the EC visit the Site on a Sphere (NASA and NOAA) in New Bedford.

She is also working on a mock Town Meeting as an educational workshop.

Cape and Vineyard Electric Co-Op Update

No other updates.

Next meeting

11/9/11 - TBD

Include Peebles and High School discussion and updates.

Adjournment

O'Keefe MOVED and SECONDED by Kapsambelis to adjourn. Meeting adjourned at 8:30 pm.

Respectfully submitted – Lisa Groezinger, sec.

Energy Advisory Committee
Meeting minutes of 10/12/11
Bourne Middle School, Bourne MA 02532

Richard Elrick, Energy Coordinator

Liz Caporelli, Chairman
Bob Schofield, Vice Chairman
Allyson Bizer-Knox, Clerk (arrived at 7:45 pm)
T. Gray Curtis
Chris Kapsambelis
Paul O'Keefe
Frank Kodzis

Meeting called to order
7:05 pm.

Approval of minutes

August meeting minutes will be tabled to the next meeting. Town Clerk's office seeking copies of previous meeting minutes and Chm. Caporelli and recording secretary will work to get filed.

New committee member Frank Kodzis

Chm. Caporelli introduced new member Frank Kodzis and committee and Energy Coordinator introductions were made.

O'Keefe suggested Kodzis go on the State website and look up Renewable Portfolio Standard. Chm. Caporelli will send the Committee Charge, Energy Policy and FTP site. Mr. Elrick will send some documentation as well.

Preparation for October Town Meeting: status, volunteers to speak, media options, what data we will present on each of the following:

- **Funding for Energy Coordinator (EC) position**

EC position was funded by a grant which expired in August. The Town Administrator found some funding for a couple of months. The EAC is looking for \$15,000, 10 hr./wk. to fund EC position. This Article is endorsed and approved by both the Selectmen and approved by the Finance Committee. Special Town Meeting is 10/17/11 for Town vote.

Chm. Caporelli said TA Guerino mentioned EC position would be included in the Facilities Manager to act as a liaison between architect and builders.

2012 JAN 12 AM 10 03
TOWN CLERK'S OFFICE
BOURNE, MASS

- **As-of-right siting bylaw**

Mr. Elrick said the Planning Department (Coreen Moore and Chris Farrell) will take the lead, and volunteered to speak on behalf of the EC at Special Town Meeting (STM). Gray suggested a committee member speak for further discussions.

Planning Board meeting on 10/13/11 on the zoning districts.

Green Communities Program

- **Vehicle Policy** – meeting on 11/1/11 which needs BOS approval

Safety issues with energy efficient vehicles was raised by a citizen at the Selectmen's meeting. Vehicle Policy states any 2-wheel drive vehicles to get at least 29 mi/gal. There are exemptions.

Stretch Code will need to put forth at the next Annual Town Meeting – asking Selectmen endorsement.

- **As of Right Sighting for Alternate Energy** – bylaw for solar zoning districts
- **Building Codes** – more energy efficient codes
- **Expedite permitting for projects** – in place
- **Energy Use Base Inventory** – in place

Turnover activities from Richard Elrick – responsibilities/tasks the EAC can take over the following:

- **Library NG installation**

Library conversion from oil to natural gas providing significant savings to the Town and through the State. Looking at about \$12,000 savings between conversions.

- **CVEC PV installations**

Another article in the STM looking for money sufficient for boiler purchase and installation through National Grid. Mr. Elrick available to speak at the Special Town Meeting.

- **Other ongoing opportunities**

Peebles and the High School opportunities.

Bourne site visits to be included in an RFP:

- **ISWM**
 - A four to five acre parcel at the Bourne landfill potential, but ISWM is also looking at other opportunities and some question if parcel will also be included.
 - Two buildings - Transfer Station and Bailer building
 - Three other ground mounted locations
- **Bourne High School - rooftop installation.**
- **The Sagamore Fire Station – the flat roof is suitable for solar**

- Community Center – TA Guerino working on replacing roof and asking for funding in the Annual Town Meeting (ATM)
- DNR garage - potential

Mr. Elrick to include potential revenue with potential sites when speaking at the STM. Moving forward, he will update the EAC.

Other business, Mr. Elrick announced the upcoming wind legislation hearing of the Joint Committee on Telecommunications, Utilities and Energy at the Barnstable High School in the Knight Auditorium. This is one hearing.

Kapsambelis said The Wind Energy Siting Reform Act (WESRA) calls for wind turbine siting standards, yet to be determined, that will serve as a basis for waivers of any and all local by-laws, and a basis for court decisions on compliance.

CLC Update

Educational workshop in Hyannis on 11/8/11.

Education/Energy Savers Club

Bizer-Knox will attend the Educational workshop on 11/8/11. She is holding an after school program on the Energy Wind Power in Barnstable, the rest of the school year will be other alternative energy projects. Mr. Elrick will be speaking this program. She is also working on a Climate Change curriculum in New Bedford.

Bizer-Knox suggested the EC visit the Site on a Sphere (NASA and NOAA) in New Bedford.

She is also working on a mock Town Meeting as an educational workshop.

Cape and Vineyard Electric Co-Op Update

No other updates.

Next meeting

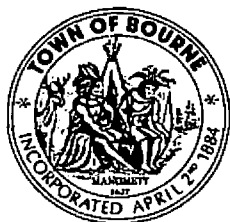
11/9/11 - TBD

Include Peebles and High School discussion and updates.

Adjournment

O'Keefe MOVED and SECONDED by Kapsambelis to adjourn. Meeting adjourned at 8:30 pm.

Respectfully submitted – Lisa Groezinger, sec.



TOWN OF BOURNE
Energy Advisory Committee
24 Perry Avenue
Buzzards Bay, MA 02532



MEETING NOTICE

Agenda

The Energy Advisory Committee will hold a public meeting on Wednesday, November 9, 2011 at 7:00 pm at Bourne Middle School Media Center

- 1) Approval of Minutes including any past meetings
- 2) Review of 10/17 Town Meeting
- 3) Green Communities Vehicle policy BOS meeting.
- 4) Update on activities in Bourne:
 - library NG installation
 - CVEC PV installations visit updates
- 5) Out reach events/activities
- 6) CLC Update
- 7) Cape and Vineyard Electric Co-Op. Update

2011 NOV 7 AM 9 50
TOWN CLERK'S OFFICE
BOURNE, MASS

1. Public comments, non-agenda items
2. Review minutes of previous meetings
3. Town Marina's update
4. Dredging update's
5. Open Meeting Law Seminar Update
6. Committee priorities for the upcoming year

7. Public comments, non-agenda items

8. Any other business that may come before the Committee

Citizens are welcome and encouraged to attend our meetings.

Richard F. Libin
Chairman

cc: Town Clerk, Board of Selectmen, Harbormaster, Conservation Commission,
Engineering, Committee Members, Town Planner, Finance Committee

Energy Advisory Committee
Meeting minutes of 11/9/11
Bourne Middle School, Bourne MA 02532

2012 JAN 12 AM 9 23

Richard Elrick, Energy Coordinator

TOWN CLERK'S OFFICE
BOURNE, MASS

Liz Caporelli, Chairman (arrived at 7:21 pm)

Bob Schofield, Vice Chairman

Allyson Bizer-Knox, Clerk

T. Gray Curtis (excused)

Chris Kapsambelis

Paul O'Keefe

Frank Kodzis

Meeting called to order

7:00 pm by V. Chm. Schofield

Approval of minutes

O'Keefe MOVED and SECONDED by Kapsambelis to approve minutes of 8/10/11 as submitted.

VOTE 4-0-1 (Kodzis abstention)

Bizer-Knox MOVED and SECONDED by O'Keefe to approve minutes of 10/12/11 as submitted.

UNANIMOUS VOTE.

Review of 10/17/11 Town Meeting

- Amendment to the As-of-Rights Zoning District bylaw approved
- As-of-Rights Zoning District bylaw approved
- Funding of the Energy Coordinator position approved for funding for another year
- Money was appropriated for the two (2) boilers at the Library

Kapsambelis inquired about the use of another zoning area and will it work; does it mean you can't put anywhere else or need a special permitting process. Mr. Elrick will discuss with Coreen Moore for an answer.

Green Communities Vehicles policy BOS meeting

Fuel Efficient Vehicle Policy is scheduled for 12/6/11. EAC members encouraged to attend for input if necessary. The policy will require a yearly updated list of eligible vehicles.

- Fuel efficient vehicles – doesn't have to be electric (29 miles/gallon)
- Vehicles can could be phased out - don't have to be purchased all at once

Update on Activities in Bourne

a. Library

TA Guerino sent mailed payment to National Grid which needs to be received before scheduling installation process. Mr. Elrick is waiting to hear from NG.

b. National Grid (NG) installation

Installation will begin once check is received from NG.

CVEC PV installation visit updates – Paul O’Keefe

A total of 11 responsive bids, only three specifically responded to Bourne sites:

- Bid for total of 61 kw (Comm. Bldg., high school, Fire Station)
- Bid for high school roof only is 500 kw
- Bid for a total of 750 kw (Comm. Bldg., high school, Fire station, DNR garage, Town Hall)

There was no bid for ISWM.

The goal is to have a contract in place by the end of January 2012. Mr. Elrick suggested the committee continue to look at other potential locations (Bourne Water District land).

Outreach events/activities – Alyson Bizer-Knox

Energy Savers will be beginning next week.

Knox-Bizer in discussion with an Energy Coordinator from Rhode Island with regard to a gathering of various Energy Committees at Ocean Explorium in New Bedford (up to 200 capacity). There may be sponsors for such an event. Timeframe is not set, as event is in the beginning process.

Suggestions for discussion:

- Contact David Pierce, South Coast Wind Collaborative
- Challenges what Towns faced and how they overcame these challenges
- Include regional areas (not just the Cape) for outreach
- Lessons from other Energy Committees
- Contact Seth Pickering
- Theme/agenda for meeting – part meeting/part informal/presentation of what is happening with the planet

Moving forward, Bizer-Knox will see who she can approach, get names for sponsors.

Mr. Elrick suggested some kind of a draw getting people from the Cape to New Bedford

CLC Update – Bob Schofield

Presentation today with group worked with Compact for the last 5-6 years who works on the Grid ISO power supply. There were questions as to why CLC funded over \$2M to the Co-op, and it is going to come back to the rate payers. A program shows suggests \$1.8M/year coming back to all payers as far as rates and what paying for ourselves.

Other business

Solar State goals. 11/30/11 meeting with regard to DPW net metering. Mr. Elrick asked if there is anything to mention to Mr. Silvia, DOER, for Bourne to help implement State goals. Emails were suggested by committee members.

As a point of interest, Kapsambelis said at Falmouth Town Meeting yesterday agreed to shut down Wind 1, turn Wind 2 on full blast to see if there are any complaints.

Mr. Elrick said there is another Cape Cod Commission hearing on 11/10/11 at Delegates Hall in Barnstable. Also, Cape Cod Community College meeting tonight as they have a solar project to put forward; a 640 kw project involves roof top solar primarily on two of their buildings and also to put up a vertical access turbine.

V. Chm. Schofield discussed boilers at the Town schools. Peebles is done. A bid was out to add new boilers to the high school.

Cape & Vineyard Electric Co-op Update – Paul O’Keefe
Discussed earlier in the meeting.

Public comment

None.

Open Meeting Law

Chm. Caporelli emailed documentation for Monday information session at the Trowbridge.

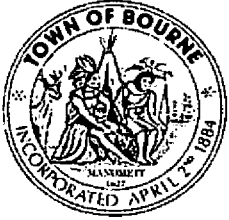
Next meeting

12/14/11 - TBD

Adjournment

O’Keefe MOVED and SECONDED by Bizer-Knox to adjourn. Meeting adjourned at 8:20 pm.

Respectfully submitted – Lisa Groezinger, sec.



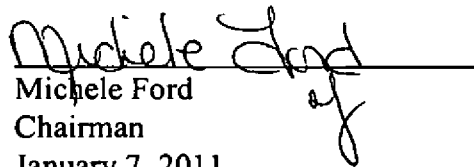
TOWN OF BOURNE
Finance Committee
24 Perry Avenue
Buzzards Bay, MA 02532



MEETING NOTICE

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 11, 2011	7:00 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street Buzzards Bay

1. Workshop – Finance Committee, School Committee and Board of Selectmen –
FY12 Budget


Michele Ford
Chairman
January 7, 2011

2011 JUN 7 AM 11 17
TOWN CLERK'S OFFICE

2011 JAN 13 AM 10 51

TOWN CLERK'S OFFICE Finance Committee Meeting Notice
Monday January 24, 2011
7 PM
Jonathan Bourne Library

Reserve Fund: \$202,188

NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or video taping, they need to acknowledge it at this time.

Meeting Agenda:

1. Minutes of previous meetings (October 2, 2010, October 25, 2010)
2. Reserve Fund Transfers
3. Town Administrator's Budget Message
4. Quorum article discussion and vote
5. Report from Capital Outlay Committee - as needed (MJ)
6. Report from Bourne Landfill Business Model Working Group - as needed (John Redman)
7. Report from Privatization Committee - as needed (Bill Grant)
8. TA Comment (for informational purposes only)
9. Selectmen Comment (for informational purposes only)
10. Public Comment (for informational purposes only)
11. Future agenda items
12. Any other business that may come legally before the Committee

Residents are welcome and encouraged to attend our meetings.
Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Finance Committee Meeting Minutes – January 24, 2011

2011 FEB 1 AM 9.12 Jonathan Public Library

TOWN CLERK'S OFFICE Bourne, MA 02532

FinCom Members: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo, Co-Vice Chairman; Hal DeWaltoff, Mark DeCicco, Glen Galusha, Bill Locke, Jeff Perry and George Slade

Member(s) excused: David Ahern and John Redman

Guests: Tom Guerino, Town Administrator; Selectman Mealy

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

List of Documents

- RFT for \$38.03 EMS – 1 page
- RFT for \$1,804 BOH – 2 pages
- RFT for \$30,500 Veterans' Benefits – 1 page

Meeting called to order

7:00 pm

Review of minutes (10/4/10 and 10/25/10)

Mastrangelo MOVED and SECONDED by Perry to approve minutes of 10/4/10 as submitted. VOTE 9-0-1 (Galusha).

Mastrangelo MOVED and SECONDED by DeWaltoff to approve minutes of 10/25/10 as submitted. VOTE 8-0-2 (Galusha, Perry).

Reserve Fund Transfers

Grant MOVED and SECONDED by DeWaltoff to transfer \$3.38 for EMS (assessment to the Cape & Islands EMS). VOTE 10-0.

Ripley MOVED and SECONDED by Mastrangelo to transfer \$1,804 to the Board of Health for emergency pumping at Pocasset Mobile Home Park. VOTE 9-0 (*DeWaltoff not present at time of vote*).

Grant MOVED and SECONDED by DeCiccò to transfer \$30,500 to Veterans Services (medical, fuel, living expenses). VOTE 10-0.

Town Administrator's Budget Message

Budget proposed is about \$1M less than the current year we are in. Represents reductions in staff on Town side and anticipates reduction in staff on the school side (50/50 split). Reductions in services will be in non-essentials.

Looked at community need to keep going as much as the Town can. Reductions as proposed are top to bottom, not focusing at the "lower end of the spectrum." Consolidations proposed along with reductions in administrative staff. Reduction in Fire, Police and the possible closing, or station hour limitation, at one of the fire stations.

Based on Governor's discussion at the Mass. Municipal Association Meeting, he is submitting a budget on Wednesday (1/26/11); adding to Chapter 70; reducing Local Aid by 7%; and increasing Chapter 90 by \$120M This will help fund repairs required to the Pocasset River bridge, which is town owned Discussion on how insurance programs will work, but not sure at this time.

TA Guerino stated that we often know what is on the Cherry Sheet revenue side, but do not know what the assessments will be. Governor is making up for losses from the stimulus money.

Discussion

Chm. Ford requested that Dept. Heads to be prepared to discuss with the FinCom: a) What will be eliminated in terms of the services provided to the Town; and b) in order to bring back to today's level of services, what would it cost the Town?

Grant inquired of the process for the reduction in staff and service.

TA Guerino is looking to hire Human Resources Director by the end of February 2011, which will help with some of the budget process.

Mastrangelo suggested organizing questions with regard to layoffs now for Town Meeting discussion.

TA Guerino stated that as the economy gets better, public safety and then social services will be hired back first.

Adjusted schedule by Chm. Ford will be sent out (2/14/11 will be a meeting; 2/22/11 will be no meeting; and add 2/28/11 for a meeting).

Quorum Article at Town Meeting

Chm. Ford used draft of prior articles and forwarded to the committee for discussion.

Mastrangelo suggested a bylaw with regard to quorum which would maintain the current quorum but provide that if a quorum is not reached within a specific time period the quorum would be reduced to zero for all future Town Meetings.

Ford MOVED and SECONDED by DeWaltoff to propose an Article for the Annual Town Meeting in May to reduce the quorum to start a Town Meeting from 200 to 125 and to reduce the quorum for continuing a session from 150 to 100. VOTE 10-0.

Capital Outlay – Mastrangelo

RFP out for the schools (Hoxie and Cody) and responses are due in February 2011. BOS and Capital Outlay meeting to discuss priorities and subcommittees for new Police, Fire and DPW buildings before any proposals come to Town Meeting.

Report from Bourne Landfill Business Model Working Group – as needed

Tabled to next meeting.

Report from Privatization Committee – as needed

Grant volunteered his services once committee is established.

Bylaw Committee

Ripley stated that the Bylaw Committee has an opening and any interested parties to contact TA Guerino's office.

TA Comment

Articles for the Annual Town Meeting deadline is the close of business on 2/11/11.

Public Comment

None

Selectmen Comment

None

Future Agenda Items

Tax rate; mechanism and overview – 2/7/11 with Linda Marzelli

Adjourn

Grant MOVED and SECONDED by DeWaltoff to adjourn. Meeting adjourned at 8:30 pm.
UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.

Finance Committee Meeting Minutes – January 24, 2011

Jonathan Public Library

Bourne, MA 02532

.....

FinCom Members: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo, Co-Vice Chairman; Hal DeWaltoff, Mark DeCicco, Glen Galusha, Bill Locke, Jeff Perry and George Slade

Member(s) excused: David Ahern and John Redman

Guests: Tom Guerino, Town Administrator; Selectman Mealy

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

List of Documents

- RFT for \$38.03 EMS – 1 page
- RFT for \$1,804 BOH – 2 pages
- RFT for \$30,500 Veterans' Benefits – 1 page

Meeting called to order

7:00 pm

Review of minutes (10/4/10 and 10/25/10)

Mastrangelo MOVED and SECONDED by Perry to approve minutes of 10/4/10 as submitted. VOTE 9-0-1 (Galusha).

Mastrangelo MOVED and SECONDED by DeWaltoff to approve minutes of 10/25/10 as submitted. VOTE 8-0-2 (Galusha, Perry).

Reserve Fund Transfers

Grant MOVED and SECONDED by DeWaltoff to transfer \$3.38 for EMS (assessment to the Cape & Islands EMS). VOTE 10-0.

Ripley MOVED and SECONDED by Mastrangelo to transfer \$1,804 to the Board of Health for emergency pumping at Pocasset Mobile Home Park. VOTE 9-0. (*DeWaltoff not present at time of vote*).

2011 FEB 10 PM 10 00

Grant MOVED and SECONDED by DeCicco to transfer \$30,500 to Veterans Services (medical, fuel, living expenses). VOTE 10-0.

Town Administrator's Budget Message

Budget proposed is about \$1M less than the current year we are in. Represents reductions in staff on Town side and anticipates reduction in staff on the school side (50/50 split). Reductions in services will be in non-essentials.

Looked at community need to keep going as much as the Town can. Reductions as proposed are top to bottom, not focusing on the "lower end of the spectrum." Consolidations proposed along with reductions in administrative staff. Reduction in Fire, Police and the possible closing, or station hour limitation, at one of the fire stations.

Based on Governor's discussion at the Mass. Municipal Association Meeting, he is submitting a budget on Wednesday (1/26/11); adding to Chapter 70; reducing Local Aid by 7%; and increasing Chapter 90 by \$120M. This will help fund repairs required to the Pocasset River bridge, which is town owned. Discussion on how insurance programs will work, but not sure at this time.

TA Guerino stated that we often know what is on the Cherry Sheet revenue side, but do not know what the assessments will be. Governor is making up for losses from the stimulus money.

Discussion

Chm. Ford requested that Dept. Heads be prepared to discuss with the FinCom: a) What will be eliminated in terms of the services provided to the Town; and b) in order to bring back to today's level of services, what would it cost the Town?

Grant inquired of the process for the reduction in staff and service.

TA Guerino is looking to hire Human Resources Director by the end of February 2011, which will help with some of the budget process.

Mastrangelo suggested organizing questions with regard to layoffs now for Town Meeting discussion.

TA Guerino stated that as the economy gets better, public safety and then social services will be hired back first.

Adjusted schedule by Chm. Ford will be sent out (2/14/11 will be a meeting; 2/22/11 will be no meeting; and add 2/28/11 for a meeting).

Quorum Article at Town Meeting

Chm. Ford used draft of prior articles and forwarded to the committee for discussion.

Mastrangelo suggested a bylaw with regard to quorum which would maintain the current quorum but provide that if a quorum is not reached within a specific time period the quorum would be reduced to zero for all future Town Meetings.

Ford MOVED and SECONDED by DeWaltoff to propose an Article for the Annual Town Meeting in May to reduce the quorum to start a Town Meeting from 200 to 125 and to reduce the quorum for continuing a session from 150 to 100. VOTE 10-0.

Capital Outlay – Mastrangelo

RFP out for the schools (Hoxie and Cody) and responses are due in February 2011. BOS and Capital Outlay meeting to discuss priorities and subcommittees for new Police, Fire and DPW buildings before any proposals come to Town Meeting.

Report from Bourne Landfill Business Model Working Group – as needed

Tabled to next meeting.

Report from Privatization Committee – as needed

Grant volunteered his services once committee is established.

Bylaw Committee

Ripley stated that the Bylaw Committee has an opening and any interested parties to contact TA Guerino's office.

TA Comment

Articles for the Annual Town Meeting deadline is the close of business on 2/11/11.

Public Comment

None

Selectmen Comment

None

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Friday, January 28, 2011 7:59 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: Amended FinCom/BOS joint meeting agenda for Monday, 1/31/11 @ 7 pm - TO POST

AMENDED
JOINT MEETING NOTICE

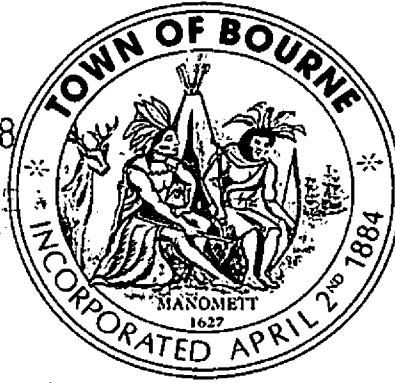
Finance Committee/BOS
Monday - January 31, 2011
7 PM
Jonathan Bourne Library

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Review budgets:
DPW, Community Building, TA/Administration/Town Hall
4. TA Comment (for informational purposes only)
5. Selectmen Comment (for informational purposes only)
6. Public Comment (for informational purposes only)
7. Future agenda items

Residents are welcome and encouraged to attend our meetings. Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 JAN 28 AM 8 57

2011 JAN 28 AM 10 48
TOWN CLERK'S OFFICE



BOARD OF SELECTMEN

MEETING NOTICE

Joint Meeting between the Board of Selectmen and Finance Committee

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Monday January 31, 2011	7:00 p.m.	J. Bourne Public Library 19 Sandwich Road Bourne, MA

AGENDA

Joint Meeting to review FY 12 Proposed budget.

Other Business


Thomas M. Guerino
Town Administrator

Date: January 28, 2011

**Town Clerk
Selectmen**

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Tuesday, February 01, 2011 3:03 PM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: Jt Mtg of FinCom/BOS of Mon. 2/7/11 - TO POST

JOINT MEETING NOTICE

Finance Committee/Board of Selectmen
Monday, 2/7/11
7 pm
Community Building

Reserve Fund: \$169,845.97

Agenda Items:

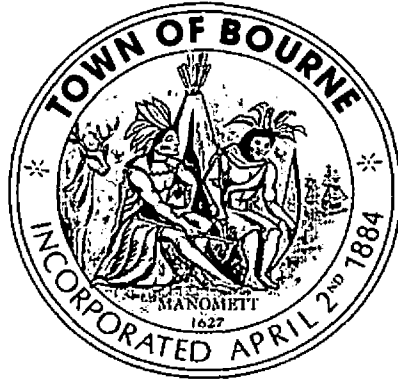
1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Tax rate process - Linda Marzelli
4. Review budgets:
 - Police Department
 - DNR
 - Health Department
5. ISWM Task Force Discussion
6. TA Comment (informational purposes only)
7. Selectmen Comment (informational purposes only)
8. Public Comment (informational purposes only)
9. Future Agenda Items

Residents are welcome and encouraged to attend our meetings.

FinCom meetings are taped and replayed on the local cable channel Saturdays after the 1 pm showing of the BOS meetings; Saturdays after the 7 pm showing of the BOS meeting; and Tuesdays after the 1 pm showing of the BOS meetings.
Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE

2011 FEB 1 PM 3 04



BOARD OF SELECTMEN

MEETING NOTICE

Joint Meeting between the Board of Selectmen and Finance Committee

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Monday February 7, 2011	7:00 p.m.	Bourne Vet. Community Bourne , MA

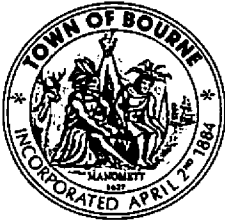
**Joint Meeting to review FY 12 Proposed budget.
Other Business**

**Thomas M. Guerino
Town Administrator**

Date: Feb 1, 2011

TOWN CLERK'S OFFICE

2011 FEB 1 PM 12 17



TOWN OF BOURNE
Finance Committee
24 Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$191,495.97

MEETING NOTICE

NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or video taping, they need to acknowledge it at this time.

The Finance Committee will hold a public meeting jointly with the Board of Selectmen on Monday February 14, 2011 at 7 PM at the Community Building.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Review budgets, including but not limited to:
 - a. Police Department
 - b. ISWM
 - c. Recreation
4. TA Comment (for informational purposes only)
5. Selectmen Comment (for informational purposes only)
6. Finance Committee Comment (for informational purposes only)
7. Public Comment (for informational purposes only)
8. Future agenda items

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Michele Ford
February 8, 2011

TOWN CLERK'S OFFICE

2011 FEB 8 PM 12 21

**Joint Meeting of February 14, 2011
Finance Committee and the Board of Selectmen
Jonathan Bourne Library
Bourne, MA 02532**

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo; David Ahern, Mark DeCicco, Hal DeWaltoff, Glenn Galusha; Bill Grant, Bill Locke, Jeff Perry, John Redman and George Slade.

2011 MAR 2 4 11
TOWN CLERK'S OFFICE

FinCom member(s) excused:

Board of Selectmen – John Ford, Chairman; Don Pickard, Vice Chairman; and Jamie Sloniecki

Member(s) excused: Mary Meli, Clerk; and Stephen Mealy

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier
Guests: TA Guerino; Linda Marzelli, Financial Director; Krissanne Caron, Recreation; Chief Dennis Woodside, Police; Dan Barrett, ISWM

List of documents

- Recreation Department Programs 2010-2011 – 2 pages
- Police Department budget – 2 pages

Meeting called to order
7:00 pm

DeWaltoff MOVED and SECONDED by Ahern to approve minutes of 2/7/11 as submitted. VOTE 11-0-1 (Locke).

Reserve Fund Transfer
None.

BUDGET DISCUSSION AND REVIEW

Recreation Department – Krissanne Caron

The Recreation Department operates with a Revolving Account. The goal of this department is to make programs efficient and as financially sound as possible.

TA Guerino stated that winter enhancement and science programs are tutorial programs for students which have been added and have been well received.

Total budget proposed is \$103,230.

Discussion

Budget is reduced by \$4,000 most coming out of buildings and grounds. Items that need to be done are: fence repairs, dugout repairs, playground resurfacing which is required by law.

For next year's budget discussion, Chm Ford (FinCom) asked with regard to capital, what would the Recreation Department do for maintenance at various facilities to keep them in good working order to prevent the need for huge dollar amounts in the future.

TA Guerino to talk with Judy Cox before discussion of the Lifeguard budget (\$25,000 - \$30,000 range). Chm. Ford (FinCom) made note to discuss at a future date.

Police Department – Chief Dennis Woodside

TA Guerino introduced Chief Woodside to the FinCom.

Department workforce is down. Some people need to be sent to training. Department has a three (3) cruiser patrol plan which is working, but is not necessarily the safest route.

Department is looking at a current total of 26 patrol officers with the addition of three (3) by next year but with potential of one or more vacancies within the patrol ranks.

Discussion

Transfers vs. new recruits with needed training as being able to put employees to work right away. Quinn bill education is factored into the salaries. TA Guerino stated the State paid \$14,000 last year and he anticipates not getting any money this year.

The bulk of OT (\$228,000) is based partially on Sergeant shift coverage. When appropriate, the Chief recommends adding another Sergeant when one is on vacation.

The OT, due to lack of people, is not a realistic number and will only increase moving forward. OT was offset with grants in the past.

Sick days have decreased compared to other years.

Salary expenditure for additional patrolmen voted for in the overrides not in this budget because it comes out of the funds remaining in the Town meeting Article. After the officers are hired and trained the Article money will be in the salaries budget. The balance of \$253,000 in the Article would fund three (3) officers with equipment.

Department has five (5) patrol sergeants, one (1) detective sergeant and two (2) Lieutenants. Mastrangelo recommended that the Town have a plan in place before we get too far behind in the number of officers and staff. Chief Woodside stated that is exactly what he is doing.

Discussion on the last override as being a permanent increase to the tax levy.

Chm. Ford (FinCom) stated there are two issues. One is hiring to fill brand new positions that weren't there beforehand; and the other is hiring to fill positions that were already in existence. For these positions, there is a pool of candidates that is the same due to the screening process and having to send new hires to the academy. This has resulted in the town staying even by taking care of vacancies as they occur.

Revised total budget is \$3,312,976.

ISWM budget – Dan Barrett

There has been an increase in staff in some areas so that ISWM can complete some projects that had been put off in the past...

ISWM will be moving to the new residential recycling area this Spring. Next new project is the rearrangement of the entrance.

Taking soils and ash from SEAMASS. ISWM is \$1.5M ahead of expenses. Will need to review post closure amount of \$1.3M.

Reducing OT by staggering shifts. Anticipate fuel cost increases.

Discussion

Annual fixed costs (engineering, consultants, inspections). Air permits are moving targets.

Leachate and C&D transfer was discussed. Leachate has been held the same. There is a decrease in C&D transfer.

TA Comments

Articles due by Wednesday 2/16/11 for the ATM; Due date for STM is 3/18/11.

Selectmen Comments

None.

Finance Committee Comments

None.

Public comment

None.

Future Agenda

Warrant Articles reviews.

Adjournment

Grant MOVED and SECONDED by Galusha to adjourn. Meeting adjourned at 8:55 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Tuesday, February 08, 2011 2:57 PM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom meeting agenda of Tuesday 2/15/11 - TO POST

2011 FEB 8 PM 3 02

Finance Committee
Meeting Notice

TOWN CLERK'S OFFICE

Bourne Middle School, Media Center
Tuesday, 2/15/11
6 pm

Agenda Items:

Joint meeting between ISWM, BOS, BOH, FinCom and EAC to continue discussion of future options for ISWM.

Michele Ford
Chairman
Sent from my BlackBerry® by Boost Mobile

Chapman, Wendy

From: Lisa Groezinger [lgroezinger@gmail.com]
Sent: Wednesday, February 09, 2011 7:31 PM
To: Chapman, Wendy
Subject: FinCom - amended meeting agenda - TO POST

Finance Committee
Amended Meeting Notice

Bourne Middle School, Media Center
Tuesday, 2/15/11
6 pm

Agenda Items:

Joint meeting between ISWM, BOS, BOH, FinCom and EAC to continue discussion of future options for ISWM.

Presentation by Mr. George Aronson, Commonwealth Resource Management Corp. and ISWM staff regarding:

- update and discussion on the process of waste acquisition for the landfill;
- update and discussion of an RFP for leasing land at the ISWM facility;
- update and discussion of an RFP for landfill gas utilization at ISWM;
- proposed timeline and resources for both RFPs
- update and discussion regarding recent legal opinion from attorney

Bob Troy and proposed actions relative to the Town Charter and Site Assignment
· general discussion, questions and answers and possible votes if needed

Michele Ford
Chairman

TOWN CLERK'S OFFICE

2011 FEB 10 AM 10 00

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Friday, February 11, 2011 11:54 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom - amended agenda time to post

Finance Committee
Amended Meeting Notice

Bourne Middle School, Media Center
Tuesday, 2/15/11
7 pm

Agenda Items:

Joint meeting between ISWM, BOS, BOH, FinCom and EAC to continue discussion of future options for ISWM.

Presentation by Mr. George Aronson, Commonwealth Resource Management Corp. and ISWM staff regarding:

- update and discussion on the process of waste acquisition for the landfill;
- update and discussion of an RFP for leasing land at the ISWM facility;
- update and discussion of an RFP for landfill gas utilization at ISWM;
- proposed timeline and resources for both RFPs
- update and discussion regarding recent legal opinion from attorney Bob Troy and proposed actions relative to the Town Charter and Site Assignment
- general discussion, questions and answers and possible votes if needed

Michele Ford
Chairman

Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE

2011 FEB 11 PM 3:26

**Joint Meeting of February 28, 2011
Finance Committee and the Board of Selectmen
Jonathan Bourne Library
Bourne, MA 02532**

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo; David Ahern, Mark DeCicco, Hal DeWaltoff, Glenn Galusha, Bill Grant, Bill Locke, Jeff Perry and George Slade.

FinCom member(s) excused: John Redman

Board of Selectmen – John Ford, Chairman; Mary Meli, Clerk; and Stephen Mealy

Member(s) excused: Don Pickard, Vice Chairman; Jamie Sloniecki

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Guests: TA Guerino; Linda Marzelli, Financial Director; Mandi Speakman, COA; Patrick Marshall, Library; Barry Johnson, Town Clerk; Fire Chief Martin Green

List of documents

- COA packet – miscellaneous documents and pamphlets
- FY2010 Value of the Library – 10 pages
- Town of Bourne Draft Simulation – 2 pages
- Fire Department Budget – 3 pages
- FD Calls by district – 1 page
- FD Staffing by Stations – 4 pages
- FD EMS – 1 page

Meeting called to order
7:00 pm

Approval of minutes

DeWaltoff MOVED and SECONDED by Perry to approve minutes of 2/14/11 as submitted. UNANIMOUS VOTE.

Reserve Fund Transfer

None.

2011 MAR 9 AM 9 53
TOWN CLERK'S OFFICE

BUDGET DISCUSSION AND REVIEW

Council on Aging – Mandi Speakman, Director

As far as staffing, proposed is the Assistant Director hours cut from 35-25 hours (28% reduction); lay off of one full-time secretary; full-time bus driver hours cut from 40 hours to 32 hours. Grant funds have been eliminated.

Discussion

Once the Census comes in (April/May), percentage of the voting population is aged 60+ can be determined.

Tax write-off program will be reduced.

Mealy – adding \$35,000 would significantly benefit the COA (\$15,000 - restore the Asst. Director (also Volunteer Coordinator); \$25,000 to restore secretary for 17.5 hours/week, an unbenefited position).

Total proposed budget is \$276,097, which is a 17 ¼ % reduction.

Ford (FinCom) proposes another joint meeting on 3/14-11 for to discuss approaches to prioritize items to come up with a final budget.

Library Budget – Patrick Marshall, Director

Upcoming goals would be the evaluation of library workflows; weeding/de-selection of library materials; new technology; and evaluation of library space.

Library staffing needs would include Information/Technology librarian; library assistant; and custodian.

State Aid was used to upgrade computers, provide technology support, upgrade telephones, purchase book card shelves and furniture, purchase a security system, a self check-out system, repair masonry out front, repair electrical issues, and offset heating system repairs.

The State Municipal Appropriation Requirement (MAR) is about \$490,000 budget, which is below what State requires for minimum standards.

Discussion

Proposed budget is \$474,795, which is a reduction.

Restoring a half-position would significantly benefit the Department.

Town Clerk – Barry Johnson

Major change was the staffing area, which was a priority and funds were shifted around. Total of two (2) 35-hour positions (adding the second 35-hour position).

New Ethics Compliance law and the new Open Meeting Laws put a burden on the Department.

Recommendation to increase death, birth and marriage license fees, which would add about \$8,000 to General Fund revenues..

Total proposed budget is \$89,348.

Election & Registration – Barry Johnson

Money was taken out of this Department, and put in the Clerk's budget which was level funded.

Looking at two (2) elections this year; Presidential election and the annual election in May 2011. There is a possible movement to combine State primary with the Presidential election, holding both in June.

Discussion of proposed phasing and addition of a precinct (precinct 7) to bring Buzzards Bay "home". This could be revisited at the Special Town Meeting, October 2011.

Total proposed budget is \$47,850.

Fire Department – Chief Martin Green

Personnel and payroll – three (3) vacancies. Taking \$62,000 from Supervisors to Firefighters. Losing two (2) firefighters.

Presently three (3) stations are staffed: Buzzards Bay, Sagamore and Pocasset. Proposing only two (2) stations be staffed: Buzzards Bay and Pocasset. Sagamore will lose 4-6 minutes of Fire & ALS coverage. The closing of Sagamore Station will increase response time of Fire & ALS town-wide. All villages will be impacted.

Presently have a staff of 34 total. Working to reduce sick time, but long-term sickness and injuries cannot be reduced).

Discussion

\$102,000 needed to keep open and maintain Sagamore station. Mealy - discussion held on keeping open vs. closing.

Administrator --. Fire Inspector discussion. Research has shown that revenues generated by hiring an inspector would not offset the additional cost.

State sets the fee structures.

TA Comments

None.

Selectmen Comments

Mealy – asked what the deadline is for proposing an override and was told it would have to be a Special Town Meeting article with a due date of 3/18/11. TA Guerino stated that we need more than two months to do so and that the Town needs to look at one in FY13.

Finance Committee Comments

School and Sewer budgets not yet discussed.

Public comment

None.

Future Agenda

Finish up Department reviews.

Adjournment

Grant MOVED and SECONDED by Galusha to adjourn. Meeting adjourned at 9:50 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Tuesday, March 01, 2011 9:52 PM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom meeting agenda for Mon. 3/7/11 - TO POST

Reserve Fund: \$191,495.97

JOINT MEETING NOTICE

Finance Committee/Board of Selectmen
Monday March 7, 2011
7 PM
Community Building.

Meeting Agenda

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Review budgets, including but not limited to:
 - a. Bourne School District
 - b. Upper Cape Tech School District
4. TA Comment (for informational purposes only)
5. Selectmen Comment (for informational purposes only)
6. Finance Committee Comment (for informational purposes only)
7. Public Comment (for informational purposes only)
8. Future agenda items

Michele Ford
Finance Committee Chairman
Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 MAR 2 PM 9 17

**Joint Meeting Minutes of
Finance Committee/Board of Selectmen
March 14, 2010
Veterans Community Bldg.
Buzzards Bay, MA 02532**

Finance Committee: Michele Ford, Chairman; Co-Vice Chairmen Elinor Ripley and Mary Jane Mastrangelo; David Ahern, Mark DeCicco, Glenn Galusha, Bill Grant, Jeff Perry, Bill Locke, and George Slade

Members excused: Hal DeWaltoff and John Redman

Board of Selectmen - John Ford, Chairman; Don Pickard, Co-Vice Chairman, Mary Meli, Clerk; Jamie Sloniecki; and Stephen Mealy

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Guests: TA Guerino; Linda Marzelli, Financial Director; Kevin Farr, UCT Superintendent; Robert Dutch, UCT Principal; George Tribeau; Sewer Dept.; and several members of the public

List of Documents

- UCT budget review – 15 pages
- Mass. School Building Authority Green Repair Program – 1 page

Meeting called to order
7:00 pm

Reserve Fund Transfer
None at this time.

Meeting Minutes

Mastrangelo MOVED and SECONDED by Galusha to approve minutes of 3/7/11 as submitted. UNANIMOUS VOTE.

Budget discussion and review

UCT – Kevin Farr, UCT Superintendent

Highest graduation rate of 96.8% in 2010 attributed to administration, faculty and community. Budget has increased almost 5% (\$175,000 to Bourne).

Review of the FY12 approved budget information by Mr. Farr.

TOWN CLERK'S OFFICE
81 6 04 62 00W 1102
2011 MAR 29 AM 9 18

Last year, seven (7) teachers laid off in 2009 due to anticipating budget difficulties. This year's budget is bringing back three (3) teachers. Textbooks and Supplies were level funded this year.

Operation and Maintenance Budget, maintenance of equipment was level funded.

Under Fixed Charges, the Total Foundation Budget for FY12 is \$11,438,411 (FY11 was \$10,898,418).

To reduce budget, Projected Reductions to Foundation Budget reviewed to get a Net Foundation Budget of \$8,360,362.

Total Capital Budget for FY\$426,870. Costs unique to a Regional School Budget (snow removal, employee benefits, building insurance) for a total of \$2,166,817.

Operating Budget is broken down by each town (Bourne, Falmouth, Marion, Sandwich and Wareham). Enrollment is also broken down by each Town.

Discussion

Different areas of programs (LPN, cosmetology, auto technicians, carpentry) discussed. There are approximately 400 applications per school year.

Bus transportation discussed, and the farthest bus route is the Marion/Rochester town line.

Athletics are all varsity sports, some have JV.

Green Repair Program discussed. The cost to district is \$2M to replace 40-year-old windows. Cost share is 57%; State picks up the other 43%. Bourne's estimated share is \$198,622. The intention will be to bond this expense to the towns over ten (10) years. (Ripley estimated about 30,000/yer for Bourne).

If UCT budget was to be level-funded, budget would be cut to \$405,882. The impact would be not continuing to offer 180 students four years.

Capital increase due to Culinary Arts freezer/refrigerator of \$40,000 - \$50,000. Mealy requested coming back with a budget that is level-funded to look at alternatives. 2% is contractual (2% in FY12 and 2% FY13). Mr. Farr will relay concerns to the members of the School Committee over the next week.

Perry suggested contacting other towns for their position on this budget to discuss at Town Meeting. Mealy inquired about how much money the UCT saves the Town (\$35,000 and \$50,000 prevailing wages).

The annual total appropriations are \$1,620,907 last year; this year up \$70,000 this year.

Mastrangelo raised issue of foundation budget between public school vs. technical school. Maintenance costs at the UCT is about the same as what the Town covers for all the schools in Bourne.

Sewer Department – George Tribeau
Budget basically level funded.

Accounts - Billing process has been behind in the past, but bills went out on time. There are 108 delinquent users in Hide Away Village and 198 in Buzzards Bay.

Ms. Marzelli stated to keep rates the same, look into taking \$50,000 out of Retained Earnings (one time cost). This would be for a shed to store pumps that is currently at the Hoxie School.

Wareham bill of \$273,000 with regard to the IMA, was estimated \$40,000 less from last year. Staffing of Wastewater Treatment discussed and anything oil related is still unknown.

Discussion

Delinquent accounts add to the higher sewer bills. Tighe & Bond's sewer rates survey states Bourne is just above the middle cost rate. Ford (BOS) discussed upgrading the 22-year-old system, and hopes to make a Capital Outlay line item in the future.

TA Guerino stated overages are reduced annually which means revenues are coming down.

Succession plan discussed, requiring about 3-4 years training.

\$15,000 cost for consultants, includes consolidating Hide Away Village (assessments required for easements, replacement parts). Also looking into more work done with regard to the wastewater plant at the Bournedale School.

Mastrangelo discussed the balance of capital projects.

Discussion

Chm. Ford (FinCom) requested from Ms. Marzelli to estimate the amount of the 12% per Policy with regard to Reserve vs. the 14% where town is at currently (roughly \$200,000). This could be opportunity to put back into the budget. Another option is an override.

If the Town had money, how would prioritize needs?

TA reviewed current vacancies the Town is not filling (Comm. Bldg., COA, DNR, reduction of pump out, Taylor Point staff, DPW, Finance Clerks, Firefighter/paramedics, Library, patrol officer positions, Recreation, TA Administrator office).

TA Guerino is waiting to hear from School Superintendent with regard to the overage between the BEA and the school.

With regard to the Fire Dept., 60% was sick leave issues and 1/3 can be fixed to some extent. Town should see 20% reduction immediately. With regard to keeping Sagamore Station open, don't have the number of people.

TA Guerino recommendation if take \$200,000 out of Reserves:

- \$66,522 – COA position
- \$14,000 – pump out boat
- \$10,000 – Community Building p/t custodian
- \$107,000 – Fire Stations, fully fund all 3 stations

Ford (BOS) concurs with TA Guerino recommendations.

Pickard supports the pump out and Community Bldg. However he suggests putting money to fund the COA position as well as the Assessor's Office position.

Coreen Moore will come before the BOS to discuss sale of Town land. Galusha discussed hotel/motel lodging. This would be minimal \$16,000 - \$17,000.

DeCicco inquired about FD, and was told the amount does not include the administration position. If the Town votes to leave the Cape Cod Commission through Town Meeting and then legislative approval, Bourne could save \$165,000 on the assessment and would be eliminated.

Sloniecki inquired about COA volunteer services.

Galusha discussed the Human Resources Director position.

Pickard asked FD Chief how long to have 3 positions and was told by this September. He asked Ms. Marzelli how cuts would impacts Senior Work Off Program.

Mealy suggested looking at priorities, next year and the year after that.

TA Guerino is concerned about fuel prices.

Ford (FinCom) supports putting \$107,000 in Fire Department only as an optimal solution.

Mastrangelo would like TA Guerino to research his recommendations for future impact.

TA Guerino would like to see what he originally proposed as it is the best value for the dollar.

Ripley feels spending a portion of the \$200,000 this year and next year and still be in decent shape. She does agree in adding the custodian position.

Next agenda

Long term plans

Draft warrant

Lifeguards

TA comment

Meeting of 4/5/11 to continue tonight's discussion.

Draft Warrant has 22 Articles, and no placeholders open.

Selectmen comment

Mealy asked Ms. Marzelli to look ahead and present to the BOS joint meeting the impact of taking \$1M out of Reserves for next year.

Public comment

Mr. Mulvey commented on keeping the Sagamore Fire Station.

Adjournment

Galusha MOVED and SECONDED by Mastrangelo to adjourn. Meeting adjourned at 10:20 pm. UNANIMOUS VOTE.

Respectfully submitted,

Lisa Groezinger, sec.

**Joint Meeting of March 21, 2011
Finance Committee and the Board of Selectmen
Jonathan Bourne Library
Bourne, MA 02532**

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo; David Ahern, Mark DeCicco, Glenn Galusha, Bill Grant, Bill Locke and George Slade.

FinCom member(s) excused: Hal DeWaltoff, Jeff Perry and John Redman

Board of Selectmen –; Mary Meli, Clerk; and Jamie Sloniecki

Member(s) excused: John Ford, Chairman; Don Pickard, Vice Chairman; and Stephen Mealy

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Guests: TA Guerino; Linda Marzelli, Finance Director

List of documents

- 2011 ATM draft Warrant – 58 pages dated 3/21/11
- Long-Term Financial Planning Model – 5 pages (estimated scenario) dated 3/21/11
- Long-Term Financial Planning Mode – 5 pages (override scenario) dated 3/21/11

Meeting called to order

7:00 pm

Approval of minutes

DeCicco MOVED and SECONDED by Ahearn to approve minutes of 3/14/11 as amended. VOTE 8-0-1 (Grant).

Reserve Fund Transfer

None. FinCom is put on notice by TA Guerino for two (2) items: a) Tax Title Account; and b) Leak in Hoxie roof. These will be presented next week.

Budget Discussion – Revenue and Expense alternatives

Estimate Scenario and Override Scenario briefly reviewed with Tax Levy; State; Local Receipts; Available Funds; and Other Sources.

RECEIVED
TOWN CLERK'S OFFICE
MAR 29 9 18 AM '11

Estimated Scenario

TA Guerino explained that the next contract negotiation period (FY13) it will include reinstating step increases. Town step increases are average, but in the current economy he doesn't believe the Town can continue to support. Bourne needs to have a full classification study.

Insurances are increases in property value (new facilities and wind facilities not in the fixed rate).

Override Scenario

TA Guerino stated there will be a supplemental appropriation from the State Congressional relative to Snow and Ice. The amount will be available tomorrow.

A \$2M override would mean 50 cents per thousand per household. This will carry the Town for about three (3) years. TA Guerino stated the Town can afford to go into Overlay to \$800,000 - \$1M, which is one year's revenue increase and will inflate the numbers the next year.

Discussion

An override is not presented at Town Meeting in May as the numbers will be more accurate during a Special Town Meeting.

Mastrangelo stated it is BOS/FinCom's obligation to ask taxpayers if they want an Override to maintain services..

Question asked about the Town's bond rating compared to other towns on the Cape. TA Guerino and Ms. Marzelli could not say for sure, but state the Town is doing well.

Ripley is not opposed to spending Overlay money. She would rather spend Overlay than Free Cash or Stabilization but pointed out that it is a one-time revenue source/ Mastrangelo concerned about the minimal staffing with regard to the \$2M override. Which employees will the Town keep and when will they be in jeopardy again?

Ahearn believes that contemplating closing the Sagamore Fire Station should not even be discussed. Chm. Ford (FinCom) stated the FinCom would support using an additional \$107,000 for the Fire Department whether if it was to come out of Reserves (Overlay or Free Cash).

TA Guerino said there is an estimate of about \$854,000 on the Town side reductions, which the Town is currently funding. The only new position for next year is the additional part-time bus driver, which is currently filled by volunteers. With regard to the COA, proposed putting back about \$57,000.

Mastrangelo summarized that with \$1.2M in staffing cuts minus the \$330,000 required for unemployment comes to \$900,000, consider a 6-month reprieve. TA Guerino stated that does not work with Police or Fire.

Discussion of lifeguards. Lifeguards have been eliminated in the past, and the Town can continue to provide swimming lessons for a fee at MMA.

TA Guerino summarized this budget season as a good lesson for the Town.

Chm. Ford (FinCom) stated that no matter how the Town increases revenue this year, it would have to be done next year. She suggested as another option, FinCom/BOS comes up with what the town really needs and get ahead of the curve this year.

Selectman Meli stated that the override is a hard sell.

Discussion on limited funding of staff until Town Meeting bringing through December 2011.

Sloniecki would recommend moving forward with funding Fire Department and the COA for \$165,000.

TA Guerino recommendation to include the funding of the Community Building custodian; and the ¼ to ½ position in the Administrator's Office as being essential.

Also discussed was funding the pump out boat.

Chm. Ford (FinCom) asked if there is a consensus to restore positions using some Reserve money, contingent on putting forward an override to cover what FinCom/BOS propose. Sloniecki stated FinCom should discuss this among themselves before bringing to the BOS.

Mastrangelo said if Bourne approved an override at the Fall 2011 Special Town Meeting, effective budgeting could be done.

Galusha asked about the outcome of the Superintendent and the BEA. TA Guerino is waiting to hear back.

Ripley opposed to funding the second pump out boat as the service will not be totally eliminated.

Chm. Ford (FinCom) stated that if we are to eliminate actual layoffs we should factor back in the full-time secretary at the Town Hall.

Mastrangelo feels there are three categories: 1st Fire and COA; 2nd adding Town Hall Assessor position and custodian; 3rd pump out boat.

With regard to what the BEA voted, as stated by the School Committee, that contract would need to be reconsidered if the economy is the way it is.

Galusha would like to educate voters to understand the reduction of State Aid and how it affects the Town. This is part of the Finance Committee message in the Warrant.

Locke and Ahearn agree that the School is their priority after the Fire Department. Ripley agrees as far as priorities, but stated that the School Committee has the ability to come up with that extra \$162,000. She also opposed to the UCT salary increases voted knowing the economic situation at the time. The School Department has turned back only a total of about \$2,000 within the last five (5) years as surplus to the Town.

FinCom consensus with regard to the Operations side:

- Fire Station - \$107,000
- COA - \$57,000
- Town Hall Assessors - \$40,000
- Community Building custodian - \$14,000
- Pump out boat - \$10,000
- TA's office clerk - \$10,000

Total of \$238,000, which is contingent upon going to Fall Town Meeting with an override.

Warrant – receive from TA Guerino

Draft Warrant given to the Finance Committee. Finance Committee to review.

TA Comments

- Charter Article - ISWM (site assigned land) at Atty. Troy's office.
- Two articles Cody School (subdivide land and ability to dispose of property by lease, sale or gift); Hoxie, Article to give BOS authority.
- Petition by citizens on Club House Drive in need of repairs. This would be a betterment.
- Drainage issues by Taylor's Point – private petition.
- Cypress Street easement owners of property granting no monetary item which is at Atty. Troy's office.

Selectmen Comments

None.

Finance Committee Comments

DeCicco stated that it was stated that the taxpayers would pay the \$162,000 per Cape Cod Commission.

Public comment

None.

Future Agenda

Charter, Capital, CPC Articles – 4/4/11

Planning Board – 4/11/11 (Chris Farrell to come on 4/25/11 for an update).

4/11 and 4/25 meetings at the Community Building

Adjournment

Locke MOVED and SECONDED by Ahearn to adjourn. Meeting adjourned at 9:30 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Wednesday, March 30, 2011 7:53 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom meeting agenda of 4/4/11 - TO POST

Reserve Fund: \$160,099.97

MEETING NOTICE

Finance Committee
Monday April 4, 2011
7 PM
Community Building

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Warrant article review
 - a. CPA articles
 - b. Bylaw articles
 - c. Articles 6, 15 19
4. Warrant - vote reviewed articles
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Michele Ford
Chairman, Finance Committee
Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 MAR 30 AM 8 39

**Finance Committee
Meeting Minutes of April 4, 2011
Veterans Community Bldg.
Buzzards Bay, MA 02532**

Finance Committee: Michele Ford, Chairman; Co-Vice Chairmen Elinor Ripley and Mary Jane Mastrangelo; David Ahern, Mark DeCicco, Hal DeWaltoff, , Bill Grant, Jeff Perry, Bill Locke and John Redman

Members excused: Glenn Galusha, Bill Locke and George Slade

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Guests: Linda Marzelli, Finance Director; Barry Johnson and other CPC members; and several members of the public

List of Documents

- CPC Article 2 Bournedale map – 1 page

Meeting called to order
7:00 pm

Meeting Minutes

DeWaltoff MOVED and SECONDED by DeCicco to approve minutes of 3/281 as submitted. VOTE 6-0-2 (DeCicco, Redman)

Reserve Fund Transfer

None at this time.

ARTICLE REVIEW - Community Preservation Committee (CPC)

SPECIAL TOWN MEETING

ARTICLE 2 – Parcel of land at 199 Herring Pond Road, Map 5 Parcel 4, 2.20 acres Purchase price is \$3,000 as the State and the people in control of property want to keep untouched. Comprised of wooded swamp land and abuts Herring Run. Open Space recommendation to CPC. CPC voted unanimously to bring to Town Meeting.

ARTICLE 3 – withdrawn due to not being able to come to an agreement.

TOWN CLERK'S OFFICE
2011 APR 12 PM 8 44

ARTICLE 4 – Town Hall Vault

Renovation will secure a vault and install shelving to be shared by Town Clerk's Office and Treasurer's Office. Article to convert space Veteran's area which was formerly a vault. Total of \$25,000 undesignated fund balance. *Assignment: Article 4 – B. Grant*

ANNUAL TOWN MEETING

ARTICLE 21 – CPC Expenses

CPC recommendation of \$30,000 (secretarial, appraisal, copying, etc.).

ARTICLE 20 – CPC Projects

- Affordable Housing Trust Fund – Steve Walsh, Treasurer
Two houses under construction (Cataumet and Sagamore) and are currently soliciting other land. These are non-conforming lots at a low tax rate and convert to housing which will be assessed at market value. CPC recommendation of \$82,835 to continue next year.

- Funding Affordable Housing Specialist – Kerry Horman
CPC recommendation of \$54,600.

- Bourne Public School Administrative Building – window replacement
\$5,956 – Historic Preservation estimated revenue
\$54,044 – Undesignated Fund Balance. CPC recommendation of \$60,000.

- Briggs-McDermott House – sash and blind restoration, remove and replace roof, rebuild and realign chimney and restore stove in kitchen
CPC recommendation of \$12,575.

- Cataumet Schoolhouse – replace rotting cornices
Project overseen by their own building and grounds committee. CPC recommendation of \$6,700.

- Survey and documentation of Cemeteries in Bourne
Archives employees will be doing most of the work. [Visit www.capecodgravestones.com]. CPC recommendation of \$19,000 (funding 900 hours of work).

- Preservation of map books and records in the Engineering Department
CPC recommendation of \$20,000.

- Town Clerk and other Departments, laser fiche and scanner
CPC recommendation of \$40,000.

- Restoration of Grey Gables Railway Station
Enable to move station to be more accessible. CPC recommendation of \$33,000.

Update of previous projects to date:

ARTICLE 14 – CPC Close Out and Transfer of Available Balances

County Road land purchase (\$22,000) – completed

Fields Upgrade at Keith Field (\$2,371) – completed

Asbestos removal at Historic Center (\$10,000) - completed

Boiler replacement at Town Hall (\$33,500) - completed

Briggs-McDermott House repairing windows and building roof (\$4,600) - completed

Soldiers/Sailors Memorial at Town Hall (\$60,000) - completed

Briggs-McDermott insulation (\$4,128) - completed

Cataumet reconstruction of HP ramp (\$26,130) - completed

Pocasset Community Center Roof (\$153.40) - completed

Other Projects Discussed

Train Station in Buzzards Bay is completed. Grant suggested getting running use of station.

Town Hall windows have been surveyed, but have not gone out to bid.

FinCom members invited to contact Mr. Johnson for status of other projects that have been completed and/or carrying balances.

ARTICLE (TBD) – Town Clerk Fees

Properly adjust fees. Increase birth, death and marriage licenses from \$5 to \$10; marriage intention licenses from \$10 to \$20 dollars. This will bring an additional \$8,310 of revenue. *Article Assignment – D. Ahearn*

ARTICLE 25 – Tower Lane drainage

Private petition is withdrawn.

ARTICLE REVIEW - Bylaw Articles

ARTICLE x – Bylaw Enforcement

Catch all section states time not specified.

ARTICLE x – Bylaw Enforcement

Change fees from a minimum of \$25 or maximum of \$50 to minimum of \$50 and a maximum to \$300.

ARTICLE x – Mechanical Protection Devices

With regard to Fire Department false alarms, language defines a false alarm.

ARTICLE 27 – Finance Committee Quorum
Changes quorum from 200 votes to 125 and to continue from 150 to 100. Bylaw Committee unanimously approved.

ARTICLE 28 – Animals on the Beach
Amend beach rules saying animals of any kind not allowed on the beach except for service dogs.

ARTICLE DISCUSSION AND VOTE
SPECIAL TOWN MEETING

ARTICLE 1 – \$23,081 Proceeds for Insurance Loss
Ripley MOVED and SECONDED by Mastrangelo for a favorable recommendation of Article 1. VOTE 9-0.

ARTICLE 2 – Open Space \$3,000
DeWaltoff MOVED and SECONDED by Redman for a favorable recommendation of Article 2. VOTE 9-0.

ARTICLE 3 – UCT Window Replacement
Ripley MOVED and SECONDED by DeCicco for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 4– Town Hall Vault \$25,000
Ripley MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ANNUAL TOWN MEETING

ARTICLE 1 – Authorizations
Mastrangelo MOVED and SECONDED by DeWaltoff for a favorable recommendation. VOTE 9-0.

ARTICLE 2 – Elective Officials Compensation
Mastrangelo MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article x. VOTE 9-0

ARTICLE 4 – Sewer Department
Ripley MOVED and SECONDED by Perry for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 5 – Chapter 90
Redman MOVED and SECONDED by Mastrangelo for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 6 – Reserve Fund

DeWaltoff MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 7 – ISWM Budget

Ripley MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 9 – Committee Reports of Town Officers

Ripley MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 10 – Capital Outlay

Ripley MOVED and SECONDED by Mastrangelo for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 11– Catch All Rationalizing Fines

Mastrangelo MOVED and SECONDED DeWaltoff for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 12– Details Fines and Proposed Fines

Grant MOVED and SECONDED by Ahearn for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 13 – Mechanical Protection Devices

DeWaltoff MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 14 – Available Balances CPC

Mastrangelo MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 15 – Other Post Employment Fund

To vote next at meeting.

ARTICLE 18 – Accept Checks issued in the Town less than \$100 never been cashed under revisions of MGL. To vote at next meeting.

ARTICLE 19 – CPC Operating Expenses.

Ripley MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 20 – CPC Project Items A-M

DeWaltoff MOVED and SECONDED by Grant for a favorable recommendation of Article x. VOTE 9-0. *Grant will ask Ms. Marzelli for corresponding chart.*

ARTICLE 21 – Charter Article Typo Changes

Mastrangelo MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE22 – Charter Article All Substantive changes, absent Police and Fire

Mastrangelo MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article x. VOTE 9-0. *Chm. Ford to contact Mr. Johnson of Charter Review Committee.*

ARTICLE 23– Charter Article for Police and Fire

Ripley MOVED and SECONDED by Mastrangelo for Indefinite Postponement of Article 23. VOTE 9-0.

ARTICLE 25 – Tower Lane

DeCicco MOVED and SECONDED by DeWaltoff for Indefinite Postponement of Article x. VOTE 9-0.

ARTICLE27 – Quorum

Mastrangelo MOVED and SECONDED by Grant for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 28 – Animals on the Beaches,

Mastrangelo MOVED and SECONDED by Perry for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 29 – Revenue from Shellfish Permits

Chm. Ford to contact TA Guerino

ARTICLE 30 – Town Clerk Fees

To vote at next meeting.

Next agenda

Update on Charter, Planning Board, Shellfish, Post Employment Funds and the MGL. Checks under \$100.

Ripley looking for written comments by midnight on Friday. Ripley will forward updated Annual Town Meeting and Special Town Meeting Warrants.

TA comment

None.

Selectmen comment

None.

Public comment

None.

Adjournment

Grant MOVED and SECONDED by Redman to adjourn. Meeting adjourned at 9:50 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

**Finance Committee
Meeting Minutes of April 4, 2011
Veterans Community Bldg.
Buzzards Bay, MA 02532**

Finance Committee: Michele Ford, Chairman; Co-Vice Chairmen Elinor Ripley and Mary Jane Mastrangelo; David Ahern, Mark DeCicco, Hal DeWaltoff, , Bill Grant, Jeff Perry, Bill Locke and John Redman

Members excused: Glenn Galusha, Bill Locke and George Slade

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Guests: Linda Marzelli, Finance Director; Barry Johnson and other CPC members; and several members of the public

List of Documents

- CPC Article 2 Bournedale map – 1 page

Meeting called to order
7:00 pm

Meeting Minutes

DeWaltoff MOVED and SECONDED by DeCicco to approve minutes of 3/281 as submitted. VOTE 6-0-2 (DeCicco, Redman)

Reserve Fund Transfer

None at this time.

ARTICLE REVIEW - Community Preservation Committee (CPC)

SPECIAL TOWN MEETING

ARTICLE 2 – Parcel of land at 199 Herring Pond Road, Map 5 Parcel 4, 2.20 acres
Purchase price is \$3,000 as the State and the people in control of property want to keep untouched. Comprised of wooded swamp land and abuts Herring Run. Open Space recommendation to CPC. CPC voted unanimously to bring to Town Meeting.

ARTICLE 3 – withdrawn due to not being able to come to an agreement.

TOWN CLERK'S OFFICE
2011 APR 2 PM 8 43

ARTICLE 4 – Town Hall Vault

Renovation will secure a vault and install shelving to be shared by Town Clerk's Office and Treasurer's Office. Article to convert space Veteran's area which was formerly a vault. Total of \$25,000 undesignated fund balance. *Assignment: Article 4 – B. Grant*

ANNUAL TOWN MEETING

ARTICLE 21 – CPC Expenses

CPC recommendation of \$30,000 (secretarial, appraisal, copying, etc.).

ARTICLE 20 – CPC Projects

- Affordable Housing Trust Fund – Steve Walsh, Treasurer

Two houses under construction (Cataumet and Sagamore) and are currently soliciting other land. These are non-conforming lots at a low tax rate and convert to housing which will be assessed at market value. CPC recommendation of \$82,835 to continue next year.

- Funding Affordable Housing Specialist – Kerry Horman
CPC recommendation of \$54,600.

- Bourne Public School Administrative Building – window replacement
\$5,956 – Historic Preservation estimated revenue
\$54,044 – Undesignated Fund Balance. CPC recommendation of \$60,000.

- Briggs-McDermott House – sash and blind restoration, remove and replace roof, rebuild and realign chimney and restore stove in kitchen
CPC recommendation of \$12,575.

- Cataumet Schoolhouse – replace rotting cornices
Project overseen by their own building and grounds committee. CPC recommendation of \$6,700.

- Survey and documentation of Cemeteries in Bourne
Archives employees will be doing most of the work. [Visit www.capecodgravestones.com]. CPC recommendation of \$19,000 (funding 900 hours of work).

- Preservation of map books and records in the Engineering Department
CPC recommendation of \$20,000.

- Town Clerk and other Departments, laser fiche and scanner
CPC recommendation of \$40,000.

- Restoration of Grey Gables Railway Station
Enable to move station to be more accessible. CPC recommendation of \$33,000.

Update of previous projects to date:

ARTICLE 14 – CPC Close Out and Transfer of Available Balances

County Road land purchase (\$22,000) – completed
Fields Upgrade at Keith Field (\$2,371) – completed
Asbestos removal at Historic Center (\$10,000) - completed
Boiler replacement at Town Hall (\$33,500) - completed
Briggs-McDermott House repairing windows and building roof (\$4,600) - completed
Soldiers/Sailors Memorial at Town Hall (\$60,000) - completed
Briggs-McDermott insulation (\$4,128) - completed
Cataumet reconstruction of HP ramp (\$26,130) - completed
Pocasset Community Center Roof (\$153.40) - completed

Other Projects Discussed

Train Station in Buzzards Bay is completed. Grant suggested getting running use of station.

Town Hall windows have been surveyed, but have not gone out to bid.

FinCom members invited to contact Mr. Johnson for status of other projects that have been completed and/or carrying balances.

ARTICLE (TBD) – Town Clerk Fees

Properly adjust fees. Increase birth, death and marriage licenses from \$5 to \$10; marriage intention licenses from \$10 to \$20 dollars. This will bring an additional \$8,310 of revenue. *Article Assignment – D. Ahearn*

ARTICLE 25 – Tower Lane drainage

Private petition is withdrawn.

ARTICLE REVIEW - Bylaw Articles

ARTICLE x – Bylaw Enforcement

Catch all section states time, not specified.

ARTICLE x – Bylaw Enforcement

Change fees from a minimum of \$25 or maximum of \$50 to minimum of \$50 and a maximum to \$300.

ARTICLE x – Mechanical Protection Devices

With regard to Fire Department false alarms, language defines a false alarm.

ARTICLE 27 – Finance Committee Quorum
Changes quorum from 200 votes to 125 and to continue from 150 to 100. Bylaw
Committee unanimously approved.

ARTICLE 28 – Animals on the Beach
Amend beach rules saying animals of any kind not allowed on the beach except for
service dogs.

ARTICLE DISCUSSION AND VOTE
SPECIAL TOWN MEETING

ARTICLE 1 – \$23,081 Proceeds for Insurance Loss
Ripley MOVED and SECONDED by Mastrangelo for a favorable recommendation of
Article 1. VOTE 9-0.

ARTICLE 2 – Open Space \$3,000
DeWaltoff MOVED and SECONDED by Redman for a favorable recommendation of
Article 2. VOTE 9-0.

ARTICLE 3 – UCT Window Replacement
Ripley MOVED and SECONDED by DeCicco for a favorable recommendation of
Article x. VOTE 9-0.

ARTICLE 4– Town Hall Vault \$25,000
Ripley MOVED and SECONDED by Redman for a favorable recommendation of Article
x. VOTE 9-0.

ANNUAL TOWN MEETING

ARTICLE 1 – Authorizations
Mastrangelo MOVED and SECONDED by DeWaltoff for a favorable recommendation.
VOTE 9-0.

ARTICLE 2 – Elective Officials Compensation
Mastrangelo MOVED and SECONDED by DeWaltoff for a favorable recommendation
of Article x. VOTE 9-0

ARTICLE 4 – Sewer Department
Ripley MOVED and SECONDED by Perry for a favorable recommendation of Article x.
VOTE 9-0.

ARTICLE 5 – Chapter 90
Redman MOVED and SECONDED by Mastrangelo for a favorable recommendation of
Article x. VOTE 9-0.

ARTICLE 6 – Reserve Fund

DeWaltoff MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 7 – ISWM Budget

Ripley MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 9 – Committee Reports of Town Officers

Ripley MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 10 – Capital Outlay

Ripley MOVED and SECONDED by Mastrangelo for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 11– Catch All Rationalizing Fines

Mastrangelo MOVED and SECONDED DeWaltoff for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 12– Details Fines and Proposed Fines

Grant MOVED and SECONDED by Ahearn for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 13 – Mechanical Protection Devices

DeWaltoff MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 14 – Available Balances CPC

Mastrangelo MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 15 – Other Post Employment Fund

To vote next at meeting.

ARTICLE 18 – Accept Checks issued in the Town less than \$100 never been cashed under revisions of MGL. To vote at next meeting.

ARTICLE 19 – CPC Operating Expenses.

Ripley MOVED and SECONDED by Redman for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 20 – CPC Project Items A-M

DeWaltoff MOVED and SECONDED by Grant for a favorable recommendation of Article x. VOTE 9-0. *Grant will ask Ms. Marzelli for corresponding chart.*

ARTICLE 21 – Charter Article Typo Changes
Mastrangelo MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 22 – Charter Article All Substantive changes, absent Police and Fire
Mastrangelo MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article x. VOTE 9-0. *Chm. Ford to contact Mr. Johnson of Charter Review Committee.*

ARTICLE 23– Charter Article for Police and Fire
Ripley MOVED and SECONDED by Mastrangelo for Indefinite Postponement of Article 23. VOTE 9-0.

ARTICLE 25 – Tower Lane
DeCicco MOVED and SECONDED by DeWaltoff for Indefinite Postponement of Article x. VOTE 9-0.

ARTICLE 27 – Quorum
Mastrangelo MOVED and SECONDED by Grant for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 28 – Animals on the Beaches,
Mastrangelo MOVED and SECONDED by Perry for a favorable recommendation of Article x. VOTE 9-0.

ARTICLE 29 – Revenue from Shellfish Permits
Chm. Ford to contact TA Guerino

ARTICLE 30 – Town Clerk Fees
To vote at next meeting.

Next agenda

Update on Charter, Planning Board, Shellfish, Post Employment Funds and the MGL Checks under \$100.

Ripley looking for written comments by midnight on Friday. Ripley will forward updated Annual Town Meeting and Special Town Meeting Warrants.

TA comment

None.

Selectmen comment

None.

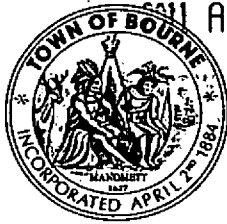
Public comment

None.

Adjournment

Grant MOVED and SECONDED by Redman to adjourn. Meeting adjourned at 9:50 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



2011 APR 5 AM 6 24
CLERK'S OFFICE
TOWN OF BOURNE
Finance Committee
24 Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$160,099.97

MEETING NOTICE

NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or video taping, they need to acknowledge it at this time.

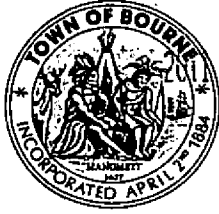
The Finance Committee will hold a public meeting on Monday April 11, 2011 at 7 PM at the Library.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Warrant article review
 - a. Other post employment article, accept MGL re \$100 checks article, residential shellfish article
 - b. Charter article
 - c. Planning articles
 - d. All remaining articles
4. Warrant – vote reviewed articles
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Michele Ford
April 5, 2011



APR 5 AM 9 24

TOWN OF BOURNE

Finance Committee

CLERK'S OFFICE

Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$160,099.97

MEETING NOTICE

NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or video taping, they need to acknowledge it at this time.

The Finance Committee will hold a public meeting on Monday April 11, 2011 at 7 PM at the Library.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Warrant article review
 - a. Other post employment article, accept MGL re \$100 checks article, residential shellfish article
 - b. Charter article
 - c. Planning articles
 - d. All remaining articles
4. Warrant – vote reviewed articles
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Michele Ford
April 5, 2011

**Finance Committee
Meeting Minutes of April 11, 2011
Jonathan Bourne Library
Bourne, MA 02532**

Finance Committee: Michele Ford, Chairman; Co-Vice Chairmen Elinor Ripley and Mary Jane Mastrangelo; David Ahern, Hal DeWaltoff, Bill Grant, Jeff Perry, John Redman and George Slade

Members Absent: Mark DeCicco (excused), Glenn Galusha (excused) , and Bill Locke

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Guests: TA Guerino; Coreen Moore, Town Planner; Chris Farrell; John Johnson, Chm. Charter Review Committee; and several members of the public

List of Documents

- Updated Warrant for STM/ATM

Meeting called to order
7:00 pm

Meeting Minutes

Perry MOVED and SECONDED by DeWaltoff to approve minutes of 4/4/11 as submitted. VOTE 8-0-1 (Slade).

Reserve Fund Transfer

None at this time.

ARTICLE REVIEW

STM ARTICLE 22 – Bourne Home Rule Charter

General Law Chapter 40N (Model Water and Sewer Commission) with regard to separating the Selectmen and the Sewer Commissioners: Commissioners would be appointed by designated authority which appears to be Town Meeting in our case. Charter Review Committee to meet next week and review further. FinCom will vote after getting a report on said meeting.

ATM ARTICLE 15 – Other Post Employment Benefits Liability Trust Fund

The Town is required to have such an account established under the new GASB Regulations.

TOWN CLERK
APR 11 2011 8 30 AM

ATM ARTICLE 18 – Accept MGL re: checks under \$100
Legal mechanism for the Treasurer's Office to deal with small checks and other items that are outstanding.

ATM ARTICLE 26 - Shellfish Propagation. The Town cannot take from Waterways.
Transfer from Free Cash

Ripley MOVED and SECONDED by Mastrangelo for a favorable recommendation to transfer from Free Cash the sum of \$15,000 for the purpose of this Article. VOTE 9-0.

ATM ARTICLE 29 – Resident Recreational Shellfish Permit and Mass. Resident Recreation Permit.

Ripley MOVED and SECONDED by Mastrangelo for a favorable recommendation of Article 29. VOTE 9-0.

STM ARTICLE 5 – STM Easement by Carla Forlivesi to repair and replace boat ramp and dock within the boundaries as shown on a plan on file with Town Clerk.
Article Assignment – DeWaltoff

ATM ARTICLE 31 – Hoxie School
Authorizes the BOS to convey, lease, sell or demolish the Hoxie School on terms and conditions to be in the best interest of the Town.

ATM ARTICLE 32 – Coady School
Authorizes the BOS to convey, lease, sell or demolish the Coady School on terms and conditions to be in the best interest of the Town and further Selectmen to subdivide said property.

ATM ARTICLE 22 – Bourne Home Rule Charter
Devise wording that would encompass other technology.

ATM ARTICLE 34 – Economic Opportunity Area: Coady School
Authorizes the BOS to grant Special Assessments or Tax Incentive Financing package for qualified economic development projects undertaken within said Economic Opportunity Area.

ATM ARTICLE 16 – Bourne Zoning Bylaw deleting “town accepted”.
Planning Board voted 10-3.

ATM ARTICLE 17 – Bourne Zoning Bylaws relative to the Flood plain Regulations
Planning Board proposing to IP. FEMA wants to take a year to address concerns raised
by communities.

ATM ARTICLE 24 – Wind Energy Conversion Systems (WECS)
Private petition. Planning Board will have final vote next week. Planning Board to come
before the Committee 4/25/11.

ATM ARTICLE 30 – Town Clerk’s proposed fees

Birth Certificate	\$ 5.00	to	\$10.00
Death Certificate	\$ 5.00	to	\$10.00
Marriage Cert.	\$ 5.00	to	\$10.00
Marriage Intent.	\$20.00	to	\$25.00

Ripley MOVED and SECONDED by Grant for a favorable recommendation of
this Article. VOTE 8-1 (Ahearn).

Pocasset Roads Betterment – not on warrant. TA Guerino explained there is an estimate
of cost, but would like to take more due diligence and put it on for STM in the Fall 2011.
Construction would like to begin in Spring 2012.

Budget Article. Personnel changes and adjustments and expect budget completed from
financial perspective by the end of the week. Final budget on 4/25/11 meeting.

ARTICLE DISCUSSION AND VOTE
SPECIAL TOWN MEETING

ARTICLE 5 – Easement
To vote at 4/25/11 meeting.

ANNUAL TOWN MEETING

ARTICLE 28 – Revolving Funds
Perry MOVED and SECONDED by Ahearn for a favorable recommendation of Article
28. VOTE 8-1 (Ford).

ARTICLE 10 – Capital improvements and projects
REVOTE: Mastrangelo MOVED and SECONDED by Redman for a favorable recommendation of Article 10. VOTE 9-0.

ARTICLE 15 – Post Employment Benefits
To vote at 4/25/11 meeting. Grant will research for discussion.

ARTICLE 16 – Non conforming lot frontage
To vote at 4/25/11 meeting.

ARTICLE 17 – Bourne Zoning Bylaws Floodplain Regulations
DeWaltoff MOVED and SECONDED by Redman for Indefinite Postponement of Article 17. VOTE 9-0.

ARTICLE 24 – Wind Energy Conversion Systems (WECS)
To vote at 4/25/11.

ARTICLE 18 – Accept MGL for checks less than \$100
Ripley MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article 18 . VOTE 9-0.

ARTICLE 22 – Charter Review Substantial Changes
To vote at 4/25/11 meeting.

ARTICLE 31 – Hoxie School
Discuss removal of word “demolition”. To vote at 4/25/11 meeting. *Article Assignment - Redman*

ARTICLE 32 – Coady School
To vote at 4/25/11 meeting. *Article Assignment - Redman*

ARTICLE 33 – Bourne Home Rule Charter: Appointment of Police & Fire Chiefs
To vote at 4/25/11 meeting. *Article Assignment – Redman*

ARTICLE 34 – Economic Opportunity Area (EOA) – Tax Incentive Financing
To vote at 4/25/11 meeting. *Article Assignment –Redman*

IDENTIFY AND VOTE ARTICLES ESSENTIAL TO RUNNING THE TOWN'S BUSINESS

Ripley MOVED and SECONDED by Grant to identify ATM ARTICLES 1-8, and ARTICLE 10 (Capital Outlay Article) as essential to running the Town's Business. VOTE 9-0.

Ripley MOVED and SECONDED by Mastrangelo that ARTICLE 8 is contingent on the passage of ARTICLE 29. VOTE 9-0.

Ripley MOVED and SECONDED by Mastrangelo that Article 20 is contingent on the passage of Article 14. VOTE 9-0.

Next Agenda

To vote remaining articles.

Discussion of FinCom operation.

Verbal comments due to Ripley by 4/28/11.

Public comment

Mr. Mulvey commented on Board/Committee minutes held in perpetuity on the Town website.

Adjournment

Slade MOVED and SECONDED by Mastrangelo to adjourn. Meeting adjourned at 8:45 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Dastous, Anne

From: lgroezienger@gmail.com
Sent: Wednesday, April 13, 2011 8:50 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom meeting agenda of Monday 4/25/11 - TO POST

Reserve Fund: \$160,099.97

MEETING NOTICE

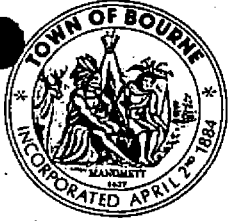
Finance Committee
Monday April 25, 2011
7 PM
Community Building

Meeting Agenda:

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Warrant article review and vote - all remaining articles
4. Finance committee organization discussion/decisions
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Michele Ford
FinCom Chairman
Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 APR 13 AM 8 59



TOWN OF BOURNE
Finance Committee
24 Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$160,099.97

MEETING NOTICE - REVISED

NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or video taping, they need to acknowledge it at this time.

The Finance Committee will hold a public meeting on Monday April 25, 2011 at 7 PM at the Community Building.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Warrant article review and vote – all remaining articles
4. Public hearing FY12 budget
5. STM 5/9/11 warrant article review and vote
6. Finance committee organization discussion/decisions
7. TA Comment (for informational purposes only)
8. Selectmen Comment (for informational purposes only)
9. Finance Committee Comment (for informational purposes only)
10. Public Comment (for informational purposes only)
11. Future agenda items

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Michele Ford
April 12, 2011

TOWN CLERK'S OFFICE

2011 APR 19 AM 8 46

**Finance Committee
Meeting of April 25, 2011
Bourne's Veteran's Memorial Community Center
239 Main Street, Buzzards Bay, MA 02532**

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo; David Ahearn, Mark DeCicco, Hal DeWaltoff, Glenn Galusha, Bill Grant, Jeff Perry, John Redman and George Slade.

FinCom member(s) absent: Bill Locke

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Guests: TA Guerino; Linda Marzelli, Finance Director; Selectmen John Ford and Jamie Sloniecki; Judy Conron, Charter Review Committee; Private petitioner James Potter; Jim Mulvey and several members of the public

List of documents

- Amended 2012 Town Budget dated 4/19/11 – 20 pages

Meeting called to order

7:00 pm

Approval of minutes

Redman MOVED and SECONDED by Perry to approve minutes of 4/11/11 as amended. VOTE 8-0-2 (Perry, Galusha). *Mastrangelo not present at vote.*

Reserve Fund Transfer(s)

Grant MOVED and SECONDED by Galusha to approve the transfer of \$2,000 to the Selectmen's Communication/Advertisement line item. VOTE 11-0.

Ahearn MOVED and SECONDED by Grant to approve the transfer of \$18,000 to the Finance Department Collector's Tax Title Account. VOTE 11-0.

DeWaltoff MOVED and SECONDED Ripley to approve the transfer of \$8,000 to Council on Aging Salaries – Clerical Sick and Vacation Buyout. VOTE 11-0.

Redman MOVED and SECONDED by Galusha to approve \$5,000 transferred to the Treasurer's Salaries – Clerical Sick and Vacation Buyout. VOTE 11-0.

TOWN CLERK'S OFFICE

2011 MAY 3 AM 8 58

ANNUAL TOWN MEETING.

Article 16 – Non-Conforming Lot Bylaw

A total of 891 roads in Bourne: 60 in the MMA (7%); 298 public or Town-owned (33%); 29 State owned (3%); 504 (57%). Some of the private roads have not yet been constructed.

DeCicco MOVED and SECONDED by Slade for a favorable recommendation of Article 16 of the Annual Town Meeting Warrant as presented. VOTE 11-0.

Article 15 – Other Post Employment Benefits Liability Trust Fund (B. Grant)

TA Guerino stated these funds will become more prevalent in Cities and Towns in the future we only need to establish the Trust Fund at this time. The Selectmen will need to determine a funding policy.

Ripley MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article 15 of the Annual Town Meeting Warrant as presented. VOTE 11-0.

Article 22 – Substantial Reviews to the Charter

Chm. Ford stated Grant raised issue with regard to the appointment of Sewer Commissioners by the Selectmen. said that Mass General Laws provide for Sewer Commissioners to be named by direct vote in a town of Bourne's size. There were questions raised to whether if it is elected office; people would run and would serve aggressively.

Judy Conron, Charter Review Committee, stated that the position should be appointed according to qualifications and that the Committee thought the people who ran the sewer would need to be qualified. Ripley concurs with Ms. Conron.

Mastrangelo stated this should be the Board of selectmen's task. She would hate to vote against everything else in the article and recommends finding out what the logistics is with changing said wording.

Grant recommends to table matter until there are problems with other recommended changes.

Ripley questioned the requirement that Committees/and Boards' minutes be maintained on the website for a minimum of five (5) years. She believes it is not a Charter issue, but rather an administrative one. TA Guerino stated that all Board and Committee chairmen can personally post their minutes on the website and it would not be a problem for Town staff. Ripley took back her objection after hearing TA Guerino's statement.

Ms. Conron stated that the Charter already requires the filing of minutes with the Town Clerk. This is an upgrade of how the public can access the minutes.

DeWaltoff recommended not holding vote on the subject since solutions to zany problems could be resolved by future vote.

Mr. Mulvey suggested getting Town Counsel opinion with regard to the Sewer Commissioners.

Grant objected to section (d) requiring live televising of meetings. He is concerned with "if possible" language and the Comcast contract and how much the Town willing to spend. TA Guerino explained a local access non-profit will soon be created with a budget of its own. It will no longer be a function of Comcast to provide said service. Ms. Conron stated that the "if possible" is directed to the Town of Bourne and the people who run the Town.

DeWaltoff suggests consulting with Moderator Bob Parody before putting to a vote, however, the FinCom can amend the initial motion at Town Meeting...

Mastrangelo MOVED and SECONDED by Ripley to recommend Article 22 of the Annual Town Meeting Warrant provided the wording "appointed by Board of Selectmen" in Section (c) be removed. VOTE 10-0-1 (DeWaltoff).

Article 3 - Amended Budget – TA Guerino

Lifeguards budget will be brought to the Selectmen at tomorrow's meeting.

Selectmen by unanimous vote approved the following based on TA Guerino recommendations:

School side: \$250,000 – likely to be used for
\$162,000 (3 teachers); \$50,000 (fuel); \$19,000 (Freshman Sports and p/t custodial)

Town side: \$264,000
\$35,000 Restore Assessors staff \$85,000 Restore Policesalaries; \$50,000 Fuel:
\$30,000 Restore pump out and patrol boats; \$30,000 DPW; \$12,000 (¼ TA office restored to ½ time) ; ; \$12,000 LIUNA training; \$10,000 Restore part time custodial positions

Total of \$514,000 above originally estimated.

Chm. Ford opened and closed public hearing, after no public discussion, on FY12 Budget.

DeWaltoff MOVED and SECONDED by Ripley for a favorable recommendation of Article 3 of the Annual Town Meeting Warrant as presented. VOTE 11-0.

Article 31 – Hoxie School

Per TA Guerino, Town Counsel opinion that the process is the same as other parcels in the Town.

Perrystated that the Town should get fair market value for any building sold

Redman MOVED and SECONDED by Ripley for a favorable recommendation of Article 31 of the Annual Town Meeting Warrant as presented. VOTE 11-0.

Article 32 – Coady School

Redmand MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article 32 of the Annual Town Meeting Warrant as presented. VOTE 11-0.

Article 33 – ISWM Charter Change

Ripley MOVED and SECONDED by Redman for a favorable recommendation of Article 33 of the Annual Town Meeting Warrant as presented. VOTE 11-0.

Article 34 – Economic Opportunity Area (EOA)

Mastrangelo MOVED and SECONDED by Redman for a favorable recommendation of Article 34 of the Annual Town Meeting Warrant as presented. VOTE 11-0.

Article 24 – Wind Energy Systems

TA Guerino stated the Article should be Indefinitely Postponed and the content will be considered under Article 1 of the May 9, 2011 Special Town Meeting.

Ripley MOVED and SECONDED by Redman for Indefinite Postponement of Ararticle 24 of the Annual Town Meeting Warrant as presented. VOTE 10-0-1 (Mastrangelo).

5/9/11 SPECIAL TOWN MEETING

Article 1 – Wind Energy Conversion Systems (WECS)Mr. James Potter, private petitioner, explained that Town Meeting had , voted to endorse a wind turbine bylaw last Spring. Over the course of the summer, a proposal was given to the Town regarding industrial wind turbines near residences. At the time there wasn't too much discussion, but as the public learned more about turbines, there became a large undercurrent of concern.

Initial wind turbine law did not make a distinction between turbines. In simple terms, it is not rewrite, but rather an amendment to change the setback for large industrial turbines to 10x the rotor diameter (setback to 2,300 feet), and to reduce shadow flicker no more than 5 hours/year. Also added no special permit with issues with historic and scenic – allows for turbines, but with a more appropriate site.

Currently there are quite a few towns dealing with same issue. Bourne was the first in the State to pass a wind turbine bylaw. This bylaw also allows for industrial turbines. Although the proposed bylaw amendment doesn't exclude industrial turbines, the proponents would like them to be appropriately placed. In addition, the Article would restrict noise levels to no more than 6 decibels higher than the ambient sound in the area.

In summary, the proposed Article is designed to strengthen the current bylaw to make more reasonable. The language most likely mirrors what the Cape Cod Commission may adopt later this week.

Discussion

Grant inquired why petitioner is not going after a moratorium. Mr. Potter stated that he didn't believe it was necessary in Bourne and hope that residents would look at this as a way to strengthen the current bylaw. Grant would like to see what the Cape Cod Commission would find reasonable at their next meeting, as well as what other communities are considering

DeWaltoff hopes FinCom passes the Article and that the Town gets a moratorium in the future. He took time when original bylaw was proposed to research the and learned that the government states these turbines should be far from residential areas.

Galusha asked about the size of industrial turbines vs.the Mass. Maritime turbine. Mr. Potter stated the difference is the blade diameter. Industrial turbines cover 1.9 acres in the sky. The noise comes from several speeds of wind as opposed to the smaller turbines: Technology is getting better and a 500-foot turbine didn't exist in the past.

Galusha also asked if there have been problems with the Mass. Maritime turbine. Mr. Potter stated there were complaints originally with the strobing and with sun flicker from the blades. People say that they won't use certain rooms at some times of day. There is a little noise but not noise of the multiple speed blades.

Slade MOVED and SECONDED by Galusha for a favorable recommendation of Article 1 of the 5/9/11 Special Town Meeting as presented. VOTE 8-2-1 (opposed DeCicco and Perry; abstention Ford)

5/2/11 SPECIAL TOWN MEETING

Article 2 – Bourneda,le Land CPA (revote)

Grant MOVED and SECONDED by Galusha to vote Article 2 in the amount of \$8,000 of the 5/2/11 Special Town Meeting Warrant as presented. VOTE 11-0.

Article 4 – CPC (revote)

Grant MOVED and SECONDED by Mastrangelo to vote Article 4 in the amount of \$30,000 of the 5/2/11 Special Town Meeting Warrant as presented. VOTE 11-0.

Article 5 – Easement

Mastrangelo MOVED and SECONDED by DeWaltoff favorable recommendation of Article 5 in the 5/2/11 Special Town Meeting Warrant. VOTE 11-0.

Discussion of organization of running Finance Committee

Future meetings. Hold future meetings at the Community Building to be viewed on local cable access.

Succession Plan. Chm. Ford asked, irrespective of her current position, if the Committee is comfortable with informal limits as to how long a Chairman should hold that position. There are benefits to continuity and also to change. She personally would like to see a 5-year maximum for holding the office. The Committee concurs. Mastrangelo stated she is not interested in the Chm. position due to other responsibilities.

Post Town Meeting. TA Guerino is proposing to the Selectmen that a meeting be held during the first week of June. Chm. Ford stated that it is a good mechanism moving forward. Grant would like to further refine action between FinCom and Selectmen. TA Guerino asked about holding a smaller vs. a rather large all-member meeting and posing it like a pre-town meeting. He added that the benchmark is ATM 2005 as to how where not to go. Mastrangelo commented that getting ideas from residents attending Town Meeting would be beneficial.

TA Comments

Request for Chm. Ford to send tracking of Articles to TA Guerino and Selectmen.

Selectmen Comments

Selectmen Chm. Ford motivation to go to Town Meeting.

Finance Committee Comments

DeCicco recognized error in the Handbook on ATM Article 2 regarding the Clerk's salary. He will state so in his comments at Town Meeting.

Grant met with CPC with regard to CPC funds. The biggest is Open Space (healthy balance); and the others are in good shape but not carrying big balances.

Public comment

None.

Future Agenda

Galusha – For June discussion, Department reports given a week prior to actual presentation to the FinCom.

Next meeting – 5/2/11

6:00 pm – Professional Library at the High School.

Adjournment

Grant MOVED and SECONDED by Mastrangelo to adjourn. Meeting adjourned at 9:28pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Tuesday, April 26, 2011 8:43 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom meeting agenda of 5/2/11 - TO POST

Reserve Fund: \$127,099.97

MEETING NOTICE

Finance Committee
Monday May 2, 2011
6 PM
High School Professional Library

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Warrant article vote any articles as needed
4. Finance committee discussion - Town Meeting preparation
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Michele Ford
FinCom Chairman
Sent from my BlackBerry® by Boost Mobile

2011 APR 26 AM 8 57
TOWN CLERK'S OFFICE

**Finance Committee
Minutes of May 2, 2011
Bourne Professional Library**

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo, Co-Vice Chairman; David Ahearn, Mark DeCicco; Hal DeWaltoff; Glenn Galusha; Bill Grant; Jeff Perry; John Redman and George Slade

FinCom member(s) absent: Bill Locke

Guests: Chris Farrell, Planning Board;

List of documents:

- None

Meeting called to order

6:00 pm

Approval of minutes

Ahearn MOVED and SECONDED by Perry to approve minutes of 4/25/11 as submitted.
UNANIMOUS VOTE.

Reserve fund transfer(s)

None.

Warrant article vote any articles as needed

Planning Board public hearing will be held on Friday, 5/6/11 at 1:00 pm at the Town Hall on the wind energy article. Mr. Farrell admonished the FinCom that they voted to support the wind energy article before hearing Planning Board's position and said bylaw as presented is technically flawed.

TOWN OF BOURNE OFFICE

2011 MAY 10 PM 8 39

Moratorium discussed, however, Mr. Farrell feels it is not the best way to proceed. He requests the FinCom rescind their vote. After a discussion most of the Committee saw his point and agreed.

Ripley MOVED and SECONDED by Perry that the Finance Committee rescind their vote on Article 1 of the 5/9/11 Special Town Meeting and to revote at said Town Meeting. VOTE 8-1-1 (Grant opposed; Slade abstained).

Finance Committee discussion – Town Meeting preparation

FinCom will remain in open session until the end of the Annual Town meeting and will meet again next Monday 5/9/11 at 6:00 PM to review the Planning Board's public hearing and recommendations. Elinor Ripley reviewed protocol on Town Meeting floor for Articles voted to IP.

TA Comment (for informational purposes only)

None.

Selectmen Comment (for informational purposes only)

None.

Finance Committee Comment (for information purposes only)

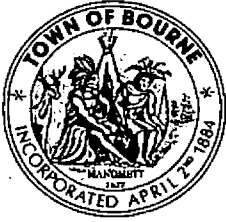
The Town Clerk informs the Committee that Bill Locke has formally resigned.

Future agenda items

None.

Adjournment

Ripley MOVED and SECONDED by DeWaltoff to adjourn. Meeting adjourned at 10:00 pm on 5/3/11. UNANIMOUS VOTE.



TOWN OF BOURNE
Finance Committee
24 Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$127,099.97

MEETING NOTICE

The Finance Committee will hold a public meeting on Monday May 9, 2011 at 6 PM at the High School Professional Library.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Review and vote Special Town Meeting article 1, as needed
4. TA Comment (for informational purposes only)
5. Selectmen Comment (for informational purposes only)
6. Finance Committee Comment (for informational purposes only)
7. Public Comment (for informational purposes only)
8. Future agenda items

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Michele Ford
May 4, 2011

TOWN CLERK'S OFFICE
2011 MAY 4 AM 8 51

**Finance Committee
Minutes of May 9, 2011
Bourne Professional Library**

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo, Co-Vice Chairman; David Ahearn, Mark DeCicco; Hal DeWaltoff; Glenn Galusha; Jeff Perry; John Redman and George Slade

FinCom member(s) excused: Bill Grant

FinCom member(s) absent: Bill Locke

Guests:

List of documents:

- None

Meeting called to order

6:00 pm

2011 JUL 25 PM 3 32
TOWN CLERK'S OFFICE
BOURNE, MASS.

Approval of minutes

Redman MOVED and SECONDED by Perry to approve minutes of 5/2/11 as submitted.
UNANIMOUS VOTE. 9-0-1 (Mastrangelo)

Reserve fund transfer(s)

None.

Warrant article vote any articles as needed

Slade gave brief synopsis of Planning Board meeting of Friday, 5/6/11. Both sides were represented and respectful of each other during each presentation. Planning Board recommended further study to allow the Article to go before Town Meeting.

Redman asked if vote meant the Planning Board was going to IP the Article, but there was a general consensus among Planning Board members that further studies need to be done.

DeWaltoff asked about a moratorium but the process was not discussed. Defacto moratorium was raised for the larger turbines. Town Planner plotted out areas in Town as to what can be built where. It is the belief Town Planner will be speaking tonight.

DeCicco asked about the three (3) amendments to the said Article. Ripley attended pre-Town Meeting and talked about the technical and minor in nature, which Town Moderator will allow at Town Meeting. Chm. Ford said the committee would vote on what is printed on the Warrant and not what the moderator allows tonight.

Selectmen Sloniecki said four (4) amendments which just strikes out a letter and was passed by Town Moderator and doesn't substantially change the Article.

Mr. James Potter clarified the 75 feet, as it triggers a Special Permit.

Mr. Farrell said after public hearing, Planning Board voted petition needed more study. He believes he will be making a presentation on Coreen Moore's notes. Ms. Moore's presentation at the public hearing demonstrated technical flaws. Some of the members found merit and rather put forward, review and work together to come up with an agreeable article for a possible Fall Town Meeting.

State regulations would be available in the early fall. If Article passes with technical flaws, it can open up lawsuits. References were to maps that weren't included, and text without maps as examples that were pointed out by Ms. Moore.

Ripley was at the Pre Town Meeting and asked Mr. Farrell to address what Atty. Troy talked about a general bylaw and a Planning Bylaw and in terms of when it becomes effective. With regard to a temporary moratorium, Atty. Troy said that would be accomplished anyway. Mr. Farrell said that if New Wind petitioners were to file now, they would be protected under the current bylaw.

Diana Barth said that by rights under the current bylaw, New Wind could build what they are proposing. Mr. Farrell explained that the Planning Board used what information they had at the time and what State laws were in place. Different types of turbines included industrial, commercial and residential at that time. New Wind would be covered under the industrial bylaw as it is written.

DeCicco asked if the Planning Board did not approve the project, petitioner could go to the Zoning Board of Appeals. Right now they are before the Cape Cod Commission (CCC). CCC would set standards and from there, Planning Board would apply their own rules.

DeWaltoff asked what is wrong with a defacto moratorium at this time and afford the Town the protection against something happening. Mr. Farrell said the Moderator said it would have to be legally advertised to put a legal moratorium in place.

Mr. Farrell said the CCC didn't have wind turbine regulations at the time Bourne put in their turbine bylaws. In the past, the CCC has been very supportive with the Town of Bourne bylaws in the past. Bourne has never been ruled by the Attorney General to be out of order.

Mastrangelo brought up the case of an IP. If this article is IP'd, it would limit the ability of proponents; they could not bring back the article for two years, but could someone else bring forth. Yes, but it would have to be a different proposal per Mr. Farrell. Mastrangelo asked if the proposal is defeated, is there no restriction to bring back? If bylaw passed, any proposal would be passed under the new bylaw.

Galusha asked the three areas of weakness of the proposal. Mr. Farrell would agree with proponents with the Fall Zone + 10 feet is not good. The rest of the proposed amended bylaw talked about sound, flicker. There are no government standards to date, even though scientists have data on turbines.

Atty. Christopher Senie, proponents, answered the three most helpful about revisions:

- Safety setbacks
- Acoustical setbacks
 - 6 dB(A) - from Present acoustic bylaws refers to 10dB(A) above ambient levels.
- Limits on lower frequency noise

Mastrangelo doesn't feel it would be wise to IP, but pass bylaw so the Planning Board can come back with Fall Zones and discussion about acoustical bylaws. Until you have actual have a project, you don't know how it will work. To be proactive, consider the "what if's".

Ripley feels the FinCom should not recommend approval due to the technical flaws as she is not sure how minor they are. On the other hand, she doesn't want to stay status quo (Planning Board does not either).

Diana Barth asked if Attorney General would give a suggestion would be given to the Planning Board. Mr. Farrell doesn't believe so. Second question is that if STM fails to pass the bylaw and Town wanted to be put a moratorium, could the Selectmen put one on the week afterward? Mr. Farrell said he believes so.

Atty. Senie said five (5) points were raised. Four (4) of them are minor and have been reviewed with the Town Moderator. Language to amend main motion will be accepted. The fifth is a general comment that the drawings have inaccuracies but will not impact the meaning of the bylaw if it is passed tonight. Those are the only shortcomings of the bylaw he sees. Mr. Farrell concurs.

Mr. Potter is prepared to make motion if the FinCom does not move a positive vote.

Mr. Jerry Ingersoll said the biggest flaw of proposal is the way public policy should be written.

Mastrangelo said the Planning Board didn't do anything to have public discussion prior to the time when changes could be made. Mr. Farrell said Planning Board didn't have information until 2:00 pm which didn't give enough time to study and make a proposal.

Ripley MOVED and SECONDED by Galusha the FinCom not make a positive motion on this Article and allow to pass to the proponents to make a positive motion and whatever amendments that are appropriate. VOTE 6-4 (DeWaltoff, Mastrangelo, Slade and Ahearn opposed).

Finance Committee discussion – Town Meeting preparation

FinCom still in session until closing of STM.

TA Comment (for informational purposes only)

None.

Selectmen Comment (for informational purposes only)

None.

Finance Committee Comment (for information purposes only)

None.

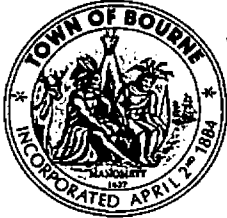
Future agenda items

None.

Adjournment

Ripley MOVED and SECONDED by Mastrangelo to adjourn. Meeting adjourned at 10:35 pm on 5/3/11. UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.



TOWN OF BOURNE
Finance Committee
24 Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$250,000

MEETING NOTICE

The Finance Committee will hold a public meeting on Monday July 11, 2011 at 7 PM at the Community Building.

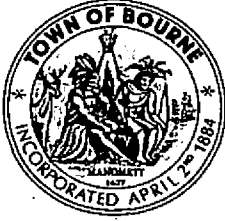
1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Year end closeouts
4. Future agenda items

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Michele Ford
June 20, 2011

TOWN CLERK'S OFFICE
2011 JUN 21 PM 11 31



TOWN OF BOURNE
Finance Committee
24 Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$250,000

MEETING NOTICE

The Finance Committee will hold a public meeting on Monday July 11, 2011 at 7 PM at the Community Building.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Year end closeouts
4. Finance Committee officer selection
5. Finance Committee representative appointment to Capital Outlay Committee
6. Future agenda items

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Michele Ford
June 20, 2011

TOWN OF BOURNE

2011 JUN 21 PM 11 33

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Monday, July 04, 2011 11:37 PM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: Revision #2 FinCom/BOS meeting notice of Mon. 7/11/11

Reserve Fund: \$250,000

REVISED
MEETING NOTICE

The Finance Committee
Monday July 11, 2011
6:30 PM
Community Building

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Year end closeouts
4. Special Town Meeting warrant article discussion and vote
5. Finance Committee officer selection
6. Finance Committee representative appointment to Capital Outlay Committee
7. Future agenda items

8:00 PM Meeting continues as Joint Meeting with Board of Selectment

8. Lifeguard Article - Special Town Meeting discussion and vote

Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
BOSTON, MASS
2011 JUL 5 PM 8 32

Dastous, Anne

From: Lisa Groezinger [lgroezinger@gmail.com]
Sent: Thursday, July 07, 2011 9:23 AM
To: Dastous, Anne
Cc: Chapman, Wendy
Subject: FinCom Joint Meeting with Board of Selectmen on Monday, 7/11/11 at 6:30 pm REV 3 - Community Bldg - TO POST

Reserve Fund: \$250,000

REVISED

JOINT MEETING NOTICE BETWEEN THE FINANCE COMMITTEE AND THE BOARD OF SELECTMEN

Finance Committee and the Board of Selectmen Monday July 11, 2011 6:30 PM Community Building

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Year end closeouts
4. Special Town Meeting warrant article discussion and vote
5. Finance Committee officer selection
6. Finance Committee representative appointment to Capital Outlay Committee
7. Future agenda items
8. Lifeguard Article - Special Town Meeting discussion and vote

Michele Ford
Finance Committee Chairman

TOWN OFFER'S OFFICE
BOURNE, MASSACHUSETTS
2011 JUL 7 AM 9 38

Reserve Fund: \$250,000

2011 JUL 11 PM 12 16

REVISED MEETING NOTICE

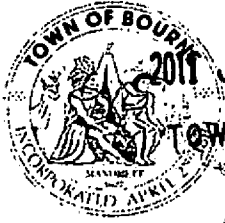
TOWN CLERK'S OFFICE
BOURNE, MASS.

The Finance Committee will hold a public meeting on Monday July 11, 2011 at 6:30 PM at the Community Building.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Year end closeouts
4. Special Town Meeting warrant article discussion and vote
5. Finance Committee officer selection
6. Finance Committee representative appointment to Capital Outlay Committee
7. Future agenda items

8:00 PM Meeting continues as Joint Meeting with Board of Selectmen

Lifeguard Article - Special Town Meeting discussion and vote



TOWN OF BOURNE
Finance Committee

TOWN CLERK'S OFFICE
24 Perry Avenue
Bourne, MA 02532
Buzzards Bay, MA 02532



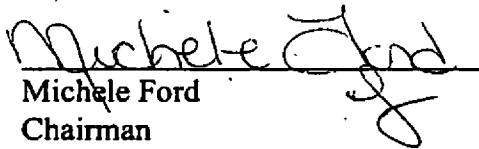
MEETING NOTICE

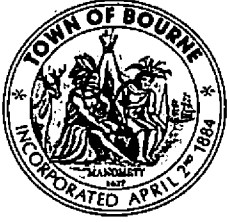
Date
Tuesday
July 19, 2011

Time
7:00 P.M.

Location
Bourne Veterans' Memorial
Community Center
239 Main Street
Buzzards Bay

1. Joint meeting with Board of Selectmen and Finance Committee – Auditor's Report for FY2010
2. Lifeguard and unpaid bills articles to be voted on by the Finance Committee


Michele Ford
Chairman
July 15, 2011



TOWN OF BOURNE
Finance Committee
24 Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$250,000

MEETING NOTICE

The Finance Committee will hold a public Meeting on Monday, July 25, 2011 at **6:45 PM** on the stage in the High School Auditorium.

1. Reserve Fund Transfers
2. Minutes of previous meetings
3. Review and vote or re-vote, as necessary, all articles on the STM warrant
4. TA Comment
5. Selectmen Comment
6. Public Comment
7. Any other business that may come legally before the Committee

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel Saturdays after the 1pm showing of the Board of Selectmen's meeting, Saturdays after the 7pm showing of the Board of Selectmen's meeting, and Tuesdays after the 1pm showing of the Board of Selectmen's meeting

Michele Ford
Chairman
July 17, 2011

TOWN CLERK'S OFFICE
BOURNE, MASS.

2011 JUL 18 PM 11:01

Reserve Fund \$250,000.

AMENDED

Finance Committee Meeting Notice

Monday, 7/25/11

6:00 PM

Bourne Professional Library (BHS)

Meeting Agenda:

1. Reserve Fund Transfers
2. Minutes of the previous meeting
3. Review and vote or re-vote as necessary all Articles on the STM warrant
4. TA Comment
5. Selectmen Comment
6. Public Comment
7. Any other business that may

TOWN CLERK'S OFFICE
BOURNE, MASS.

2011 JUL 20 AM 8 38

2011 OCT 4 PM 2 29

Finance Committee
Minutes of July 25, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

TOWN CLERK'S OFFICE

*****BOURNE, MASS*****
2011 SEP 30 PM 2 26
TOWN CLERK'S OFFICE
BOURNE, MASS.

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo, Co-Vice Chairman; David Ahearn; Mark DeCicco; Hal DeWaltoff; Glenn Galesha; Bill Grant; Jeff Perry; Don Montour; John Redman and George Slade

Guests: TA Guerino, Town Administrator; Selectmen Don Pickard, John Ford, Peter Meier; Ms. Dwyer, private petitioner and other members of the general public

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Meeting called to order
6:00 pm

Approval of minutes
No minutes this evening.

Reserve Fund Transfers – to vote
Ripley MOVED and SECONDED by Mastrangelo to approve the transfer of \$2,013.18 for the unpaid bill to Cape Cod Oil. VOTE 11-0.

Review and vote or re-vote as necessary articles on the STM warrant

Article 1 - Lifeguards

Discussion – Ahearn inquired about the 20% is the \$4,500 for uniforms, maintenance, etc. and asked for a breakdown. TA Guerino commented on the phones needing to be start up, purchase uniforms, administered tests, workmen's comp. (which was figured on the high side). He also stated the staffing levels have been different from previous years. After Recreation Director consultation with Red Cross and Beach Directors, the addition of a third lifeguard will be a change moving forward.

Redman stated he believed three (3) lifeguards would be excessive.

Galusha said open water swimming, the second leading agency that is responsible for open water swimming is the Corps of Engineers and their policy is to swim at your own risk. They also give suggestions. He added that there are no lifeguards in Sandwich and they are diving off a bridge.

Mr. Lajeski requesting Town Counsel ability to clarify how to appropriate monies. He read into record from a MGL with regard to the Town transferring any amount previously appropriated.

Mastrangelo discussed the FinCom Handbook and read into record what the law provides with regard to Reserve Fund Transfers. FinCom could not have voted earlier would do something in contradiction to the ATM vote. She raised point of Reserve Fund Transfer not being a backdoor means of increasing the budget.

Mr. Lajeski disagreed.

Chm. Ford and Co-Vice Chm. Mastrangelo discussed "unforeseen issues." Chm. Ford stated that tonight is for the FinCom to vote if \$23,380 come out of the Finance Committee Reserve Account to fund lifeguards or from Stabilization.

Pickard is in opposition of tonight's vote as the Board of Selectmen's budget, and be part of the solution for next year as to not cause financial stress for the Town.

Meier said that if a positive motion from the FinCom to take monies out of Reserve Fund would be ruled out of order by Moderator, as it needs to be certified by DOR and he has a similar opinion with Town Counsel.

DeCicco stated being opposed to funding lifeguards after the budget discussions and made a decision. He is concerned because it may set a precedent for other issues in the Town.

Mr. York suggested the FinCom determine what position they would take before moving forward.

TA Guerino recommends the FinCom carefully consider to not make a positive motion and that in extremely difficult times, this would set precedent for future items.

Grant stated he wasn't aware of no swimming lessons would be offered. He is in favor of funding the lifeguards and that next year there will be a different approach (ex: fundraising).

Chm. Ford stated the FinCom should follow historic precedent. TA Guerino suggested that once the Town has certified Free Cash to replenish Stabilization and the FinCom consider for the Fall STM.

Mastrangelo is not in favor of taking out of Reserve Fund, but if monies can be restored in the Fall STM, it could be Reserve Fund or Stabilization. She agrees with TA Guerino about setting a precedent and feels it is the Town to decide.

Ahearn commented on Bourne being a summer community. He believes the FinCom should vote with their hearts.

Ripley MOVED and SECONDED by Ford that the Finance Committee move to Indefinitely Postpone Article 1 and to allow private petitioners to make a positive motion to allow Town Meeting decision. VOTE 8-3 (Mastrangelo, Grant, Ahearn).

Any other business to legally bring before the committee

Chm. Ford reminded the committee that this open session remains open until the close of the STM.

Adjournment

Ripley MOVED and SECONDED Ahearn by to adjourn. Meeting adjourned at 8:49 pm on 7/25/11. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.

2011 SEP 28 AM 9 52

Finance Committee
Minutes of July 25, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

TOWN CLERK'S OFFICE
BOURNE, MASS.

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo, Co-Vice Chairman; David Ahearn; Mark DeCicco; Hal DeWaltoff; Glenn Galusha; Bill Grant; Jeff Perry; Don Montour; John Redman and George Slade

Guests: TA Guerino, Town Administrator; Selectmen Don Pickard, John Ford, Peter Meier; Ms. Dwyer, private petitioner and other members of the general public

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Meeting called to order
6:00 pm

Approval of minutes
No minutes this evening.

Reserve Fund Transfers – to vote
Ripley MOVED and SECONDED by Mastrangelo to approve the transfer of \$2,013.18 for the unpaid bill to Cape Cod Oil. VOTE 11-0.

Review and vote or re-vote as necessary articles on the STM warrant

Article 1 - Lifeguards

Discussion – Ahearn inquired about the 20% is the \$4,500 for uniforms, maintenance, etc. and asked for a breakdown. TA Guerino commented on the phones needing to be start up, purchase uniforms, administered tests, workmen's comp. (which was figured on the high side). He also stated the staffing levels have been different from previous years. After Recreation Director consultation with Red Cross and Beach Directors, the addition of a third lifeguard will be a change moving forward.

Redman stated he believed three (3) lifeguards would be excessive.

Galusha said open water swimming, the second leading agency that is responsible for open water swimming is the Corps of Engineers and their policy is to swim at your own risk. They also give suggestions. He added that there are no lifeguards in Sandwich and they are diving off a bridge.

Mr. Lajeski requesting Town Counsel ability to clarify how to appropriate monies. He read into record from a MGL with regard to the Town transferring any amount previously appropriated.

Mastrangelo discussed the FinCom Handbook and read into record what the law provides with regard to Reserve Fund Transfers. FinCom could not have voted earlier would do something in contradiction to the ATM vote. She raised point of Reserve Fund Transfer not being a backdoor means of increasing the budget.

Mr. Lajeski disagreed.

Chm. Ford and Co-Vice Chm. Mastrangelo discussed "unforeseen issues." Chm. Ford stated that tonight is for the FinCom to vote if \$23,380 come out of the Finance Committee Reserve Account to fund lifeguards or from Stabilization.

Pickard is in opposition of tonight's vote as the Board of Selectmen's budget, and be part of the solution for next year as to not cause financial stress for the Town.

Meier said that if a positive motion from the FinCom to take monies out of Reserve Fund would be ruled out of order by Moderator, as it needs to be certified by DOR and he has a similar opinion with Town Counsel.

DeCicco stated being opposed to funding lifeguards after the budget discussions and made a decision. He is concerned because it may set a precedent for other issues in the Town.

Mr. York suggested the FinCom determine what position they would take before moving forward.

TA Guerino recommends the FinCom carefully consider to not make a positive motion and that in extremely difficult times, this would set precedent for future items.

Grant stated he wasn't aware of no swimming lessons would be offered. He is in favor of funding the lifeguards and that next year there will be a different approach (ex: fundraising).

Chm. Ford stated the FinCom should follow historic precedent. TA Guerino suggested that once the Town has certified Free Cash to replenish Stabilization and the FinCom consider for the Fall STM.

Mastrangelo is not in favor of taking out of Reserve Fund, but if monies can be restored in the Fall STM, it could be Reserve Fund or Stabilization. She agrees with TA Guerino about setting a precedent and feels it is the Town to decide.

Ahearn commented on Bourne being a summer community. He believes the FinCom should vote with their hearts.

Ripley MOVED and SECONDED by Ford that the Finance Committee move to Indefinitely Postpone Article 1 and to allow private petitioners to make a positive motion to allow Town Meeting decision. VOTE 8-3 (Mastrangelo, Grant, Ahearn).

Any other business to legally bring before the committee

Chm. Ford reminded the committee that this open session remains open until the close of the STM.

Adjournment

Ripley MOVED and SECONDED Ahearn by to adjourn. Meeting adjourned at 8:49 pm on 7/25/11. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.

Finance Committee
Minutes of July 25, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 SEP 28 AM 9 54

TOWN CLERK'S OFFICE
BOURNE, MASS

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo, Co-Vice Chairman; David Ahearn; Mark DeCicco; Hal DeWaltoff; Glenn Galusha; Bill Grant; Jeff Perry; Don Montour; John Redman and George Slade

Guests: TA Guerino, Town Administrator; Selectmen Don Pickard, John Ford, Peter Meier; Ms. Dwyer, private petitioner and other members of the general public

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Meeting called to order
6:00 pm

Approval of minutes
No minutes this evening.

Reserve Fund Transfers – to vote
Ripley MOVED and SECONDED by Mastrangelo to approve the transfer of \$2,013.18 for the unpaid bill to Cape Cod Oil. VOTE 11-0.

Review and vote or re-vote as necessary articles on the STM warrant
Article 1 - Lifeguards

Discussion – Ahearn inquired about the 20% is the \$4,500 for uniforms, maintenance, etc. and asked for a breakdown. TA Guerino commented on the phones needing to be start up, purchase uniforms, administered tests, workmen's comp. (which was figured on the high side). He also stated the staffing levels have been different from previous years. After Recreation Director consultation with Red Cross and Beach Directors, the addition of a third lifeguard will be a change moving forward.

Redman stated he believed three (3) lifeguards would be excessive.

Galusha said open water swimming, the second leading agency that is responsible for open water swimming is the Corps of Engineers and their policy is to swim at your own risk. They also give suggestions. He added that there are no lifeguards in Sandwich and they are diving off a bridge.

Mr. Lajeski requesting Town Counsel ability to clarify how to appropriate monies. He read into record from a MGL with regard to the Town transferring any amount previously appropriated.

Mastrangelo discussed the FinCom Handbook and read into record what the law provides with regard to Reserve Fund Transfers. FinCom could not have voted earlier would do something in contradiction to the ATM vote. She raised point of Reserve Fund Transfer not being a backdoor means of increasing the budget.

Mr. Lajeski disagreed.

Chm. Ford and Co-Vice Chm. Mastrangelo discussed "unforeseen issues." Chm. Ford stated that tonight is for the FinCom to vote if \$23,380 come out of the Finance Committee Reserve Account to fund lifeguards or from Stabilization.

Pickard is in opposition of tonight's vote as the Board of Selectmen's budget, and be part of the solution for next year as to not cause financial stress for the Town.

Meier said that if a positive motion from the FinCom to take monies out of Reserve Fund would be ruled out of order by Moderator, as it needs to be certified by DOR and he has a similar opinion with Town Counsel.

DeCicco stated being opposed to funding lifeguards after the budget discussions and made a decision. He is concerned because it may set a precedent for other issues in the Town.

Mr. York suggested the FinCom determine what position they would take before moving forward.

TA Guerino recommends the FinCom carefully consider to not make a positive motion and that in extremely difficult times, this would set precedent for future items.

Grant stated he wasn't aware of no swimming lessons would be offered. He is in favor of funding the lifeguards and that next year there will be a different approach (ex: fundraising).

Chm. Ford stated the FinCom should follow historic precedent. TA Guerino suggested that once the Town has certified Free Cash to replenish Stabilization and the FinCom consider for the Fall STM.

Mastrangelo is not in favor of taking out of Reserve Fund, but if monies can be restored in the Fall STM, it could be Reserve Fund or Stabilization. She agrees with TA Guerino about setting a precedent and feels it is the Town to decide.

Ahearn commented on Bourne being a summer community. He believes the FinCom should vote with their hearts.

Ripley MOVED and SECONDED by Ford that the Finance Committee move to Indefinitely Postpone Article 1 and to allow private petitioners to make a positive motion to allow Town Meeting decision. VOTE 8-3 (Mastrangelo, Grant, Ahearn).

Any other business to legally bring before the committee

Chm. Ford reminded the committee that this open session remains open until the close of the STM.

Adjournment

Ripley MOVED and SECONDED Ahearn by to adjourn. Meeting adjourned at 8:49 pm on 7/25/11. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.

**Finance Committee
Minutes of July 25, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532**

2012 JAN 27 AM 8 58

TOWN CLERK'S OFFICE
BOURNE, MASS

Finance Committee: Michele Ford, Chairman; Elinor Ripley, Co-Vice Chairman; Mary Jane Mastrangelo, Co-Vice Chairman; David Ahearn; Mark DeCicco; Hal DeWaltoff; Glenn Galusha; Bill Grant; Jeff Perry; Don Montour; John Redman and George Slade

Guests: TA Guerino, Town Administrator; Selectmen Don Pickard, John Ford, Peter Meier; Ms. Dwyer, private petitioner and other members of the general public

Members of the press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Meeting called to order
6:00 pm

Approval of minutes
None this evening.

Reserve Fund Transfers – to vote
Ripley MOVED and SECONDED by Mastrangelo to approve the transfer of \$2,013.18 for the unpaid bill to Cape Cod Oil. VOTE 11-0.

Review and vote or re-vote as necessary articles on the STM warrant

Article 1 - Lifeguards

Discussion – Ahearn inquired about the 20% (\$4,500) for uniforms, maintenance, etc. and asked for a breakdown. TA Guerino commented on the need to start up phones, to purchase uniforms, administer tests and workmen's comp. (which is figured on the high side). He also stated that staffing levels will be different from previous years. After the Recreation Director consulted with the Red Cross and other local Beach Directors, it was decided to add a third lifeguard at each beach.

Redman stated he believed three (3) lifeguards would be excessive.

Galusha said open water swimming the second leading cause of water related deaths. The agency that is responsible for open water swimming is the Corps of Engineers and their policy is to post swim at your own risk signs. They also give suggestions. He added that there are no lifeguards in Sandwich and they are diving off a bridge.

Mr. Lajeski requested having Town Counsel clarify how to appropriate monies. He read into record from a MGL with regard to the Town transferring any amount previously appropriated.

Mastrangelo discussed the FinCom Handbook and read into record what the law provides with regard to Reserve Fund Transfers. FinCom could not have voted earlier would not do something in contradiction to the ATM vote. She raised a point that a Reserve Fund Transfer should be a backdoor means of increasing the budget.

Mr. Lajeski disagreed.

Chm. Ford and Co-Vice Chm. Mastrangelo discussed "unforeseen issues." Chm. Ford stated that the alternatives tonight is for the FinCom to vote \$23,380 to come from the Reserve Fund to fund lifeguards from the Stabilization Fund.

Pickard is in opposition to tonight's Article as it is the Board of Selectmen's budget, and be part of the solution for next year is to not cause financial stress for the Town.

Meier said that if a positive motion from the FinCom to take monies out of Free Cash would be ruled out of order by Moderator, as it needs to be certified by DOR and he has a similar opinion from Town Counsel.

DeCicco stated being opposed to funding lifeguards after the budget discussions and a decision had been made. He is concerned because it may set a precedent for other issues in the Town.

Mr. York suggested the FinCom determine what position they would take before moving forward.

TA Guerino recommends the FinCom carefully consider to not make a positive motion and that in extremely difficult times this would set precedent for future items.

Grant stated he wasn't aware of no swimming lessons would be offered. He is in favor of funding the lifeguards and that next year there will be a different approach (ex: fundraising).

Chm. Ford stated the FinCom should follow historic precedent.

Mastrangelo is not in favor of taking out of Reserve Fund, but if monies can be restored in the Fall STM, it could be Reserve Fund or Stabilization. She agrees with TA Guerino about setting a precedent and feels it is the Town to decide.

Ahearn commented on Bourne being a summer community. He believes the FinCom should vote with their hearts.

Ripley MOVED and SECONDED by Ford that the Finance Committee move to Indefinitely Postpone Article 1 and to allow private petitioners to make a positive motion and allow a Town Meeting decision. VOTE 8-3 (Mastrangelo, Grant, Ahearn).

Any other business to legally bring before the committee

Chm. Ford reminded the committee that this open session remains open until the close of the STM.

Adjournment

Ripley MOVED and SECONDED Ahearn by to adjourn. Meeting adjourned at 8:49 pm on 7/25/11. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.

2011 SEP 16 PM 2 16

Joint Meeting

Finance Committee, Selectmen's Energy Advisory Committee, Capital Outlay,
Board of Health, Board of Selectmen, Landfill Working Group.
TOWN CLERK'S OFFICE
BOURNE, MASS

Date

Tuesday
September 20, 2011

Time

6:20 p.m.

Location

Bourne Middle School Library
77 Waterhouse Road
Bourne, MA 02532

ISWM WORKSHOP

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Monday, September 19, 2011 8:48 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom meeting notice - TO POST

MEETING NOTICE

Finance Committee
Veterans Community Building
Monday, 9/26/11
7:00 pm

Reserve Fund: \$250,000

Meeting Agenda

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Receive warrant from Town Administrator
4. Warrant article review and vote
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Sent from my BlackBerry® by Boost Mobile

2011 SEP 19 AM 9 04
TOWN CLERK'S OFFICE
BOURNE, MASS

Chapman, Wendy

From: lgroezinger@gmail.com
Sent: Friday, September 23, 2011 3:44 PM
To: Chapman, Wendy
Cc: Johnson, Barry
Subject: FinCom meeting of Mon 9/26/11 - TO POST

2011 SEP 23 PM 3 49

TOWN CLERK'S OFFICE
BOURNE, MASS

Meeting Notice

Finance Committee
Community Bldg.
Monday 9/26/11
7:00 pm

Meeting Agenda

Reserve Fund Balance : \$250,000

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Receive warrant from Town Administrator
4. Warrant article review and vote
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Sent from my BlackBerry® by Boost Mobile

2011 OCT 4 PM 2 29

Finance Committee

Minutes of September 26, 2011

TOWN CLERK'S OFFICE
BOURNE, MASS

Bourne Veteran's Building
Buzzards Bay MA 02532

OCT
2011 SEP 34 PM 2 26

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

Finance Committee: Chm. Michele Ford, Co-Vice Chm. Elinor Ripley and MJ Mastrangelo, Redman, Donald Montour, Hal DeWaltoff, Mark DeCicco, Jeff Perry, David Ahearn, Glen Galusha, Bill Grant (arrived at 7:10 pm).

Finance Committee member(s) excused: George Slade

Guests: TA Guerino ; Linda Marzelli, Finance Director; Selectman Baldwin

Press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Members of the Public: Kay Donovan

List of documents:

- Town Clerk Barry Johnson request for Article 1 – 1 page.

Meeting called to order

7:00 pm

Approval of Minutes

DeWaltoff MOVED and SECONDED by Montour to approve minutes of 7/25/11 as submitted. VOTE 10-0.

Reserve Fund Transfers

No RFT at this time.

Chm. Ford recognized TA Guerino to go through Warrant. Warrant will be voted by the BOS on Tuesday which may be changed and signed on Wednesday of this week.

Article 1

CPC has voted to approve. TA Guerino read statement from Barry Johnson regarding request (insert BJ statement).

\$2,000 request for conservation services from historic resources part of funding. Currently private ownership. Originally in a tax title situation and would go to the Town. Now it may be

allowed to go through probate and stay in private ownership. Money would go to assessing value.

There is an article in the Bourne Enterprise last week.

Mastrangelo asked why take action now when status of property is in flux and would demolition bylaw delay demolition pending assessment. Chm. Ford to ask Mr. Johnson to come to the next Finance Committee meeting.

Article 2

Add stipend of \$1,000 each for Treasurer and Collector if they have certain training and continue to be certified.

TA Guerino says he has been considered for some time and held off due to budget constraints.

Article 3

Perpetual Easement to Wagners to replace a failed septic system. Others have done so due to need. There was some discussion on whether this would improve property value and this will be reflected in a future increase property valuation.

Article 4

Road Betterment. Town borrows money and adds cost to tax bill over 3-20 years plus 5% interest. All costs including legal fees paid by betterment. Selectmen have agreed to put on Warrant.

Article 5

Requested by COC to put excess Host Community fee to "Capital Expenditure Stabilization Reserve Fund" to help pay for DPW and other capital projects.

Article 6

Establishment of new revolving account for Council on Aging expenditures. Council sponsored activities need to be accounted for in the General Fund. How to account for "Friends" support is being worked on. The \$150,000 number is probably high and may re-adjust in May 2012. Additionally working on other ways and systems to handle the accounting and services.

Mastrangelo asked if was ever been brought up in an audit. TA Guerino said the Town asks for certain accounts to be reviewed including marinas, schools and ISWM. This year these accounts for COA will be reviewed as part of the audit.

Finance Director said that now will split out for the auditor what are Town Programs vs. Friends programs so he can review accounting.

Selectmen Expenses for controlled services - \$3,000.

Town Administrator Expenses for contracted services to pay for - \$2,000 (interm working on succession planning).

Community Building Expenses - \$17,500 (no overtime). \$15,000 – majority related to supplies and drugs which were replaced by hospitals but now need to be purchased. Some of the cost will be collected through fees. \$2,500 – when power went out servers/wireless. This provides use of mifi wireless in emergency (One time \$2,000 equipment cost - \$40/month line charge. \$2,500 each for DPW, Fire Department, Police Department).

Fire Department wages - \$6,000 to cover absence of administrative secretary.

Emergency Preparedness Wages - \$7,000 for EMS Director who must attend monthly meetings. Increase from \$5,000 to \$12,000.

Lifeguard Wages - \$10,000 to get up and running for June (lifeguards in June 2012).

Police Expenses - \$2,500 (same as Fire Department for emergency wireless)

DPW Expenses - \$2,500 (same as Fire Department for emergency wireless).

Human Services Org. - \$5,395.00 to correct error in request for budget this year that was missed. Gosnald - \$4,545; Site loss - \$300; Youth Council - \$550.

Fuel and Gas - \$5,500 to supplement budget due to cost.

Human Resources Expenses - \$26,000. \$6,000 – training supplement for LIUNA contract. Some examples: wastewater treatment certification, training for George Tribou for future retirement replacement. \$20,000 – wage and classification and job description and quantitative methodology for upgrade of position; RFP to be put together by Human Resource Director to have written policy and system developed. 2007 found starting wages low ending wages okay. In these economic times we need to evaluate and re-align wages, steps, etc. *Needs to be approved by Board of Selectmen.*

Galusha asked why do we need to do this if there is information available from other sources? TA Guerino responded by saying this will give legitimacy to report as being from independent source.

Galusha said it seems to be spending \$20,000 to re-invent the wheel. TA Guerino said he did a survey by gathering information from other Towns. It took a lot of time and needed to be more thorough.

DeWaltoff asked what this will buy. TA Guerino said a consulting group to come in to interview staff, assess positions and wage scales. It is a step plan to compare to others for competitiveness.

DeWaltoff asked if there is a complete package that goes forward from here. TA Guerino said it needs to be implemented as a package – not piece meal.

Grant asked if it can be accomplished for \$20,000. TA Guerino said it will be building off current job descriptions which need to be more detailed and more specific.

Grant asked how re-alignment fit in. TA Guerino said it has gone from 20 down to 8 reports to him and will be going before the Selectmen. Soon with new Division Heads to Department Head structure.

Chm. Ford asked what would an outcome be. TA Guerino said updated wage and classifications, step plan, job descriptions, quantitative criteria for evaluation. Once this is done, it should be consolidated in one office and the Human Resources Director will be able to update on an ongoing basis.

Total of \$164,395 will come from Free Cash if it is certified, otherwise from Stabilization and be replaced.

Article 8

May be indefinitely postponed.

Article 9

Capital Outlay Expenditures. TA Guerino explained that ISWM gas extraction wells (\$375,000 transfer from closing fees). Library furnace \$20,000 - \$16,000 for installation small charge for furnace and contingency.

Article 10

Planning Board next week.

Article 11

Planning Board next week.

Article 12

To transfer tax title property to ConCom. Some tax title property to be soled, some goes to Housing Authority. These parcels will go to ConCom. Most are too small to be buildable or are drainage areas.

Article 13

Estimated cost is about \$600,000. Town would have to match \$125,000. If money is available from USDA, we would need to match, need to be shovel-ready to get the funds from USDA. If funding from USDA is not available, funds would be returned. To be funded from Free Cash or Stabilization.

Article 14

TA Guerino said the Selectmen need to take action to perhaps raise beach sticker fees, decide what beaches should have guards, decide if the sticker revenues should be dedicated to lifeguard fund.

Ripley spoke about report and is opposed to raising fees and to having fee go directly to lifeguards.

Ahearn says lifeguards would increase cost of Town, but it is a budget decision.

TA Guerino said over the last few years we have reduced services about 3%, which is about \$1.5M. We do identify certain items that are necessary.

Ripley said lifeguard funding in supplemental budget won't be spent if we don't put lifeguards in FY13 budget.

DeWaltoff said Bourne is a prudent town.

TA Guerino said the 2012 lifeguard funds must come from the General Fund. We need to know what will come from beach sticker revenue before we use it for lifeguards.

Chm. Ford said we haven't established purpose, we haven't established fee for beach stickers and we don't know what is intent relative to fee.

TA Guerino said if going to do it, Selectmen should take vote to increase fee before the 10/17/11 Special Town Meeting.

Galusha asked what beaches are the Selectmen discussing. TA Guerino said they haven't decided if it will be either 2, 3 or 4 beaches.

Montour said he isn't opposed to raising fees but he feels increased fees should go to the General Fund, not to a dedicated fund.

Chm. Ford said FinCom must wait for Selectmen to decide before we make a decision.

Article 15

TA Guerino said Article needs to read to the "Bourne Housing Authority" not "Affordable Housing Trust".

Article 16

TA Guerino said Selectmen will sponsor for Energy Committee. Request for \$15,000 article for 10-15 hours/week to continue Energy Coordinator after grant expires. On a contract basis.

Mastrangelo said she would like to see funds in future rolled into more comprehensive Facility Manager position.

Article 17 and Article 18

TA Guerino said the sale of property, surplus, on Coady School towards down payment on DPW facility.

Article 19 and 20

Redman described ISWM articles for RFP's. For Article 19 to lease parcel for alternative integrated. For Article 20 to lease portion of property at ISWM for landfill gas utilization facility. TA Guerino explained that the ISWM Future Working Group has done an excellent job and has worked hard over the last year.

Future topic for next week

Barry Johnson for CPC

Planning Board

Energy Committee to explain Energy Coordinator

Adjournment

Grant MOVED and SECONDED by DeWaltoff to adjourn. Meeting adjourned at 9:10 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Chapman, Wendy

From: lgroezinger@gmail.com
Sent: Thursday, September 22, 2011 2:13 PM
To: Chapman, Wendy
Cc: Johnson, Barry
Subject: FinCom meeting of 10/12/11 - TO POST

MEETING NOTICE

Finance Committee
Wednesday, 10/12/11
Town Hall, lower conference room
3:30 pm

Meeting Agenda:

To review and prepare for Special Town Meeting.

Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
BOURNE, MASS.
2011 SEP 22 PM 3 21

Chapman, Wendy

From: Lisa Groezinger [lgroezinger@gmail.com]
Sent: Tuesday, September 27, 2011 10:55 PM
To: Chapman, Wendy
Cc: Johnson, Barry
Subject: FinCom - meeting notice of 10/3/11 - TO POST

Reserve Fund: \$250,000

MEETING NOTICE

The Finance Committee
Monday October 3, 2011
7 PM
The Community Building

Meeting Agenda:

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Article 16 - Energy Coordinator - discuss with representative from Energy Advisory Committee
4. Article 1 - CPA Historic Ceiling - discuss with representative from CPA/Historic Committee(s)
5. Article 10 - Planning-Storage trailers and Article 11 - Planning-Solar Photovoltaic - discuss with representative from Planning Board
6. Article 21 - review with Town Administrator
7. Warrant article vote - all articles on warrant
8. TA Comment (for informational purposes only)
9. Selectmen Comment (for informational purposes only)
10. Finance Committee Comment (for informational purposes only)
11. Public Comment (for informational purposes only)
12. Future agenda items

TOWN CLERK'S OFFICE
BOURNE, MASS

2011 SEP 28 AM 9 51

Finance Committee
Minutes of October 12, 2011 2013 SEP 27 AM 3:32
Bourne Town Hall, Lower Conference Room
Buzzards Bay MA 02532 TOWN CLERK'S OFFICE

Finance Committee: Chm. Michele Ford, Co-Vice Chm. Elinor Ripley and MJ Mastrangelo, David Ahearn

Guests: TA Guerino; Linda Marzelli, Finance Director;

Press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

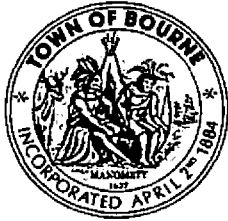
Meeting called to order
3:30 pm

Meeting to review and prepare for Special Town Meeting.

Adjourn

Mastrangelo MOVED and SECONDED by Ford to adjourn. Meeting adjourned at 4:30 pm.

Respectfully submitted,
Lisa Groezinger – sec.



TOWN OF BOURNE

Finance Committee

24 Perry Avenue
Buzzards Bay, MA 02532



2011 OCT 6

TOWN CLERK'S OFFICE
BOURNE, MASS

Reserve Fund: \$247,875

MEETING NOTICE

The Finance Committee will hold a public meeting on Monday October 17, 2011 at 6:30 PM at the Professional Library in the High School.

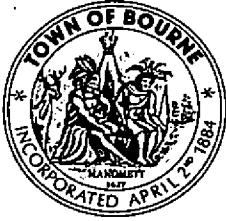
1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Prepare for Town Meeting
4. TA Comment (for informational purposes only)
5. Selectmen Comment (for informational purposes only)
6. Finance Committee Comment (for informational purposes only)
7. Public Comment (for informational purposes only)
8. Future agenda items

Residents are welcome and encouraged to attend our meetings.

Finance Committee meetings are taped and replayed on the local cable channel.

Michele Ford
October 4, 2011

2011 OCT 6 AM 9 38
TOWN CLERK'S OFFICE
BOURNE, MASS



TOWN OF BOURNE

Finance Committee

24 Perry Avenue
Buzzards Bay, MA 02532



Reserve Fund: \$247,875

REVISED - MEETING NOTICE

The Finance Committee will hold a public meeting on Monday October 17, 2011 at 6:30 PM at the Professional Library in the High School.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Re-Vote Article 6
4. Re-Vote Article 15
5. Re-Vote Article 16
6. Vote designation of articles as Essential
7. Prepare for Town Meeting
8. TA Comment (for informational purposes only)
9. Selectmen Comment (for informational purposes only)
10. Finance Committee Comment (for informational purposes only)
11. Public Comment (for informational purposes only)
12. Future agenda items

2011 OCT 13 AM 9 31
TOWN CLERK'S OFFICE
BOURNE, MASS

Residents are welcome and encouraged to attend our meetings.
Finance Committee meetings are taped and replayed on the local cable channel.

Michele Ford
October 12, 2011

**Finance Committee
Minutes of October 17, 2011
Bourne High School Professional Library
Bourne, MA 02532**

2012 JAN 27 AM 8 59

Finance Committee: Chm. Michele Ford, Co-Vice Chm. Elinor Ripley, and M. Mastrangelo, David Ahearn, Mark DeCicco, Hal DeWaltoff, Glen Galusha, Bill Grant, Donald Montour, Jeff Perry John Redman and George Slade.

TOWN CLERK'S OFFICE
BOURNE, MASS

Members of the Press: Diana Barth, Bourne Enterprise

Members of the Public: Marilyn Morris

List of documents: None

Meeting called to order
6:30 pm

Approval of Minutes

Perry MOVED and SECONDED by Ahearn to approve minutes of 10/3/11 as submitted. VOTE 9-0. *Redman and Grant and Slade arrived after this vote.*

Reserve Fund Transfers
None.

Prepare for Town Meeting

Article 6 –

Galusha MOVED and SECONDED by Montour to reconsider the FinCom previous vote as revolving funds can only be established at an Annual Town Meeting. VOTE 10-0. *Grant and Slade arrived after vote.*

Ripley MOVED and SECONDED by Mastrangelo for Indefinite Postponement of Article 6 in the Warrant of the Special Town Meeting. VOTE 11-0. *Slade arrived after this vote.*

Article 15 -

Galusha MOVED and SECONDED by DeWaltoff to reconsider the FinCom previous vote of Article 15 as funds cannot be set aside for a specific purpose not previously approved by Town Meeting. VOTE 12-0.

Ripley MOVED and SECONDED by Mastrangelo for Indefinite Postponement of Article 15 in the Warrant of the Special Town Meeting. VOTE 12-0.

Article 16 -

Perry MOVED and SECONDED by Ahearn to reconsider the FinCom previous vote of Article 16 . as funds cannot be set aside for a specific purpose not previously approved by Town Meeting VOTE 12-0

Perry MOVED and SECONDED by Ahearn for Indefinite Postponement of Article 16 in the Warrant of the Special Town Meeting. VOTE 12-0.

Articles 7, 8, 14, 17 and 18 -

Ripley MOVED and SECONDED by Redman to designate Articles 7, 8, 14, 17 and 18 as Articles that are essential for running Town business. VOTE 11-0-1 (Mastrangelo-abstention).

TA Comment None.

Selectmen Comment None.

Finance Committee Comment (for informational purposes only)

Ripley reviewed the warrant tracker and Chm. Ford made sure all verbal comments were in.

Chm. Ford reminded members that the Finance Committee meeting will remain in session until the close of the Special Town Meeting.

DeCicco asked if Free Cash has been certified. It has been certified.

Public Comment None.

Future topics

Joint meeting next Tuesday with the Selectmen at the Community Building.

Adjournment

Ripley MOVED and SECONDED by DiCicco to adjourn on Monday, 10/17/11. Meeting adjourned at 9:00 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Finance Committee

2011 OCT 20 AM 9 41 Minutes of October 3, 2011

Bourne Veteran's Building

TOWN CLERK'S OFFICE Buzzards Bay MA 02532

******* BOURNE, MASS *******

Finance Committee: Chm. Michele Ford, Co-Vice Chm. Elinor Ripley and MJ Mastrangelo, David Ahearn, Mark DeCicco, Hal DeWaltoff, Glen Galusha, Bill Grant, Donald Montour, Jeff Perry John Redman and George Slade.

Finance Committee member(s) excused:

Guests: TA Guerino; Linda Marzelli, Finance Director; EAC Chm. Liz Caporelli and V. Chm. Bob Schofield; Open Space Chm. Barry Johnson

Press: Diana Barth, Bourne Enterprise; Paul Gately, Bourne Courier

Members of the Public: Kay Donovan

List of documents:

- Richard Elrick (Energy Coordinator) letter to the Selectmen – 3 pages

Meeting called to order

7:00 pm

Approval of Minutes

Ripley MOVED and SECONDED by Redman to approve minutes of 9/26/11 as submitted. VOTE 9-0-1 (abstention-Slade).

Reserve Fund Transfers

Transfer in the amount of \$2,125 for Emergency Preparedness for food for Police, Fire, and DPW workers during Hurricane Irene.

Galusha MOVED and SECONDED by Perry to approve the transfer of \$2,125 to Emergency Preparedness expenses. VOTE 10-0.

Article 16 – Energy Coordinator – discuss with rep from EAC

The BOS voted to endorse and to expend monies for the Energy Coordinator (EC) position.

Liz Caporelli read into record a letter by Richard Elrick to the BOS asking them to continue the position. The EC position was originally funded by Clean Energy Funds. Funding ran out and EAC looking for Town funding to continue the position. This EC position would generate revenue to the Town and generate energy cost savings.

Ms. Caporelli discussed the EC position being rolled into the proposed Facilities Manager position , but until then the Town needs someone acting as a liaison and advocate.

Mr. Schofield said Mr. Elrick holds the EC position in Barnstable, splitting the time in half. Mr. Elrick suggested cutting his hours to keep him working for the Town longer before the funding runs out. He comes to the EAC meetings at no charge.

Chm. Ford asked about future projects and savings to justify the position. Mr. Schofield said two (2) schools – the High School and the Peebles School – with guidance from Mr. Elrick, can accomplish what Bourne has accomplished with the library. Energy use in this Town due to energy audits has dropped \$150,000 per year (a lot is due to the lighting).

Mastrangelo asked if he is working with Ed Donahue at the School Department. Mr. Elrick has not as yet. Mastrangelo said Capital Outlay projects were approved at Town Meeting and the Capital Outlay Committee is strongly in favor of a Facilities Manager.

TA Guerino said the Facilities Manager position is looking at a minimum of September 2012 starting date. TA Guerino's intent is to extend the EC position for a one-year contract at \$15,000 for 10 hrs/week and does not intend to renew.

Article 1 – CPA Historic Ceiling – discuss with representative from CPA/Historic Committee(s) Barry Johnson and Don Ellis, Community Preservation Committee (CPC). The CPC has approved Article and is endorsed by the Historic Commission an amount of \$2,000 from the Historic Resources line item of the Community Preservation fund. A ceiling dates back to 1885, and is in need of repair (peeling and bulging), driving urgency to begin process to preserve. Property was sold and the deed was recorded last Tuesday. Mr. Johnson and Mr. Ellis met with new property owners as ceiling was a historic issue. Property owners did their own research and their interest is the same as the CPC in trying to preserve said artifact.

Mr. Johnson said the first step would be to get methods of preserving.

Mr. Ellis said Mr. Raleigh is a famous marine artist who lived in Bourne and who also painted the ceiling of the Briggs-McDermott House. The reason to save is because of the historic nature. Bourne has more historic sites and houses than Plymouth. Bourne needs professional advice moving forward on what the new owners can do with property.

Redman asked if possibly Bourne Town Counsel can determine if this privately owned ceiling is something Bourne can preserve following same guidelines used by Norfolk as a guide.

Ripley said her issue is with this ceiling is that it is in a private home and believes it will be expensive and not readily viewed by the public. Mr. Ellis explained the need to get expert advice to see if it is worth saving. For the future, there could be a preservation restriction to be negotiated.

Montour asked about guarantees from new owners allowing open houses. Preservation restriction would come in at that point.

Galusha has a problem with getting public money for private preservation. He also asked about what if the ceiling is appraised high, how much more money will the Town need to put in.

DeWaltoff believes it is a fair request to hire a conservator.

Slade asked if the property is a candidate for the Historic List. Mr. Ellis said possibly after the appraisal.

In summary, Chm. Ford asked whether given Bourne has more historic buildings than Plymouth, this is the most important historic item as opposed to any other opportunities and asked Mr. Johnson and Mr. Ellis to be prepared to answer that question at Town Meeting. Mr. Ellis responded this is a most unique piece of artifact.

Article 10 – Planning – Storage trailers and Article 11 – Planning – Solar Photovoltaic – discuss with rep from Planning Board

Article 10 (now Article 9) – Problems with storage trailers at residences for long periods of time. The Building Inspector brought this to the Planning Board. Beyond a certain period of time, applicant must come back to the Building Inspector for a permit. The Planning Board amended Article the other night.

DeCicco asked if someone could get a permit or shed for storage. Mr. Farrell said he doesn't know how many properties could benefit with a shed.

Redman said he is in favor of Article and is long over due.

Galusha asked if anyone spoke against it at a Planning Board hearing. Mr. Farrell said no one was in opposition.

Mastrangelo asked about a timeline in the Article. Mr. Farrell said it begins with a permit. Slade asked if it is easy to administer. Building Inspector said it would be a good tool.

Perry asked if commercial property is included in Article. Mr. Farrell said it is for residential use.

Mr. Gately, Bourne Courier asked if anyone is grandfathered. Mr. Farrell said it is at the discretion of the Building Inspector.

Chm. Ford pointed out in Section 3394 date needs to be changed from 4/17/11 to 4/17/12.

Article 11 (now Article 10) allows large solar photovoltaic units still require Planning Board review, but needed reasonable conditions. Article would help with the closed portion of the landfill. This is for large scale projects.

Slade asked about the designated areas. Mr. Farrell described the areas as North of the rotary over toward the Vocational School, up to the MMR and property that runs south of the landfill. Need very large open areas to put Article in play.

Mr. Mulvey said issue similar with regard to an undisturbed vegetated area and run off from photovoltaic.

Mr. Gately asked how large the areas could be. Mr. Farrell responded by saying a large house lot ("builder's acre").

Galusha asked if anyone on the Planning Board was against. Mr. Farrell believes there was no one against the Article.

Article 21 (now Article 19) – review with Town Administrator

TA Guerino said this was inadvertently omitted. It is a re-submission of Article in the past. Primarily is funded to cover "by-outs" on retirements of public safety employees and some others. This allows the Town to not come out of the operating budget. TA Guerino is looking to put in \$100,000 into the fund.

Grant asked about paying-as-you-go as it is difficult to know from the Finance Committee point of view (budgeting point of view), it could factor in on an on-going basis. TA Guerino said it is possible for a budgeting point of view. Most of the time vacation is not the issue, it is generally the sick leave, by-back in the public safety. Public safety personnel have fairly old agreements that have been built over time. It is something that will need to be looked at moving forward. The ability to by-back early makes a lot of sense (not negotiated), but is subject to collective bargaining. TA Guerino believes it should be a separate budget.

Ripley suggested making this part of the annual Town Meeting Warrant. and funding it every year.

Ahearn asked if this fund shows up in the audit. TA Guerino said the Seigal I Company, who does an actuality study for the County, are going to have to start showing such items on a balance sheet.

Montour asked about a fixed figure to fund. TA Guerino said the Town is chipping down with more seasoned employees and to answer Mr. Montour, yes the Town can use a fixed figure to fund.

Slade asked about managing. TA Guerino said most employees fall under LIUNA (not including the school side) and have a cap of \$5,000 upon retirement.

Galusha would like to see line item budgets in each major department. TA Guerino said that this is not an unexpected fund and should have been funded last year. A line-item budget in town, including pensions, is out for review by Finance Committee. This Article is a way to budget and not have to come back to FinCom or Special Town Meeting and should be part of the annual budget.

Mastrangelo agrees this should help to identify what the goal is. If the goal is to keep, it should be subject to policy. Chm. Ford said this should be an agenda item for the joint meeting with the BOS on 10/25/11.

Chm. Ford asked the FinCom go back to new Article 7 – Budget Amendment which is a supplement to budget. TA Guerino said under Human Resources Department at \$26,000 should now read \$6,000 for training. Selectmen want to postpone the wage classification as it would be better for an annual appropriation rather than a Special Town Meeting.

Article 8 – close out and Article 14 – beach sticker permits – have been pulled.

Ripley said she watched the Selectmen's meeting and agrees with the budget amendment, but asked if the TA would consider taking MiFi expenses and fuel/gas expenses out of Reserve Fund rather than out of Free Cash. TA Guerino suggested that the MiFi telephones were not an unforeseen expense but rather something found necessary but needed to have moving forward.

Mastrangelo asked about line items - BOS expenses have been funded at zero, and the Community Building Expenses are these the absolute priorities? TA Guerino said there are things coming up in the future to discuss.

Mastrangelo asked about the Lifeguard budget. TA Guerino and Recreational Director want to be in full compliance and not sure what additional costs will be.

Mastrangelo's concern is spending money now which the Town will need in the Spring. TA Guerino anticipates Free Cash certification will be better than other years.

No further questions from the Committee.

Warrant article vote – all articles on warrant

Article 1 – CPC ceiling

DeCicco MOVED and SECONDED by Montour for a favorable recommendation of Article 1 on the Special Town Meeting Warrant. VOTE 9-3 (Ford, Galusha, Redman).
(Grant)

Article 2 – MGL additional compensation \$2,000

Grant MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article 2 on the Special Town Meeting Warrant. VOTE 12-0.
(Montour)

Article 3 – Easement on Circuit Avenue

Ripley MOVED and SECONDED by DeWaltoff for a favorable recommendation of Article 3 on the Special Town Meeting Warrant. VOTE 12-0.
(DeWaltoff)

Article 4 – Funds to repave 3 roads

Ripley MOVED and SECONDED by Galusha for a favorable recommendation of Article 4 on the Special Town Meeting Warrant. VOTE 12-0.
(DiCicco)

Article 5 – ISWM fee

Ripley MOVED and SECONDED by Ahearn for a favorable recommendation of Article 5 on the Special Town Meeting Warrant. VOTE 12-0.

Article 6 – COA Revolving Fund

Ripley MOVED and SECONDED by Galusha for a favorable recommendation of Article 6 on the Special Town Meeting Warrant. VOTE 12-0.

Article 7 – Budget amendments

DeWaltoff MOVED and SECONDED by Ahearn for a favorable recommendation of Article 7 on the Special Town Meeting Warrant. VOTE 11-1 (opposed-Mastrangelo).

Article 8 – Capital Projects

Grant MOVED and SECONDED by DeCicco for a favorable recommendation of Article 8 on the Special Town Meeting Warrant. VOTE 12-0.

Article 9 – Storage trailer

Redman MOVED and SECONDED by Slade for a favorable recommendation of Article 9 on the Special Town Meeting Warrant. VOTE 11-1 (opposed-DeCicco).

Article 10 – Solar photovoltaic

Grant MOVED and SECONDED by Ahearn for a favorable recommendation of Article 10 on the Special Town Meeting Warrant. VOTE 11-0-1 (abstention-DeCicco).

Article 11 – Tax title land to Conservation Commission

DiCicco MOVED and SECONDED by Redman for a favorable recommendation of Article 11 on the Special Town Meeting Warrant. VOTE 12-0.

Article 12 – Herring Run

Ripley MOVED and SECONDED by Grant for a favorable recommendation of Article 12 on the Special Town Meeting Warrant. VOTE 11-0-1 (abstention-DeWaltoff).

Article 13 – Property and transfer to BHA.

Grant MOVED and SECONDED by Galusha for a favorable recommendation of Article 13 on the Special Town Meeting Warrant. VOTE 12-0.

Article 14 – Fund EC position

Ripley MOVED and SECONDED by DeCicco for a favorable recommendation of Article 14 on the Special Town Meeting Warrant. VOTE 11-1 (opposed-Mastrangelo).

Article 15 – Surplus property auction

Ripley MOVED and SECONDED by Redman for a favorable recommendation of Article 15 on the Special Town Meeting Warrant. VOTE 12-0.

Article 16 – Funds from sale of Cody School

Redman MOVED and SECONDED by Ahearn for a favorable recommendation of Article 16 on the Special Town Meeting Warrant. VOTE 12-0.

Article 17 – Authorize BOS to issue RFP for leasing parcels of land

Redman MOVED and SECONDED by Grant for a favorable recommendation of Article 17 on the Special Town Meeting Warrant. VOTE 12-0.

Article 18 – BOS issue RFP for developing facility

Redman MOVED and SECONDED by Grant for a favorable recommendation of Article 18 on the Special Town Meeting Warrant. VOTE 12-0.

Article 19 – Fund \$100,000 to accrued unused sick leave

Grant MOVED and SECONDED by Perry for a favorable recommendation of Article 19 on the Special Town Meeting Warrant. VOTE 11-1 (opposed-Galusha).

TA Comment (for informational purposes only)

None.

Selectmen Comment (for informational purposes only)

None.

Finance Committee Comment (for informational purposes only)

Next FinCom meeting prior to STM on 10/17 at 6:30 pm. Verbal comments due to Elinor Ripley by 10/10/11.

Chm. Ford reviewed protocol for newest FinCom member. Ripley continued protocol.

Public Comment (for informational purposes only)

A total of 19 Articles on the Warrant.

Future topics

Joint meeting on 10/25/11 at BOS to bring next year's budget:

- Ahearn requests Article 19 discussion
- Galusha requests information/reports from Departments with budget discussions to compare from one year to the next

Adjournment

Grant MOVED and SECONDED by Slade to adjourn. Meeting adjourned at 9:20 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Johnson, Barry

From: lgroezinger@gmail.com
Sent: Friday, September 23, 2011 3:52 PM
To: Chapman, Wendy
Cc: Johnson, Barry
Subject: Fw: FinCom meeting of 10/12/11 - TO POST

2011 SEP 26 AM 11 03

TOWN CLERK'S OFFICE
BOURNE, MASS

Sent from my BlackBerry® by Boost Mobile

-----Original Message-----

From: lgroezinger@gmail.com
Date: Thu, 22 Sep 2011 18:13:29
To: Wendy Chapman<wchapman@townofbourne.com>
Reply-To: lgroezinger@gmail.com
Cc: Barry Johnson<bjohnson@townofbourne.com>
Subject: FinCom meeting of 10/12/11 - TO POST

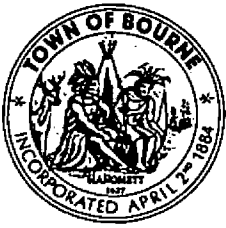
MEETING NOTICE

Finance Committee
Wednesday, 10/12/11
Town Hall, lower conference room
3:30 pm

Meeting Agenda:

To review and prepare for Special Town Meeting.

Sent from my BlackBerry® by Boost Mobile



**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>
January 12, 2011	See Below	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

6:00 P.M. Special Meeting with Brian Wall, Town Counsel regarding site assignment for Sagamore Truck & Rail

6:30 P.M. Special Meeting to discuss the Pocasset Mobile Home Park. It is anticipated that the Board may vote to convene an executive session in order to discuss pending litigation

7:00 Regular Meeting

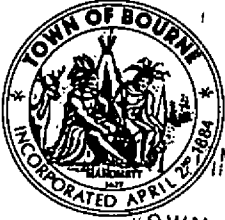
AMENDED AGENDA ITEMS:

1. **ISWM-Dan Barrett-Discussion regarding odor control and updates at landfill**
2. **Lot #2 Bassett's Island-Bob Warner-Request for return of \$10,000 cash bond**
3. **53 Main St.-Diamond Mind Tattoo-Timothy Creed-Discuss & Possible Vote regarding amendment to section 124.004 subsection (L) to lower the client age to 18 years.**
4. **62 Old Plymouth Rd-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010.**
5. **Sagamore Truck & Rail-Discuss & Vote regarding site suitability determination and scheduling of Board of Health public hearing.**
6. **Update by Stanley Andrews-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board**
7. **Pocasset Mobile Home Park-Discuss & Vote regarding 2011 Mobile Home Park License**
8. **Approval of Minutes dated December 8, 2010**
9. **New Business**

TOWN CLERK'S OFFICE

2011 JAN 10 AM 11 31

Signed: *Kathryn Burgess*
Title: Secretary
Date: January 10, 2011



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

TOWN CLERK'S OFFICE

MEETING NOTICE

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

Schedule of Meeting

Date:

January 12, 2011

Time:

See Below

Place:

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

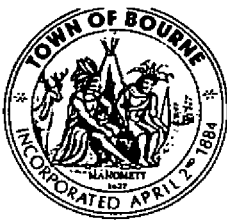
6:00 P.M. Special Meeting with Brian Wall, Town Counsel regarding site assignment for Sagamore Truck & Rail

7:00 Regular Meeting

AGENDA ITEMS:

1. ISWM-Dan Barrett-Discussion regarding odor control and updates at landfill
2. Lot #2 Bassett's Island-Bob Warner-Request for return of \$10,000 cash bond
3. 53 Main St.-Diamond Mind Tattoo-Timothy Creed-Discuss & Possible Vote regarding amendment to section 124.004 subsection (L) to lower the client age to 18 years.
4. 62 Old Plymouth Rd-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010.
5. Sagamore Truck & Rail-Discuss & Vote regarding site suitability determination and scheduling of Board of Health public hearing.
6. Update by Stanley Andrews-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board
7. Pocasset Mobile Home Park-Discuss & Vote regarding 2011 Mobile Home Park License
8. Approval of Minutes dated December 8, 2010
9. New Business

Signed: *Kathy M. Burgess*
Title: Secretary
Date: January 6, 2011



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



Cancelled Due to BAD weather (RS)

Cynthia A. Coffin,
 Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

January 12, 2011

Time:

See Below

Place:

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

2011 JAN 13 PM 1 57
 TOWN CLERK'S OFFICE

6:00 P.M. Special Meeting with Brian Wall, Town Counsel regarding site assignment for Sagamore Truck & Rail

6:30 P.M. Special Meeting to discuss the Pocasset Mobile Home Park. It is anticipated that the Board may vote to convene an executive session in order to discuss pending litigation

7:00 Regular Meeting

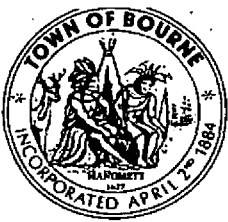
AMENDED AGENDA ITEMS:

1. **ISWM-Dan Barrett**-Discussion regarding odor control and updates at landfill
2. **Lot #2 Bassett's Island-Bob Warner**-Request for return of \$10,000 cash bond
3. **53 Main St.-Diamond Mind Tattoo-Timothy Creed**-Discuss & Possible Vote regarding amendment to section 124.004 subsection (L) to lower the client age to 18 years.
4. **62 Old Plymouth Rd**-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010.
5. **Sagamore Truck & Rail**-Discuss & Vote regarding site suitability determination and scheduling of Board of Health public hearing.
6. **Update by Stanley Andrews**-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board
7. **Pocasset Mobile Home Park**-Discuss & Vote regarding 2011 Mobile Home Park License
8. **Approval of Minutes dated December 8, 2010**
9. **New Business**

2011 JAN 13 PM 1 57

2011 JAN 13 PM 1 57

Signed: *Kathryn Burgess*
 Title: Secretary
 Date: January 10, 2011



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



2011 JAN 13 PM 1 57
Cynthia A. Zoccolini
Health Agent

TOWN CLERK'S OFFICE

MEETING NOTICE

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

Schedule of Meeting

<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
January 19, 2011	See Below	Jonathan Bourne Public Library 19 Sandwich Rd. Bourne, MA 02532

6:30 P.M. Special Meeting with Brian Wall, Town Counsel regarding site assignment for Sagamore Truck & Rail

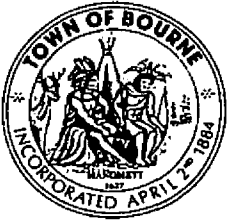
6:45 P.M. Special Meeting to discuss the Pocasset Mobile Home Park. It is anticipated that the Board may vote to convene an executive session in order to discuss pending litigation

7:00 Regular Meeting

AGENDA ITEMS:

- 1. Lot #2 Bassett's Island-Bob Warner-Request for return of \$10,000 cash bond**
- 2. 53 Main St.-Diamond Mind Tattoo-Timothy Creed-Discuss & Possible Vote regarding amendment to section 124.004 subsection (L) to lower the client age to 18 years.**
- 3. 62 Old Plymouth Rd-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010.**
- 4. Sagamore Truck & Rail-Discuss & Vote regarding site suitability determination and scheduling of Board of Health public hearing.**
- 5. Pocasset Mobile Home Park- Discuss & Vote regarding 2011 Mobile Home Park License**
- 6. Update by Stanley Andrews-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board**
- 7. Approval of Minutes dated December 8, 2010**
- 8. New Business**

Signed: *Kathy M. Bungen*
Title: Secretary
Date: January 13, 2011



**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
January 19, 2011**

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow and Carol Tinkham. Members Absent: Don Uitti

Support Staff: Cynthia Coffin, Health Agent and Kathy Burgess, Secretary

Call to order: Special Meeting called to order at 6:30 P.M.

Ms. Peterson stated that this portion of the meeting is a special meeting with Town Counsel Brian Wall regarding the site assignment for Sagamore Truck & Rail. Mr. Wall stated that he is here to guide the Board in this process as there have been some recent changes which means that the Board of Health now is the primary agency to decide on the site assignment. The Dept. of Environmental Protection used to get the first 60 days to review it and provide a report but that is not being done anymore. Mr. Wall stated that the State statute Chapter 111 Section 150A ½ provides all the criteria that the Board needs to be looking at for the application. Mr. Wall stated that he has spoken with the consultant briefly who gave him an updated timeline that he will look over. Mr. Wall stated that after the notice is given they have to have a public hearing. Mr. Wall stated that it is more like an evidentiary process where they have to appoint a site officer to act as a referee of the hearing so evidence can be taken. Mr. Wall stated that the site officer cannot be anyone that has anything to do with the applicant or has any connection with the town. Mr. Wall stated that it does not have to be an attorney but somebody knowledgeable about evidence and that he can give the Board a few names as suggestions. There was general discussion regarding who the hearing officer was for the landfill. Mr. Wall stated that he remembered reading the information on the landfill and thought his name was John Shea. Mr. Wall stated that George Hardiman is an attorney that they work with on occasion who used to be a district attorney but is now in private practice on the South Shore. Charles Sabbott is another attorney they can recommend who is from Hyannis but he may be participating in another issue the Board is involved with. Ms. Peterson stated that she was concerned that \$1800.00 was already spent from the technical review fee which only left \$200.00. Ms. Coffin stated that the public hearing fee would be a separate fee. Ms. Peterson stated that according to the fee

2011 FEB 24 10 52 AM

calculation the public hearing fee should be about \$3800. Mr. Hanscom stated that he agreed with that amount. Ms. Coffin stated that the technical fee is for review of the site suitability report which they already have. Ms. Peterson stated that she does not believe that the Board is precluded from amending its fee requirement. Mr. Wall stated that the Board has determined the application is complete. Ms. Coffin stated that they had done that at the last meeting. Ms. Coffin stated that she believes that you have a certain amount of time to set the technical fee and she believes they are past that. Ms. Peterson stated that they will have to have the \$3800.00 for the public hearing fee before the hearing. Mr. Hanscom stated that the Gallo's are not feeling well tonight and are not at the meeting but he feels certain that if there was additional funding needed for the technical fee the Gallo's would provide it at the Board's request. Ms. Peterson suggested that the \$1800 already spent on the technical review be replenished to bring that technical fee account back up to \$2000. The Gallo's paid Sitec out of their own account as the \$2000.00 they had already given the Town was in an account that could not be accessed for payment. Ms. Peterson suggested that the Gallo's waive the return of the \$1800 for now to make sure there is enough funding available. Mr. Wall stated that what the applicant wants from the Board is the site assignment and what the Board is entitled to have is an adequate amount of information to base their decision. If during the course of the 60 day review there is an issue regarding something like the potential for adverse impact on air quality because they are talking about ash. Mr. Wall stated that he presumes the applicant would be putting some information before the Board to show them proper measures are being taken to control that. Mr. Wall stated that he agrees that if Ms. Peterson feels there may be an issue having an empty bank account then that could be addressed and from what he hears the applicant seems cooperative with it. Mr. Hanscom suggested that the Board request another \$1000.00 and if that is inadequate they could request more. Mr. Barlow asked what Ms. Peterson foresees as a possible additional expense. Ms. Peterson stated she is a little concerned about the new highway work going on in that area which no one knew was going to take place when they first looked at this. Ms. Peterson is referring to the area of the Sagamore Mall outlet which is under renovation. Mr. Hanscom stated that there are a maximum total of six vehicles going to the site on any day. Ms. Peterson stated that she just wants to make sure they cover everything. Ms. Peterson stated that she agrees with the report from Ray Quinn that the waste handling area that there is an inside and outside door. After you walk in the door, you close it and walk in the door to the area where they have the ash. Mr. Hanscom stated that it is really just a large overhead garage where the vehicle comes in and dumps it onto the floor and then exits the building. Mr. Hanscom stated that the ash is wet and they have been operating for over 15 years and have not had any nuisance complaints by anyone. Mr. Hanscom stated that the Board always retains the right to address any nuisance conditions that are created within the Town so he believes they are covered in all directions. Ms. Peterson stated that they would be within 500ft of the Canal View apartments if there were any issues. Mr. Hanscom stated that they consider it an enclosed facility. Ms. Peterson asked Mr. Wall if they should take a vote on replenishing the funds for the technical fee and the funds for the hearing officer or should they put it in writing. Mr. Wall stated that they could have a board vote if they chose to but that it is a requirement that there be funds for the hearing officer fee. Mr. Wall stated that he thinks they should discuss the timeline and the notice that will go out for the public hearing. Ms. Peterson

stated that they have to decide on a date for the public meeting tonight. There was general discussion regarding the date to hold the meeting. The meeting cannot be held any sooner than 21 days after the notice is put in the newspapers. It was decided to hold the public hearing at 7:00 P.M. on March 2, 2011. Ms. Peterson asked that Mr. Wall and the hearing officer come to the meeting at 6:30 P.M. Ms. Coffin asked if she should contact a hearing officer. Mr. Wall stated that he would make a call. Mr. Hanscom stated that he would get the notice written up and send it to Ms. Coffin. Ms. Coffin stated that she would send it to Mr. Wall for his review before submitting it to the newspapers. **Mr. Andrews made a motion to close the special meeting with Town Counsel, Brian Wall, regarding site assignment for Sagamore Truck & Rail. Ms. Tinkham seconded the motion. All in favor and the motion PASSES.**

Second Part of special meeting to discuss the Pocasset Mobile Home Park is called to order at 6:55 P.M. It is anticipated that the Board may vote to convene an executive session in order to discuss pending litigation.

Ms. Peterson stated that the decision to go into executive session is with Town Counsel, Brian Wall. Mr. Wall stated that the lawsuit is with the State of Massachusetts against the Park Owner and under the new Open Meeting Law there has to be pending litigation with the Town to go into executive session. Ms. Peterson gave Mr. Wall a letter that was faxed earlier in the day from Mr. Roman, Mr. Austin's attorney, asking for a continuance because they could not make it to the meeting this evening. Mr. Wall stated that if the Board feels they can wait and accommodate Mr. Roman's schedule it is up to them if they would like to continue the hearing. Ms. Peterson stated that she does not feel they can. Mr. Wall asked if the Board was going to talk about the fines at all. Ms. Peterson stated that they will be discussing the license because right now the park is running without a license. Ms. Peterson asked Mr. Wall about the conditions of the license (see attached). Mr. Wall stated that the conditions were fine if the Board felt these conditions would protect public safety. Mr. Wall stated that there was a hearing brought by the Attorney General in Boston on Tuesday to have a receiver appointed. Charles Austin hired an attorney to represent the park at that hearing and because he got into the case late in the day he asked the court for an opportunity to submit opposition materials. The court continued the hearing until February 3, 2011. Mr. Wall stated that it is the AG's recommendation as well as Town Counsel's that the Board consider granting a license for 60 days specifically for purposes of waiting to see what the outcome is of the motion that was brought to court. If the court appoints the receiver you want to make sure the receiver has to come before the Board to request a continued license and to run the park as the receiver deems appropriate and not necessarily have Mr. Austin retain a management firm in attempt to sidestep the process. Ms. Coffin stated that she has gone over the conditions of the license with Tracy Triplett from the AG's office. Ms. Peterson asked Mr. Wall to explain to the Board what a receiver is. Mr. Wall stated that a receiver is similar to a trustee in a bankruptcy where that person would lose control of all their assets. A receiver would be appointed by the court to involuntarily take away control of the Park and have full legal authority to run the park. Mr. Wall stated that the Board of Health has had frustrations with the owner and this would put someone in charge with the capability of running the park. Ms. Tinkham asked if Mr. Austin's attorney convinces the

judge not to grant receivership would it revert back to the Board of Health. Mr. Wall stated that yes, that would happen and that is why Town Counsel's office is recommending just issuing a 60 day license for now. At the end of the 60 day period and if the AG is successful then the receiver will be appearing before the Board with whatever their plan is and a request for a new license. Mr. Wall stated that you want whoever the receiver is to have the license so they can go forward with whatever plan they may have to solve the problem. If the AG is not successful, then there would be another hearing in 60 days for a continued license. Mr. Barlow asked Mr. Wall if there would be any problem with adding on any extra conditions on to the license tonight. Mr. Wall stated that the Board has the discretion to do that but he wants to make sure that they are giving the license with the purpose of waiting to see the outcome of the court action. Ms. Coffin stated that at the bottom of the conditions she has written: *These conditions are set forth with a 60 day temporary license for the park and will be reviewed in 60 days and may be amended in any form based on the Suffolk Superior Court decision on the Attorney General's motion for receivership.* **Ms. Peterson made a motion to close the special meeting which was a discussion on Pocasset Mobile Home Park with Town Counsel. Mr. Andrews seconded the meeting. All in favor and the motion PASSES.**

Regular meeting call to order at 7:05 P.M.

- 1. Lot #2 Bassett's Island-Bob Warner-Request for return of \$10,000 cash bond-**Ms. Peterson asked how the Phoenix system is working and how the reporting is going. Ms. Coffin stated that they are up to date on the testing and they are also up to date with their testing on the alternative system. Things seem to be working fine. Mr. Barlow asked if Ms. Coffin had done a walk through of the house. Ms. Coffin answered no. Ms. Peterson stated that they put \$10,000 in escrow on February 28, 2007 and according to the letter they would reduce it to \$7500.00 the second year. Mr. Warner stated that he never came in for the return of part of the escrow. Ms. Peterson stated that the bond amount was to be held for the first two years of operation. Mr. Barlow stated that Ms. Coffin was supposed to do a walk through of the house to make sure there were no normal bathrooms in the house and only a Phoenix toilet. Ms. Coffin stated that she had misunderstood Mr. Barlow and that she had done a walk through before the certificate of compliance was issued a long time ago. **Mr. Barlow made a motion to return the \$10,000 cash bond that was held in escrow to replace the system if it didn't work. It was to be held for the first two years of system operation. Mr. Andrews seconded the motion. All in favor and the motion PASSES.** Mr. Warner stated that he likes the Omni system very much and invited the Board to come out to see it anytime. There is no odor at all and it is very easy to maintain.
- 2. 53 Main St-Diamond Mind Tattoo-Timothy Creed-** Discuss & Possible vote regarding amendment to section 124.004 subsection (L) to lower the client age to 18 years. Mr. Creed is not at the meeting yet but Ms. Coffin stated that the Board wrote the regulations with the age restriction of 21 with concern for the cadets at

the MMA and also because Bourne had never had a tattoo shop before. Ms. Coffin stated that all the other towns around Bourne have the age limit as 18. Mr. Creed has lost business because of the age restriction. Ms. Coffin stated that it is something to consider if you can just go to the next town to get a tattoo at 18. Ms. Peterson stated that she called the Bourne Police to ask if there had been any problems with the Diamond Mind Tattoo shop and there have not. Ms. Peterson stated that she would like to ask Mr. Creed how he plans to determine someone is of age that is 17-18. It is not easy for a 17 year old to pass for a 21 year old but much easier for them to pass for an 18 yr old. Ms. Peterson wants to be sure that Mr. Creed will take that seriously because it can be difficult to tell the difference between a 16-18 year old. Ms. Coffin stated that Diamond Mind is the only tattoo establishment in Bourne right now. Ms. Peterson stated that there is little enough business in Town as it is and she hates to see Mr. Creed lose business to another Town but she would have liked to have him here so he could explain his plans of making sure people are of age to the Board. Mr. Barlow stated it is fine with him if an 18 yr old has to go to Wareham to get a tattoo. Mr. Barlow stated that tattoos make it difficult for kids to get into the service and he doesn't want it to be too easy for them to get a tattoo in Bourne. Ms. Peterson stated that the police told her that there are a lot of home parties and if the kids want a tattoo they will get one so at least it would be monitored at Diamond Mind. Mr. Andrews stated that he would like to table the discussion until Mr. Creed is present. **Mr. Barlow made a motion to hold further discussion of 53 Main St. until later in the meeting to see if Mr. Creed arrives. Mr. Andrews seconded the motion. All in favor and the motion PASSES.**

3. **62 Old Plymouth Rd-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010-** Ms. Peterson stated that she would like to know why the attorney or the bank who handled the home is not here. Gail Spencer and Mike Storer are the tenants of 62 Old Plymouth Rd. Ms. Peterson asked Ms. Spencer for an update. Ms. Spencer stated that they moved her out of the house temporarily last Tuesday and they moved back in today. Ms. Peterson stated that it was not up to Ms. Spencer to have to tell the Board what has been repaired it is up to the bank. The tenants should not have to come to a meeting to give a list of things that have been repaired. Ms. Peterson asked if they had incurred any expenses while they were living elsewhere. Ms. Spencer stated that they did not. The bank paid for the hotel with a per diem and paid for the dog kennel. Ms. Spencer stated that they have fixed a lot on the list but have not fixed everything. The repairs began on January 11, 2011. There are still 3 outlets that have to be changed. The hallway door to the stairs has not been fixed. Ms. Peterson stated that they will have to send out the health inspector to verify what has been repaired. Ms. Peterson asked if they were comfortable living there until the rest of the items are fixed. Ms. Spencer stated yes, but one of the things she had agreed upon with the contractor was that the outside of the house had peeling paint and they were initially under the understanding that they would pressure wash and then repaint. Ms. Spencer stated that she was told yesterday that they were not going to pressure wash. Ms. Peterson asked who the contractor was. Ms.

Spencer stated that he is the vendor for the property management company who works for the bank and his name is Michael O'Hara. The property management company is Tenant Access in Austin, Texas. Ms. Peterson stated that she would like to have a representative from the bank or an attorney here and that Ms. Spencer should not have to be here tonight. Ms. Spencer agreed. Mr. Andrews asked how many months this has been going on. Ms. Coffin stated that it started in November but because of the holidays there were fewer meetings than usual. Mr. Barlow stated that Ms. Furtek could arrange an inspection and then let the Board know what has been repaired. **Ms. Peterson made a motion to CONTINUE 62 Old Plymouth Rd until the next BOH meeting on January 26, 2011.** Ms. Coffin stated that the agenda that night is very full. Mr. Andrews stated that this has gone on long enough and should be resolved as soon as possible. Ms. Peterson stated that they have already been moved in and out of their home and there is no reason why someone can't be here to show whether they have complied with the order. **Ms. Tinkham seconded the motion. All in favor and the motion PASSES.**

4. **Sagamore Truck & Rail-Discuss & Possible Vote regarding site suitability determination and scheduling of Board of Health public hearing.** Al Hanscom, Beta Group, is representing Sagamore Truck & Rail. Ms. Peterson stated for the record that the Gallo's were both at home sick tonight. Ms. Peterson stated that Mr. Hanscom was here for the earlier part of the meeting when they discussed this item with Town Counsel, Brian Wall. The public hearing will be March 2, 2011 at 6:30 P.M. site to be determined. Ms. Peterson stated that Brian Wall gave the Board two names as possible hearing officers. One is more likely than the other. Ms. Coffin stated that Mr. Hanscom will send the wording of the notice to Ms. Coffin and she will forward it to Mr. Wall for completeness and then the Board of Health office will post it in the papers. Ms. Peterson stated that it must be posted by Friday afternoon in the Bourne Courier and by next Weds in the Bourne Enterprise. Mr. Hanscom asked if that would be billed to him. Ms. Peterson stated that it is the Board of Health's notice and to keep things everything the way it is supposed to be the bill should be paid by the Board of Health. Ms. Coffin stated that since the Gallo's paid Sitec directly she would write a letter to release the \$1800.00 back to the Gallo's that has been held in a performance bond instead of an escrow account. Ms. Peterson stated that they need to have the public hearing fee put into an account. Mr. Hanscom suggested that they take the amount that Sitec calculated which was \$3731.25 which would keep everything straight. Mr. Hanscom suggested replenishing the technical fee in the amount of \$1000.00 and the Board can always request more if needed. The Board Members agreed. Ms. Peterson stated that she wanted to be clear that the \$3731.25 was not part of the \$1000.00 fund. Mr. Hanscom stated that it was a separate calculation and would be reimbursed to the Gallo's if not used. Ms. Coffin stated that Mr. Hanscom has responded to the comments from Sitec and she has given those responses to the Board. Ms. Coffin stated that the Board has to determine that the site suitability report is complete in order to have the public hearing. Ms. Coffin stated that one of the issues was groundwater and another one was the State had to consider a

waiver and that has not been decided yet. Mr. Hanscom stated that he would like to address Sitecs concerns. Mr. Hanscom stated that the Gallo's had requested and were given a refund of the original \$8600.00 from the State because they are no longer involved so that issue is gone. Mr. Hanscom stated that the issue of the 60 days is off the table because they are now on a schedule and they have established what that schedule is. The hearing fee and the additional technical fee have also been resolved. Mr. Hanscom stated that item #4 is referencing the waiver. They have submitted a request to the DEP commissioner in June and have not responded. They will contact her office again. Ms. Peterson stated that he should tell her that the hearing is on March 2 and they have to get this done. Mr. Hanscom stated that in lieu of that as suggested by Sitec maybe a conditional decision on the part of the Board conditional on the approval of the waiver would be appropriate. Mr. Hanscom stated that the floodplain is not an issue. Ms. Coffin stated that that has been verified. As far as the closed building and nuisance conditions Mr. Hanscom stated that they do consider this a closed facility. They have not had any complaints in over 15 years and do not expect that there would be any in the future handling of wet ash. The only difference is that they may temporarily store the ash in a rail car and then transfer it into a truck or separate off site management. Because the ash is more of a waste material they are going through the site assignment and transfer process. It would be transferred to the trucks once they got 20-22 tons and then shipping it off to an approved off site management facility. Mr. Andrews asked about the specific moisture content of the wetted ash. Mr. Hanscom stated that it is visibly wet and freezes in the winter. They also wet it down in the summer if it starts to dry out in the handling process so there would be no visible dust emissions. They have an operation maintenance manual that they will be updating for this facility. Mr. Hanscom stated that the Board could make part of their approval that the operation and maintenance manual be provided to the Board which would address the issue of the wetted ash. Mr. Hanscom stated that with respect to groundwater he has just received the environmental reports on the adjacent site which has the monitoring well information. The groundwater at the site is approximately 10 ft below grade, 18ft below the waste handling floor plus or minus and 11ft plus or minus below grade at the rail siding. Mr. Hanscom stated that, regarding traffic, there will be a maximum of six trucks on any day that will be coming to the facility and if it were during a high traffic period they would not be trying to transfer ash. They would schedule their shipments away from the peak traffic volume. There would be a maximum of two trucks shipping from the site at any one time. Mr. Barlow stated that their trip would consist of traveling from the Power Plant in Sandwich to the facility and once in a great while send a truck out. Mr. Hanscom stated that they are only going to the Mirant Plant to bring ash and temporarily store it. Once they have 20-22 tons, enough to fill up a truck, they will be shipping it up to waste management probably in New Hampshire. Ms. Coffin asked if Mr. Hanscom knew what the hours of operation would be. Mr. Hanscom stated that it would be normal working hours and could be conditioned by the Board if they would like. On occasion Mirant has had emergencies but that would only be once or twice a year. Mr. Hanscom stated that there is also a secondary access egress.

Ms. Peterson stated that she would like to see it locked while any transportation of ash is being done. Mr. Hanscom stated that the Board can condition anything they would like on their approval. Ms. Peterson stated that maybe the door could only open from the inside so no kids could open the door and get in for safety reasons. Mr. Hanscom stated that there really isn't much to the facility. Ms. Peterson stated that she is concerned about the secondary door in the back. Mr. Hanscom stated that maybe they can put in a panic bar. Mr. Hanscom stated that they took the bio map and habitat plans concerning wildlife in the area which should be adequate. Ms. Coffin stated that she has checked the maps. Mr. Hanscom stated that he does not believe that they really need a letter from them regarding that issue. The operation is almost identical to the existing operation except for the transfer from the rail car to the truck. The facility lay out plan was included in the original application. Mr. Hanscom stated he had copies with him if the Board wanted to see them. Ms. Peterson asked if there was anyone in the audience for Sagamore Truck & Rail. There was not. **Mr. Andrews made a motion to have Ms. Coffin return the \$2000.00 fee that was submitted by the applicant and also that a public hearing fee of \$3731.25 as well as \$1000.00 for additional technical review be assessed. Ms. Tinkham seconded the motion. All in favor and the motion PASSES. Ms. Peterson made a motion that the Bourne Board of Health suitability determination on January 19, 2011 has been proven acceptable and that they can now move on to the public hearing with a hearing officer. Ms. Tinkham seconded the motion. All in favor and the motion PASSES.**

- 5. Pocasset Mobile Home Park-Discuss & Vote regarding 2011 Mobile Home Park License-**Ms. Peterson stated that the attorney for Mr. Austin was not available for the meeting tonight. Ms. Peterson stated that she does not see Mr. Austin here and asked if there was anyone representing Mr. Austin. Ms. Coffin stated that Mr. May had been there but had left. Ms. Peterson asked if Mr. May was coming back. Rick Damon stated that he had spoken to Mr. May in the parking lot and stated that Mr. May had another engagement and was not coming back. Ms. Peterson stated that, for the record, there is no one representing Mr. Austin this evening though they have been notified in full compliance with Board of Health regulations that their license hearing would be this evening. Ms. Peterson stated that the Attorney General had an emergency hearing in Boston on Tuesday of last week and it was continued until Feb 3, 2011. The judge looked at all of the pictures of Mr. Austin trying to pump his own leach field. There have been 3 different instances of emergency pumping. Ms. Peterson stated that she would like to thank the Board of Selectmen and Mr. Guerino for coming to their rescue on a Saturday afternoon and allowing Town funds to be used to pump the leach field on December 18, 2010. The second emergency pumping was at the tanks by the trailer. The second time the leaching field was pumped the escrow account was accessed through the Attorney General. There were approximately 7000 gallons taken each time. The third emergency pumping they were pumped dry. Ms. Coffin is going out there every day to make sure there are no overflows. Ms. Coffin stated that they did voluntarily pump it out today. Ms. Peterson stated that

the Attorney General has asked the Bourne Board of Health through Town Counsel and Ms. Coffin to issue a 60 day license only for the purposes of seeing the result of the court action on February 3, 2011. With the issuance of that license Ms. Coffin has spoken with the AG and she has gone over the regulatory items that the Board would like to put into place to issue the license. Ms. Peterson stated that she will go over all the conditions now and thanked the residents for attending the meeting. Ms. Coffin stated that they made a change to the first condition because they thought they had taken care of the issue with occupancy of trailers and they did not want any of the owners not to be able to rent their trailers out. It came up after the fact last year that Mr. Austin had trailers that had been vacant and those had then been reoccupied. Mr. Andrews stated that he thought that had been addressed and the Board did not want any new trailers going in. Ms. Coffin stated that it is the potential occupancy of trailers owned by Mr. Austin that are presently empty. Mr. Andrews asked how many unoccupied trailers there were at this time. Ms. Coffin did not know. Ms. Peterson stated that she believed at that meeting that the Board had said that the owners were being allowed to rent their trailers and the Board was not stopping them. Ms. Coffin agreed. Ms. Coffin stated that she knows Mr. Austin had some of his trailers occupied. Ms. Coffin stated that the conditions in black were what the Board voted (see attached). There was general discussion about the wording of the conditions and the fact that there have been approximately \$90,000 in fines issued to Mr. Austin for not following the conditions of the license. Ms. Peterson is concerned that the 6 hour time limit to address any pumping emergency is too long. Mr. Andrews stated that it takes time to mobilize equipment and to possibly cut it back to 4 or 5 hours but no less than that. Ms. Peterson stated that 3 times they have waited for Mr. Austin to even take a phone call. Mr. Barlow stated that the idea of having to ask Mr. Austin to pump is not working. Ms. Peterson stated that once Mr. Austin says he is not going to pump they can go to the escrow account and use that for emergency pumping. Ms. Peterson stated that Ms. Coffin should only have to make one phone call. Mr. Barlow stated that if Ms. Coffin sees an overflow she has the authority to pump it because it is a public health issue. It was decided to issue a \$300.00 fine per day per trailer if within 4 hours of the documented violation there is not a contractor on site working to correct the problem. Ms. Coffin stated that she believes the fines are unreasonable. Mr. Barlow stated that he understands what Ms. Coffin is saying. Ms. Peterson stated that it was Town Counsel's opinion that the fines would hold up in court. The Board of Health must be made aware of all contracts such as park manager, emergency maintenance personnel, pumping contractor, and underground sewer repair contractor or a fine of \$10.00 per day per trailer will be enforced. Ms. Peterson stated that she believed that this requirement was also ordered by the judge in the case against the trailer park. Ms. Coffin stated that she knew they had ordered that the escrow account be replenished but was not sure what else the judge had ordered. Ms. Coffin stated that she spoke with Tracy Triplett that day and Ms. Triplett told her they should bring up the twice monthly inspections, the twice monthly pumping of the tanks, and the once a month pumping of all the leach pits. Ms. Peterson stated that Ms. Triplett had emailed Ms. Coffin three or four documents. Ms. Coffin stated that

she had not been feeling well and probably didn't open them all. Ms. Peterson stated that looking at the documents, Jeremy Carter, Mr. Austin's attorney, said the immediate response person is Don May. Ms. Peterson stated that they thought the 24 hour contact person was David McCarthy but now find out that it is Don May. Ms. Coffin stated that David McCarthy is more on site if there is a backup or an issue like that and that she calls both of them when there is a problem. Ms. Peterson stated that the court said to call one of them. Mr. Andrews stated that according to what was presented the contact was Don May. Ms. Peterson asked if Ms. Coffin could go online now and check those emails from the AG to check to see who the contact person was. Ms. Coffin stated that she could not get access to those documents from here. Ms. Peterson stated that the next condition states that there will be a competent on site manager available 24 hours a day which the court also ordered. Ms. Peterson stated that in consistency with the amended preliminary injunction order issued on December 10 a licensed septage hauler shall pump out and dispose of the contents of all the septic tanks as often as necessary but at least twice per month and all leaching pits as often as necessary but at least once per month to prevent overflows of sewage to a home or the ground surface and backups of sewage. The Park must maintain a contract with a licensed septage hauler as a first responder to conduct such work and submit a copy of every contract to the Board of Health within 24 hours of execution and provide copies of the pump out receipts to the BOH within 48 hrs of pumping. Mr. Andrews stated that they had already covered that in another condition. Ms. Coffin stated that she just did that on a local level to back up what they were doing on the State level. Mr. Andrews stated that he liked that the BOH office be notified so that they can be aware of how many times and how much they are pumping. Ms. Coffin stated that they are reporting to her every time they are pumping. Mr. Andrews stated that he did not want that to tie into the preliminary injunction in case it was ever thrown out. Ms. Coffin will make that correction. Mr. Barlow stated that they will reevaluate the conditions in 60 days. The Board will also require that twice a month a licensed Title V inspector evaluate the condition of all components of the system, in the presence of a representative of the BOH to ensure that it does not pose an imminent threat to public safety. The inspector must provide a written report to the BOH within 48 hours of the evaluation. Mr. Andrews asked if Ms. Coffin could insure that it doesn't pose an imminent threat to public health and safety doing an inspection like that. Ms. Coffin stated that she was just repeating the wording in the judge's order. Ms. Coffin stated that if it is not overflowing she can only insure that it's not on the ground which would mean that it's not an imminent threat. It is required that all representatives of the BOH shall be allowed access to the Pocasset Mobile Home Park to conduct any inspections related to the safety and well-being of the Park residents and the environment. Ms. Peterson stated that the next condition has nothing to do with the \$10,000 that the State has required of Mr. Austin. The Board of Health will require a \$20,000 escrow account to be set up with the Town of Bourne for the purposes of having funds available to pay for any required pumping in the event of a backup or overflow that is not taken care of by the owner or cannot be done using the escrow account originally established per order

of the Suffolk Superior Court. Ms. Peterson stated that the funds should also be used to plow the leaching area because the State doesn't want to use the funds to plow, which she can understand, but you can't pump it if the area is not plowed. Ms. Peterson stated they need an immediate 24 hour plowing contractor to be able to have access to plow the leaching field. Mr. Barlow stated that it should read that the road to and throughout the pit area must be plowed and accessible by a pump out truck at all times. Mr. Barlow stated that the \$20,000 escrow fund held by the Town could be used for plowing and pumping. Ms. Peterson stated that there was an instance where the pumping truck could not get to the pits and Mr. Austin would not plow it and that was a threat to public health. Mr. Barlow stated that he would like to require that a six foot chain link fence be installed so that it completely encloses the leaching area, with a locking gate to provide access for pumping and inspection. Keys will be made available to the Board of Health and emergency personnel through the issuance of keys or a Knox box. Ms. Peterson stated that they had sent an affidavit to the AG's office that said that the police were witness along with Ms. Peterson and Mr. Andrews to a young boy riding a motorcycle through the septage. Ms. Coffin stated that she is concerned with the fact that people that need to get in to pump may not be able to gain access without a key. Mr. Barlow stated that if they do not have a key they can call the fire dept or police dept who can come down and open it up. Ms. Peterson stated that these conditions are set forth for the 60 day temporary license only for purposes of seeing the result of the court action which will be February 3rd. The license will be valid for 60 days from tonight and may be amended in any form based on the Suffolk Superior Court decision on the Attorney General's motion for Receivership. Ms. Peterson stated that for instance, on Feb 3rd or sometime in the next 60 days it seems that there will be a determination more than at any other time and at that point if there is a determination the receiver would have to come in front of the Board of Health and they would like to give him or her time to get organized and speak with the Health Agent and get all the proper legal channels set. Ms. Peterson stated that the issuance of this license is in no way a statement that the Pocasset Mobile Home Park septic system meets the minimum sanitary standards of Title 5, or DEP's Groundwater Discharge rules, or DEP's order to the park's owner to upgrade the present failed septic system or the wastewater treatment plant, necessary infrastructure and leaching facility, but is instead an attempt to protect the rights of the residents within the Park. Ms. Peterson stated that she would now take public comment on the license issue. Tony Fucci asked what would happen if after the 60 days Mr. Austin does not comply. Ms. Peterson stated that Town Counsel advised, if that does happen, that the Board would have to decide whether to issue him another 60 day license. Mr. Fucci asked if they were going to get a notice to vacate the park at some point. Ms. Peterson stated that she could not answer that and that the Board is trying to protect the tenants and their public health with a reasonable place to live and the only way to do that is to order the funds to be available so they can be accessed when needed. Mr. Fucci asked if the BOH was aware that their rent had gone up. Ms. Peterson stated that the BOH has nothing to do with the funds that are or are not collected. Mr. Fucci stated that according to a document from 2009 Mr. Austin can't pass on any

additional fees concerning the park. Ms. Coffin stated that she has told anyone that has a complaint about the rent increase or icy roads to contact Teresa Walsh at the Attorney General's office because she deals with that section of manufactured housing. Rosalee Cole, resident, stated that nobody understands why Mr. Austin is not in jail. Ms. Peterson stated that all the Board is concerned with is that the residents have a reasonable health standard with what they have to work with. Ms. Peterson stated that no one has been able to answer her question as to what would happen if the Board didn't issue the license. Ms. Peterson stated that she is assuming that by putting these conditions on the license they are protecting the public health and allowing the residents to continue to live there. Ms. Coffin stated that that is why the AG's office has taken Mr. Austin to court and is trying to get the receivership to get the park taken care of. Ms. Cole asked if the fines against Mr. Austin will go to the Town. Ms. Coffin stated that if the fines are collected they will go to the Town. Mr. Andrews stated that it is a long process that they will have to go through to collect the fines. Mr. Barlow stated if the fines are collected that money goes into the general fund not the Board of Health. Mr. Damon, previous park manager, asked when contact numbers would be posted on the Board. Ms. Peterson stated that as of Tuesday they had been ordered to do it within 24 hours. Mr. Damon asked who the on site manager was. Ms. Peterson stated that according to Jerry Carter it was Don May. Ms. Coffin stated that Don May was the 24 hour contact person. Ms. Peterson stated that they will clarify that issue tomorrow. Ms. Coffin stated that David McCarthy is still the person to call for local issues. Ms. Peterson stated that she has spoken to Mr. McCarthy and he tries his best but he is working with the same situation that the Board is working with. Ms. Peterson stated that that is why they are requiring \$20,000 be put into escrow for the Town of Bourne. Mr. Damon asked if that money could be used to sand the streets. Ms. Peterson stated that they could talk about that if it becomes a health hazard. Maggie Berg, resident, stated that her and her husband are disabled and are concerned about the plowing situation and the condition of the roads. Ms. Coffin stated that when she was out there the roads had been plowed. An audience member suggested taking pictures of the road conditions and show it to the judge if they go to court and also suggested putting all their rent money in escrow. Sandy Tothman, resident, asked if when the pit fills does that put the system under distress and how often do they have to be pumped. Ms. Peterson stated that they are monitored daily and have had to be pumped every two weeks. Ms. Coffin stated that they are supposed to pump them every month or more to prevent an overflow. Ms. Tothman asked if all the snow and rain was contributing to the overflows. Ms. Coffin stated that it is probably not helping but if a pit is working properly it doesn't contribute. Ms. Tothman asked if Mr. Austin did not get a license after 60 days are the residents obligated to pay rent to a place that does not have a license. Ms. Peterson stated that the Board of Health has nothing to do with the rent issues. Mr. Barlow stated that they are waiting for a decision from the court that will hopefully put it into receivership and are going to issue 60 day license and does not want anyone in the room to think that at the end of the 60 days that will be it. Ms. Tothman stated that she understands that. Mr. Barlow stated that the BOH is working with the AG to

get the system working up to today's standards. One of the audience members asked exactly what the receivership would mean. Mr. Barlow stated that the court will appoint someone competent to operate the park. Ms. Peterson stated that it would be an independent person who has nothing to do with the State or the Town and will be appointed by the Court. Ms. Peterson stated that the receiver will be the one providing the BOH with contact information for the Park staff. Ms. Tothman asked if the person appointed receiver would have to report to the court. Ms. Peterson answered yes and will be monitored and would have to show proof of payment for any payments paid out. Mr. Andrews stated that the resident would pay rent to the receiver instead of Mr. Austin. Ms. Tothman asked where the money would come from for the receiver to make the repairs. Ms. Coffin stated that some receiverships can access monies from the owner but she is not sure what form of receivership this will be until it goes forward. Ms. Berg asked where she should call in an emergency situation. Ms. Peterson asked if she was talking about a health emergency. Ms. Peterson stated if it was not a health emergency then she should call the police like she did when she was out there and asked him to witness what was going on and he in turn called the fire dept who called Ms. Coffin. They are the only people in an emergency that have the authority to do what you need them to do. Ms. Peterson stated that you have to weigh what is an emergency at the time but the residents should call emergency personnel if that 24 hour number is not available. Ms. Peterson stated that they should give the 24 hour contact person at the park 30 minutes to return their call. Mr. Lucci asked if they, as residents, would be heard at all during the receivership proceeding. Ms. Cole stated that she spoke with the AG's office who told her that any letters they receive will be forwarded to the judge. Collett Doucette asked if they would make sure the roads have been sanded because she has almost slipped quite a few times. Ms. Coffin stated that she does consider that a safety issue. Ms. Peterson stated that if the residents cannot get out of their roads in an emergency situation they should do what anyone else does in that same situation and call the DPW. **Mr. Andrews made a motion to issue a 60 day license to the Pocasset Mobile Home Park specifically for the purpose of seeing the results of the court action which will be on February 3, 2011. The Board of Health will grant a 60 day license with the following conditions set forth that are listed in the letter dated January 19, 2011 with the following omissions and adjustments. Item #1-strike the word Mr. Austin and replace with the wording Park Owner. Item #3-replace six hours with four hours. Item #4-delete entirely. Item #7-deleting the first line all the way to the first comma and beginning with a licensed septage hauler. Item #10-to adjust and address the plowing of the leaching field area and accesses and that that escrow account be able to be used with the same stipulations. Item #11-requiring that the whole leaching area be contained by a 6 ft high chain link fence gated for access for pumping and some means of access by the Bourne Board of Health and all emergency personnel with keys to the gate or Knox box. This wording be sent to the Board of Health members and Town Counsel to confirm prior to issuance of the license. All phone numbers must be updated with the current contact information for Park emergency personnel within**

24 hours of this meeting. Mr. Andrews stated that they are supposed to be doing that now within a 12 hour period with a \$10.00 per trailer per day fine. **Mr. Barlow seconded the motion. All in favor and the motion PASSES.** Ms. Cole asked how the Board would go about fining Mr. Austin for renting out trailers when he wasn't supposed to be. Ms. Peterson stated that one of the conditions of the 2011 license states that *as long as the upgrade to the failed septic system at the Pocasset Mobile Home Park has not been completed no new trailers will be allowed, nor will the occupancy of any vacant trailers owned by the Park owner be allowed.* Ms. Coffin stated that she would have to investigate by complaint. Mr. Andrews suggested maybe sealing the door of each vacant trailer. Ms. Coffin stated it would be easier having the residents call if they see someone moving into a vacant trailer. Mr. Barlow agreed.

6. **Update by Stanley Andrews-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board-**Mr. Andrews stated that he would give the update at the next Board of Health Meeting.

7. **53 Main St.-Diamond Mind Tattoo-Timothy Creed-Discuss & Possible Vote** regarding amendment to section 124.004 subsection (L) to lower the client age to 18 years.- This item was moved down from #2 because Mr. Creed was not present at the meeting at the time. He has arrived so the item discussion can continue. Ms. Peterson stated that the Board had discussed this earlier in the meeting but wanted to wait until Mr. Creed arrived to answer their questions. Mr. Creed stated that as a taxpayer he would like to have a business that allows him to tattoo clients that are within that age range. Mr. Creed stated that he believes that the first tattoo a client gets is probably the most important one and should be a good one and believes that as a Town they should be able to provide that service. Mr. Creed stated that the person giving the tattoo should be qualified to educate the public enough to make that a possibility and believes that he can do that. Mr. Creed stated that education and continuing education in the law that would be strict enough to maintain the ability in the process which is a safe public. Mr. Creed stated that if the age were 18 maybe the Town would be interested in making a requirement of every three years a continuing education of 15 hours between seminars, first aid or CPR. Ms. Peterson stated that she had called the Bourne Police station who told her that they have not had any issue's with Mr. Creed's business. Ms. Peterson stated that she is concerned about age violations and would like to know how Mr. Creed takes that seriously and will make sure that the clients are not under age as it is difficult to tell the difference between a 16 or 17 yr old and an 18 yr old. Mr. Creed stated that he will be reasonable with every client and they must present a proper ID and he will make every effort to make sure that they are who they say they are and that they are presenting themselves properly. He will photocopy every license which must be a State issued ID. Mr. Barlow stated that he is happy with keeping the age at 21 even though Wareham and surrounding towns are 18. Mr. Barlow stated that he knows it's an issue getting into some military services with tattoos and a lot of kids, just graduating from high school, with the economic situation as it is, are going to have to find

their way into the service which would also pay for their college education but they would not have that option if they have tattoos. Mr. Barlow stated that he may agree if they required that a parent accompany them and give parental consent. Ms. Peterson stated that talking with the Bourne police they were concerned that an 18 yr old may go to a house party and have a friend give him a tattoo. They would prefer that a licensed tattoo artist that can be regulated and inspected by the Board of Health be the one to give a tattoo. Mr. Barlow stated that they made the age 21 in the first place because they did not want kids under 21 to get a tattoo. Mr. Barlow stated that there are certain things like drinking that kids under 21 are not supposed to be doing and parents are still responsible for them. Mr. Creed stated that at 18 you are old enough to give your life for your country and he would rather see the kids get a tattoo in a legal controlled manner rather than a home party. Mr. Barlow stated that he understands Mr. Creed's position. Mr. Stanley stated that he would appreciate Mr. Creed sending more information to Ms. Coffin on the educational aspect of his business. Mr. Andrews asked if Mr. Creed goes over any potential health effects when a 21 yr old comes in his shop for his first tattoo or post any of these warnings about not getting into the service with a tattoo somewhere in his shop as a public service. Mr. Creed stated that he believes it is the duty of the tattoo artist to educate his client and he has no desire to tattoo anyone that comes in and asks for any kind of inappropriate tattoo. Mr. Creed stated that it does not benefit his business to be reckless and tries to perform on an upper level and not just provide a tattoo for cash. Mr. Creed stated that it is not a money thing but is about the art. Ms. Peterson stated that there was a problem in NH with a young man who had learning disabilities who had his friends come over and give him a tattoo. The parents were very upset and some of the kids were arrested which shows that the house parties are real. Mr. Barlow stated that he knows they are real and probably happen right in Buzzards Bay. Mr. Barlow stated that the fact is that if you are going to lower the age requirement to 18 the parents should have the opportunity to know what's going on. Mr. Andrews stated that parents are responsible until they turn 18. Mr. Barlow stated that he believes they are responsible until they are 21. Ms. Peterson stated that the fact that the parents know or not is not really a health issue. The health issue is that the present regulations state the age requirement is 21 to get a tattoo in Bourne and Mr. Creed is asking for that age requirement be lowered to 18. Ms. Peterson stated that Mr. Creed makes copies of all the licenses front and back. Mr. Andrews stated that he would not have a problem with it as long as they put in some stipulations such as some type of education provided to the client. Mr. Barlow stated that they had this same discussion when they first wrote the regulation with different Board members then but they came up with the age of 21. Mr. Mulvey asked if there was any type of disclaimer the client has to sign. Mr. Creed stated that there are Board of Health regulations that require that information on the form that the client must sign before you get a tattoo that he might be able to add to saying something about the not getting into the service with a tattoo. Ms. Peterson stated that the Board of Health does not have enough personnel to be checking all the forms Mr. Creed may have people sign. Ms. Peterson suggested lowering the age to 18 on a trial basis. Mr. Andrews stated

that he did not want to do that without the precautions put in as part of the regulations. Ms. Peterson stated that they could not change the tattoo regulations tonight because that was not posted. Mrs. Creed stated that Mr. Creed is a world class tattoo artist and has to turn away clients that are under 21 to go to another town and get a tattoo of less quality because they are not 21. Mrs. Creed stated that they are parents, live in Sagamore Beach and are very active in the community and like having their business in Bourne. Mr. Barlow stated that he does not have any problems with tattoo and is just concerned with the fact that it might limit acceptance to the military. Mr. Creed stated that there are different limitation in the military such as tattoo size and coverage and usually there is a small amount of skin showing. Mr. Creed stated that he believes those concerns are reasonable and knows growing up himself with tattoos he had to present himself in a way beyond the tattoos and it was more difficult. **Mr. Andrews made a motion to change section 124.004 subsection (L) by lowering the age from 21 to the age of 18 years of age. This being at the request of Timothy Creed, Diamond Mind Tattoo.** Mr. Andrews stated that he would like to have continuing education a part of the new regulations. Ms. Coffin stated that he should draft something and send it to her. Ms. Peterson stated that she wanted to be clear that if there are any problems with under age clients the Board of Health will take their license. Mr. Creed agreed. **Ms. Tinkham seconded the motion. Mr. Andrews, Ms. Peterson and Ms. Tinkham are in favor. Mr. Barlow is opposed. The motion PASSES.**

8. **Approval of Minutes dated December 8, 2010-**Mr. Barlow stated that on page 10 there was a statement made by Mr. Andrews that was actually made by Mr. Barlow. Mr. Barlow made the correction. **Mr. Andrews made a motion to APPROVE the minutes of December 8, 2010 with changes. Mr. Barlow seconded the motion. Ms. Tinkham abstained from the vote as she was not at the December 8th meeting. All others in favor and the motion PASSES.**

9. **New Business-**Ms. Tinkham stated that she was walking near the high tension wires in Bournedale and her husband pointed out that the power lines had been sprayed with an herbicide. Mr. Andrews stated that they did that last year before a moratorium was placed on it by the County. Mr. Andrews stated that he believes that the moratorium will run out soon and NSTAR has intentions to resume that process. Mr. Andrews stated that they had said they did not spray in Bourne but he believes that NSTAR does not have the town lines correctly and were off by ¼ to ½ a mile. Mr. Andrews stated that in the easement of the power lines there was some spraying of the vegetation. Mr. Andrews stated that this should be addressed at a future meeting. Ms. Peterson suggested discussing it the first week in April.

Mr. Andrews made a motion to ADJOURN. Mr. Barlow seconded the motion. All in favor and the meeting was adjourned at 9:25 P.M.


Taped and Typed by Kathy M. Burgess for the Bourne Board of Health

Respectfully submitted by the Bourne Board of Health

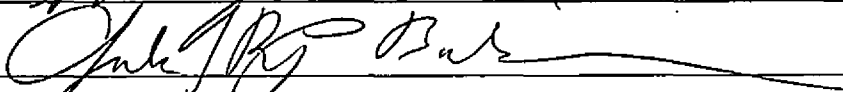
Kathleen Peterson



Stanley Andrews



Galon Barlow



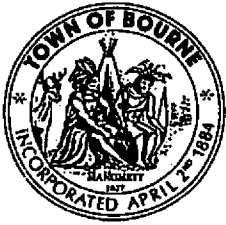
Donald Uitti



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:

January 26, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

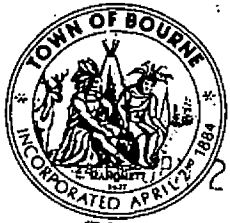
1. **62 Old Plymouth Rd- Continued-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010**
2. **68 North Beach Ave-Bracken Engineering for Michael Bosse-Requesting waiver to use existing septic system for renovations**
3. **45-47 Cove Lane-John Churchill for Thomas LeBlanc-Requesting variance**
4. **68 Monument Ave-Michael Steller-Requesting extension of existing variance originally granted on January 27, 2010 and requesting amendment to existing architectural records of record.**
5. **Informational session regarding proposed wind turbine project**
 - **New Generation Wind, LLC**
 - **Citizens for Responsible Wind Energy**
6. **Update on Working Group-Stanley Andrews-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board**
7. **New Business**

cc Board of Selectmen/Town Clerk

TOWN CLERK'S OFFICE
2011 JAN 20 PM 1 22

Signed: *Kathy M. Burgess*
Title: Secretary
Date: January 20, 2011

Cancelled - Snow



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



26 PM 3 20

TOWN CLERK'S OFFICE
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 26, 2011	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

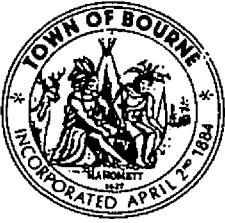
AGENDA ITEMS:

1. **62 Old Plymouth Rd- Continued-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010**
2. **68 North Beach Ave-Bracken Engineering for Michael Bosse-Requesting waiver to use existing septic system for renovations**
3. **45-47 Cove Lane-John Churchill for Thomas LeBlanc-Requesting variance**
4. **68 Monument Ave-Michael Steller-Requesting extension of existing variance originally granted on January 27, 2010 and requesting amendment to existing architectural records of record.**
5. **Informational session regarding proposed wind turbine project**
 - **New Generation Wind, LLC**
 - **Citizens for Responsible Wind Energy**
6. **Update on Working Group-Stanley Andrews-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board**
7. **New Business**

2011 JUN 20 PM 1 22

Signed: *Rodney M. Burgess*
Title: Secretary
Date: January 20, 2011

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

2011 JAN 26 TOWN CLERK'S OFFICE

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

February 2, 2011

Time:

7:00 P.M.

Place:

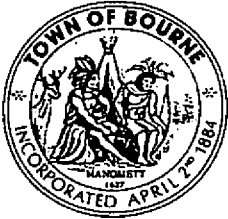
Jonathan Bourne Public Library
19 Sandwich Rd.
Bourne, MA 02532

AGENDA ITEMS:

1. **62 Old Plymouth Rd- Continued-Discuss & Possible Vote** regarding non-compliance with housing order dated October 29, 2010
2. **68 North Beach Ave-Bracken Engineering for Michael Bosse-Requesting waiver** to use existing septic system for renovations
3. **68 Monument Ave-Michael Steller-Requesting extension** of existing variance originally granted on January 27, 2010 and requesting amendment to existing architectural records of record.
4. **Informational session regarding proposed wind turbine project**
 - New Generation Wind, LLC
 - Citizens for Responsible Wind Energy
5. **Update on Working Group-Stanley Andrews-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board**
6. **New Business**

Signed: *Kathy R. Bungum*
Title: Secretary
Date: January 26, 2011

cc Board of Selectmen/Town Clerk



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

2011 MAR 11 Buzzards Bay, MA 02532
Phone (508) 759-0615 x1
TOWN CLERK'S Fax (508) 759-0679



Cynthia A. Coffin,
Health Agent

**MINUTES
February 2, 2011**

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow and Carol Tinkham. Members Absent: Don Uitti

Support Staff: Kathy Burgess, Secretary

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

Ms. Peterson stated that she wanted to inform everyone that the meeting was being filmed for future use and that she did not know they were coming. Ms. Peterson stated that if there was anyone else in the audience filming the Board would like to know. There was not.

1. **62 Old Plymouth Rd-Continued-Discuss & Possible Vote** regarding non-compliance with housing order dated October 29, 2010- Mr. Andrews stated that he had spoken with Carrie Furtek, Health Inspector, who had told him that there was still a screen that needed to be replaced and a small gap near a basement window that needed to be sealed up. Ms. Furtek is suggesting that the Board give them another couple of weeks and was pleased with the repairs made so far. Gail Spencer, tenant, stated that they had moved out of the house for a week and a half but are now back in. One screen has been fixed but there are still two remaining screens that need repair. Ms. Spencer stated that they are going to put shields on the basement windows to prevent water from coming in but that has not been done yet. The front door is rotted and that has not been repaired yet. Ms. Peterson asked if the house was habitable right now. Ms. Spencer stated yes but they would like to be able to open the windows and not have animals come into the house through broken windows. Mr. Andrews stated that he would like to continue this for three weeks. Ms. Peterson stated that she would like to hear from the bank in writing when they will make the rest of the repairs. Ms. Spencer stated that she was told the bank would be here tonight. Ms. Peterson stated that they cannot force a bank to attend the meeting but there are other avenues they can pursue.
Mr. Andrews made a motion to CONTINUE 62 Old Plymouth Rd until

March 9, 2011. The bank is required to let the Board know in writing what days they will make the repairs and also to notify the tenant. Mr. Barlow seconded the motion for the continuance so that the bank will have a little more time to finish the work. All in favor and the motion PASSES.

2. **68 North Beach Ave-Bracken Engineering for Michael Bosse-Requesting waiver to use existing septic system for renovations-Don Bracken stated that the owner is proposing to expand existing kitchen area and master bedroom area and living area. The living area and kitchen area are on the first floor. The kitchen expansion will be on the North side of the house within an existing covered porch area. The bedroom and living room expansion will be towards the East side of the house which is currently being used as a porch which will be converted to year round space. Mr. Bracken stated that in accordance with the Board's policy for bedroom and non-habitable expansion the project meets the guideline for less than 25% bedroom area with a proposed increase of 14% bedroom area and 33% non-habitable area. The existing septic system was installed in 1997 consisting of a 1500 gallon septic tank pump chamber which goes into a mounded leaching system. The project has been reviewed and approved by the Conservation Commission. The resource area in question is Eel Pond which is a salt water pond. The existing septic system is 77 ft from the edge of the pond. They are looking for a waiver of 73ft. from the 150' setback. Mr. Andrews stated that Ms. Coffin had left some notes as she is not at the meeting. Ms. Coffin's notes show a difference in calculations from Mr. Brackens. There was general discussion regarding the plans and calculations. Mr. Andrews stated that Ms. Coffin's calculations are from existing bedrooms which are 629ft and proposed at 787. Ms. Coffin's calculations come up with a 25% increase in bedroom space. Mr. Bracken stated that he will confirm that and submit a follow up letter for the files. Mr. Barlow stated that he does not believe there is a significant increase but if it does become too much of an increase and Ms. Coffin gets concerned then they will have to come back before the Board to look at nitrogen removal. Mr. Barlow made a motion to grant the request of reduction of setback distance to the existing soil absorption system to a pond from 150' to 77' (73' waiver) at 68 North Beach Ave for Michael Bosse. Ms. Tinkham seconded the motion. All in favor and the motion PASSES. Ms. Peterson stated that she wanted to make sure that Mr. Bracken clarified the calculations with Ms. Coffin. Mr. Bracken agreed.**
3. **68 Monument Ave-Michael Steller-Requesting extension of existing variance originally granted on January 27, 2010 and requesting amendment to existing architectural records. Ms. Peterson stated that Mr. Steller is not coming to the meeting tonight and is just requesting an extension. Mr. Andrews stated that Ms. Coffin had requested that the Board have a signed contract for the installation of the system prior to the issuance of a building permit and sign off of Board of Health. Mr. Andrews made a motion to APPROVE the request for an extension with the condition that a signed contract for installation of the system is submitted prior to the issuance of a building permit and sign off by**

the Board of Health. Ms. Peterson seconded the motion. All in favor and the motion PASSES.

4. **Informational session regarding proposed wind turbine project-**Ms. Peterson stated that the same rules will apply this time as last time. Everyone will be respectful of each other. Ms. Peterson stated that after each side presents she will allow the other side 15 minutes to discuss what that side had to say and then will open up for public comment. Public comment should be kept to health and environment. There will be no discussion of financials. **New Generation Wind, LLC-** Dave Peterson stated that he works for Cape Cod Aggregates and the LaRusso family, one of the proponents and owners of New Generation Wind. Mr. Peterson stated that he would like to provide the Board with the best information possible. Mr. Peterson would like to update the Board on the various health related issues that have been raised as part of the special permit process that is now before the planning board and the Cape Cod Commission. Mr. Peterson stated that Diane Tillotson, of Hemenway & Barnes, is the lead attorney for New Generation Wind. She has dealt extensively on health matters and legal issues. Doug Sheddell, an acoustic expert working as a consultant for New Generation Wind, is also at the meeting and will present a more detailed analysis of the sound attributes of the project. Jerry Ingersoll, one of the two project proponents and a long time resident of the Town of Bourne, will present some information on other wind projects in New England where many individuals do live in close proximity to wind projects without any incident of deleterious affects. Mr. Robert McCunney is the project consultant and expert on health issues but could not be at the meeting tonight. Mr. Peterson stated that he would like to stress that with careful selection of the proposed turbines and protocols in place to protect the neighbors they can operate a facility without negative health impacts. Mr. Peterson stated that he understands that there are those that are still concerned with these issues. Mr. Peterson stated that how the regulatory structure at the local and State level and the rigorous review by the local planning board and the Cape Cod Commission will insure adequate protection for the neighboring residents and businesses. The State regulation and Bourne's own wind energy conversion system bylaw provide that noise complaints are to result in mitigation or succession of turbine operation until the problem is resolved. Mr. Peterson stated that the bylaw provides further assurances that expert sound monitoring and evaluation will be available. In the event of a formal noise complaint the project is including funded mitigation protocol similar to that which other businesses and the Town have established years ago to be activated in the response of any noise complaints that might be raised. Mr. Peterson stated that based upon the compliance regulations within the Town's existing bylaw they feel there is no need for the Board of Health to propose its own regulations and instead they would recommend that the Board participate in the review and application of the regulations that already exist. Mr. Peterson stated that the Planning Board will include the Board of Health during its analysis of the special permit application and they strongly encourage the Board's involvement in that process. Mr. Peterson stated that they are before the Cape Cod Commission for their regulatory

review which is why the local permitting with the planning board has stopped. They have completed the formal public hearing process and they are now awaiting the beginning of the Commission's project review sub-committee meetings. The purpose of those meetings is to work out the details necessary for compliance with the Commission's regulatory standards and present the project and permitting conditions to the full Commission for approval. After the Commission's review is complete the local permitting process begins and at that point they will be going before the planning board to try and obtain a special permit. Mr. Peterson stated that they expect that process to be thorough and rigorous and in anticipation of that process beginning they are here tonight to try and address some of the many issues and concerns. Mr. Peterson stated that they feel that the project has minimal permanent and temporary impacts to the land resulting in development of less than 1% of the entire site. This land could be developed for at least 100 or under 40B perhaps as many as several hundred houses each producing untreated septic waste, creating water demands, potentially introducing roughly 300 gallons of heating oil and other hazardous materials per household all while generating traffic and permanently altering an enormous area of forest classified as rare and endangered species habitat. Mr. Peterson stated that the renewable energy project that they propose will provide electricity to power the equivalent of a minimum of 4,000 homes displacing roughly 32,000 lbs of air borne nitrogen per year and 39 million lbs of CO₂ per year. Air borne nitrogen from burning fossil fuels represents a major contribution of nitrogen pollution to the estuaries and fresh water sources on Cape Cod. Mr. Peterson stated that the reduction in CO₂ emissions reinforces the trend toward non fossil fuel, non-polluting and competitive energy economy. The project's transformers will use, at an increased expense to the project, a non hazardous bio degradable coolant fluid derived from 100% edible sea oils and food grade additives. The fluid meets the EPA's criteria for ultimate biodegradability classification. Mr. Peterson stated that this is a project that is entirely dependant upon private funding and the risk is on the proponents as they must comply with the Cape Cod Commission's decision and its conditions with the local bylaws and any conditions imposed by the planning board. If for any reason any aspect of the projects operation goes out of compliance the turbine will be shut down until a compliance issue is resolved. Mr. Peterson stated that they do not want to see any issue like that raised because it would hurt the project and ultimately jeopardize it. The compliance provisions in the local bylaws remove any risk to the local residents of the Town of Bourne. Mr. Peterson stated that the reason the town passed this bylaw was to promote clean energy and its resulting benefits to the health of its residents and the environment. Mr. Peterson stated that they are sensitive to the issues raised by some of the neighbors and they are here to insure that those issues are addressed and are also confident as a result of ongoing site and equipment analysis proposed mitigation protocols and conditions that will be imposed by both local and regional permitting authorities after extensive review that our project will meet all regulatory noise standards and provide the maximum protection for the neighbors and the citizens of Bourne. Mr. Peterson stated that it is also their belief that the health impacts of not obtaining some level of self dependence for our energy

needs will continue to cripple the economy and tax the overburdened health care system. Doug Sheddell, Modeling Specialties, stated that he would like to outline some basic noise fundamentals and address the sound from this project and also the noise concerns of the neighbors for this and other wind projects. Mr. Sheddell stated that the lowest sound that can be heard in laboratories is 0 or 1 decibel but in reality the lowest sound that anyone can hear in an absolutely quiet environment is about 10 decibels. The highest sound that can be heard is roughly 120 decibels such as a jet flying by. Mr. Sheddell showed the Board a thermometer chart with different sound analysis. Mr. Sheddell stated that a 5 decibel sound is usually noticed but seldom troublesome and that is the context for the regulatory backdrop for this project. The DEP noise standard requires that any new source be limited to 10 decibels or less because it prevents new sources from dominating the field of the environment that they are installed in. Mr. Sheddell then went through different items and what sound decibels they would be heard at. Mr. Sheddell stated that some people can hear up to 16,000 hertz and as low as 12 hertz, while he can hear up to about 6,000 hertz. The wind turbine is approximately a 1 hertz sound while under power and that is usually heard as a gentle whoosh and is not heard as a 1 hertz sound. The regulatory backdrop is the DEP noise policy and you also have a wind power ordinance that requires the DEP criteria to be applied at the property line. Mr. Sheddell stated that they have done noise analysis with the two best models out there which are the Wind Pro and also Cadna (a German model) to make sure that if there are concerns they find them first and find ways to work around them. Mr. Sheddell stated that one of the long term sound monitors that was put in the quietest location was actually right behind the existing hill on Bournedale Rd. where it was concealed from almost everything Mr. Sheddell stated that the residents of Glacier Way know that it was shielded and during quiet night time with no wind levels gets less than 30 decibels. They have done their analysis based on the quietest sound levels measured at times when the turbine will operate. The turbine will not make any sound if there is no wind to drive the turbine. Mr. Sheddell stated that if you look at the changing ambient conditions most of the time the turbine is operating well beyond ambient and it will not be noticed in any part of the community. If the turbine does need to be shut down the system is already in place to modulate the wind turbine operation or even shut it down to protect from exceeding the noise standard. Mr. Sheddell stated that the World Health Organization provides a level of 40 decibels but that is not a level of recommendation on what the nighttime levels should be but rather a recommendation that below 40 decibels there is not a health affect for sound. Somewhere between 85 and 40 is the area that would be reviewed by health professionals. The EPA provides the level at about 55 decibels balanced for day and night which is recommended for an ambient level. Mr. Sheddell stated that looking at his chart the ambient is already well below 55 and the sound from the turbine is 42 and are well below the EPA's recommendation for an ambient level and are meeting the criteria for the 10 decibel both at the residences and property line. Mr. Sheddell stated that they are basing their analysis on the quietest ambient and the vendors recommended sound power levels working with that turbine and producing for the Board the most

conservative potential affect at the residents which is below the 10 decibel criteria. Mr. Sheddell stated that this is provided for them by working with Atlantic Design Engineers, the engineers for the project. Wind turbines of current design do not produce infra sound. Because of the level of concern it is typical for turbines, particularly ones that are under public scrutiny like in Falmouth, to have infrasound analysis done for those turbines and it has been determined that they do not produce infra sound. Ms. Peterson asked why then was this sound bothering people and how does Mr. Sheddell determine that that sound is not driving someone insane. Mr. Sheddell stated that he does not make that determination and that he has a meter that operates with the amplitude of individual sounds and can evaluate that compared to the backdrop. Mr. Sheddell stated that typically if it's less than 3 decibels most people don't hear it. That doesn't mean that someone doesn't hear it though and that someone that hears it may be troubled by it. Being really aggravated by anything has a variety of human physiological challenges. Mr. Sheddell stated that when you are angry you have high blood pressure, clenching of teeth and trouble sleeping and there is a fine distinction between what is a regulatory balanced view of application of the criteria and what is troublesome to a few people. Mr. Sheddell stated that the sound is heard and most people are not troubled by it and in fact on Cape Cod it is difficult to make the argument that this sound character is fundamentally dangerous to the human body. The most valuable properties all around Cape Cod are within 1000 ft of the ocean which is a sound that is extremely similar to the rhythmic motion of the turbine. Mr. Sheddell stated that he is not saying that is attractive to everyone but is suggesting that it is not fundamentally troublesome to hear sound of that character. Mr. Sheddell stated that he studied outside the fence of Falmouth 1 because of its troubled history. Ms. Peterson asked where Falmouth 1 was located. Mr. Ingersoll stated that Falmouth 1 is closest to the dog pound and Falmouth 2 is North of Falmouth 1, closer to Bourne. Mr. Sheddell stated with wind turbines at 1500 ft, which is what they are proposing, the sound levels are low, in the 45 decibel range, and the closest residences will hear the rhythmic blade passage of that sound and that is an amplitude modulation. Mr. Sheddell stated that amplitude modulation that is expressed as a concern in most literature is a very rare affect. An audience member expressed concern that Mr. Sheddell mentioned that there was no infra sound on the modern day turbines but stated that there is infra sound on the ones in Falmouth and just did a sound study on the web turbine there which showed 6 decibels of infra sound. Mr. Sheddell stated that if he stated there was no infra sound that was a mistake because everything has infrasound but his suggestion is that the low frequency sound from wind turbines tends to be at a level that is near or below ambient therefore there isn't a intrusion of intra sound that comes from typical wind turbines and as the curve indicated it's below the typical ambient. Mr. Sheddell stated that Falmouth produces low level infrasound and low levels are not health issues and are in fact approved for treatment. Mr. Barlow asked what Mr. Sheddell meant by treatment. Mr. Sheddell stated that Dr. McCunney sites an FDA review treatment for some kind of an ailment with low levels of infra sound for the purpose of helping people move toward an area of health. Mr. Barlow stated that he only asks

because it sort of admits that it exists and if they use it for treatment then it must exist. Diane Tillotson, an attorney, stated that she has been in practice for over 30 years and focuses on land use and environmental permitting and litigation. She has worked on cases involving sound and health effects dealing with quarries and the aggregate industry and is familiar with the sound standards. Ms. Tillotson stated she has been working with this project team for about a year and this is a very complex topic with a mountain of material and it is a very difficult process that everyone is going through trying to sift through everything that has been presented. Ms. Tillotson stated that the task is to work together to achieve a regulatory balance that allows a project such as the New Generation Wind Project to move ahead because it will produce green renewable energy through wind harvesting with no adverse material affects to the environment and at the same time protect legitimate interest of members of the public. Ms. Tillotson stated that whether it's the Cape Cod Commission or a local BOH the task is to really be able to approach the material presented with discernment so that they can figure out what reports are based on science and fact and what are based on legitimate fears. Ms. Tillotson stated that she believes it may not be accurate to say that wind turbines can never be associated with health risks but it is also inaccurate that there is overwhelming scientific evidence that wind turbines cause adverse health affects. All the slides and materials presented tonight from New Generation Wind are also in a binder that is available at the Board of Health Office at Bourne Town Hall. Ms. Tillotson stated that when the Board reviews the modest number of accidents and people that are annoyed with respect to turbines how does that compare with accidents and incidents with other energy producing industries such as coal mining, natural gas exploration and production, and oil drilling. Ms. Tillotson stated that the risks associated with turbine production and maintenance is small and the demand for energy is going up and she believes we need clean and reliable renewable sources of energy. Ms. Tillotson stated that the BOH is primarily concerned with health impact and issues associated with wind turbines relate to noise, flicker, visual impact, property values, turbine fires and ice throw. Ms. Tillotson stated that even though fire and ice throw are public safety issues, the statistical incidents are very small and the advances in the technology of producing turbines has increased significantly. Shadow flicker may be annoying on a limited basis some of the time the effects of that very slowly moving turbine is isolated and limited and easily resolvable. Ms. Tillotson stated that the World Health Organization has suggested that the regulatory framework be flexible enough to incorporate new data as it comes in. The Bourne bylaw which has a complaint based mechanism anticipates that there will be instances when a turbine is not in compliance with that 10 decibel increase over ambient level. Ms. Tillotson stated that the Nordex technology permits the monitoring of that sound and the reduction or cessation of a turbine during those periods and there is a full description of the Nordex engineering in the materials provided. The MA and Bourne standards for noise are relative standards. There are some suggestions that there be an absolute standard for noise so nothing would be produced over 45-55 decibels. Ms. Peterson stated that the Board is well aware of a nuisance factor as they have had with the landfill and odors and knows that people don't always call

to complain. Ms. Peterson stated that becoming a nuisance knowing you will become a nuisance concerns her. Ms. Tillotson stated that they do not anticipate they will be a nuisance as their measurements to date suggest that they will be fully in compliance 100% of the time but recognize that those are projections and are not always accurate. Ms. Tillotson stated that she believes there is an additional need for developing additional information and they would not be opposed to providing regular information to the Board so they would be self monitoring whether there was a complaint or not. Mr. Barlow stated that the Board recognizes that shadow flicker is a nuisance and also recognizes that New Generation is working to address these issues and are trying to locate the turbines where they are not going to be a nuisance to people and he is sure they will work on this as they go forward. Ms. Tillotson stated that Dr. McCunney was not able to be at the meeting but his presentation is also in the material handed to the Board and she will be happy to forward any questions to him. Dr. McCunney was on a panel of seven international experts that produce a report called *Wind Turbine Sound and Health Affects*. It is a 2009 report and was commissioned by the American Wind Energy Assoc. and Canadian Wind Energy Assoc. The proponents of wind projects have been criticized for using that report on a couple of different grounds. Ms. Tillotson stated that neither are justified criticisms. People have said the report is biased but Ms. Tillotson stated that the report is very readable. The introduction of the report states is that both Wind groups wanted to be proactive in measuring whether there were any adverse health affects sought private or government entities to do the study but could get no takers so the commissioned the study on their own and retained seven of the worlds leading experts in acoustics, medical and occupational therapy. They got them together and provided no input and no direction other than that they were to review the existing material that was out there. Ms. Tillotson stated that given the credentials which are listed on the report of the people on this panel it is foolhardy to suggest that those experts would jeopardize their professional integrities and reputation by producing something that was due to the mandate of the person who was financing the study. Ms. Peterson stated that that was hearings were about, to hear both sides and come up with something in the middle. There will always be someone with 12 letters after their name and on the other side you will also have someone with 12 letters after their name too. Ms. Tillotson agreed and stated that experts often differ in there opinions but you also have to look specifically as to what the expert was relying on. Ms. Tillotson stated that another criticism with the report was that it was not peer reviewed and they have, as a group, criticized some of the material of opponents of wind projects have put out saying that they are not peer reviewed. The study was never intended to be peer reviewed because it wasn't a scientific study of a cohort and didn't go out and take raw data, measure it, and report on it. Those are the instances where you really need to have a peer review panel looking to make sure your research methodologies were appropriate. Ms. Tillotson stated that the panel was charged with reviewing all the peer review material that was out there through Nov 2009 which is the date that they concluded their research and to report on those findings. They looked at all the European studies that were done, all the Peterson studies, and the studies that

were done by various universities and concluded that there was no medical evidence that supported the notion that sound from wind turbines could have adverse health affects. Ms. Tillotson stated that they did report that there were a small percentage of people, somewhere between 3 and 5%, that were annoyed as a result of the turbines. Ms. Tillotson stated that New Generation appreciates the fact that if you are annoyed enough it could cause sleep deprivation and sleep deprivation will in turn frequently have other adverse medical conditions but there is no direct link between the wind turbine sound and adverse health affects. Ms. Tillotson stated that as the project proponents they appreciate that annoyance is not something that they are comfortable with having their neighbors live with and they are committed to not producing any adverse health affects but also making sure that people are not annoyed living in the vicinity of the turbines. Ms. Peterson stated that there is a difference between nuisance and annoyed. Ms. Tillotson stated that the DEP defines noise as a sound that is disturbing to people on a regular basis either preventing them the enjoyment and use of their homes or on an occupational basis and believes that that is also the definition of nuisance. It is something that is persistent and happens on a regular basis. According to the National Research Council sound pressure from a turbine is usually in the 50-60 decibel range at a distance of 40 meters. Ms. Tillotson stated that this is about the same level as a normal conversational speech. Sound pressure or sound levels from on shore wind projects are typically in the 35-45 decibel range which is consistent with the turbines in Falmouth and what they are projecting from the sound studies they have looked at in Bourne. Ms. Tillotson stated that their study showed projected wind turbine sounds of between 35 decibels and 51 decibels. Ambient sound measurements at the same location for the same wind speed ranged from a low of 37 decibels to a high of 49 decibels and in some instances the ambient sound measured was actually higher than the sound of the wind turbine. Ms. Tillotson stated that putting this in perspective with what the World Health Organization suggests as guidelines is between 30-35 decibels for continuous noise in a bedroom at night and 45 decibels for a single sound event. The guidelines from the WHO suggest that sound levels about one meter or 3ft. from the façade of living spaces should not exceed 45 decibels so that people may sleep with bedroom windows open. Ms. Tillotson stated that they are well within the regulatory range because they measured at the property line and not anywhere near the residences in question. In conclusion, the amount and complexity of the literature is staggering and because of the amount of the information available on the internet you have to be careful in terms of what you look at and what you review. Ms. Tillotson stated that Dr. Nissenbaum has been widely referred to by opponents of wind projects who has done a number of studies and his conclusions were rejected by a Canadian judge in a case where some opponents of the wind project were seeking to stop the construction based on anticipated nuisance. The judge looked at that study and found that Dr. Nissenbaum did not have the expertise, qualifications or objectivity to reach the conclusions that he reached. Ms. Tillotson stated that information is not knowledge and Bourne has adopted a clean energy policy that promotes clean renewable energy and to take all the information presented and really applies a discerning and analytical eye to it.

Jerry Ingersoll, New Generation Wind, stated that he wanted to be clear that energy conservation is the cheapest cleanest form of energy that anyone will ever see. Mr. Ingersoll stated that we are the worlds champion energy gluttons. 25% of the oil per year that the world produces is consumed in this country and we are headed for electrification and something has to be done about it. All turbines are not equal and increasing the size of turbines does not necessarily increase the noise. Most of the large scale turbines are quieter than their earlier smaller predecessors. Mr. Ingersoll stated that the Mass Maritime turbine rotates at about half the RPM of earlier turbines and is noisier than the turbines that New Wind is proposing. Mr. Ingersoll stated that fear, worry and uncertainty are well documented characteristic emotions experienced by many in the presence of development plans for a new development which can be a health influencing factor. Mr. Ingersoll stated that tonight they are engaging in an orderly discussion for the purpose of removing some or all of that uncertainty and demonstrating that there are many persons in MA and elsewhere who are living, working and playing comfortably with large turbines operating nearby. Mr. Ingersoll distributed pictures to the Board of operating turbines. Mr. Ingersoll stated that he asked the manager of Hull Power and Light to give him some brief information regarding any issues there. Mr. Ingersoll stated that his answer was that three to six months into operation people realized their fears were unfounded and in the last three years there has been one complaint from a man in a condo that got a shadow during the month of March and he has had no noise complaints. Mr. Ingersoll read what he had received from MMA saying that their turbine has been in operation since June 2006 generating over 4500 megawatts renewable energy. Predictions on the modeling were for 7.6 decibels sound level change over the ambient level reported at the nearest house which was 522 ft. away. The MA regulation allows a maximum of 10 decibel increase of the property boundary and is happy to report that they have received no complaints about noise or any other issues from their immediate neighbors or from the more than 1100 students living on campus. Mr. Ingersoll stated that on the MMR there are 66 air force dwellings within 1800 ft southeast of the turbine there and a total of 92 dwellings within 2500ft. and there have been no complaints of noise or vibration. Mr. Ingersoll stated that he was referred to Gary Gump, who was the energy committee chair in Portsmouth at the time the first notion of putting up the turbine was circulating. He organized a survey involving 500 people and stated that there were no formal objections by any group ever. The Portsmouth sustainable energy committee made extensive efforts to educate the town about the wind turbine and the committee appeared numerous times in front of Town Counsel to keep all parties apprised of activity along with other forums. It was overwhelmingly approved at a town wide voter referendum. In the first 3-6 months following the start of the turbine there were no formal complaints by any person or group received by Town Hall. One citizen complained that the blade shadow was more than he had expected. After a year of operation there have been no formal complaints. Mr. Ingersoll stated that he had a video interview of several abutters produced by another entity and is available if anyone wanted to see it. Diana Barth, Bourne Enterprise, stated that she has heard a lot about the turbines in Falmouth, particularly the one impacted by the residents

on Blacksmith Shop Rd, and wanted to know what distinguished the turbines New Generation is planning from the troubled turbines in Falmouth. Mr. Ingersoll stated that what distinguishes it chiefly is that they have built in technology by computer according to ambient conditions and works also with the shadow flicker. The shadow flicker is the easiest problem to solve because you can predict when exactly the shadows will fall. Mr. Ingersoll stated that the Falmouth turbine situation is very similar to a miniature of Mars Hill where there is a noise source in the air and a small hollow in the Blacksmith Rd area which has very low ambient and that is probably where most of the problem is coming from. Mr. Shedell stated that the trouble with Falmouth is because it was proposed by the town they bypassed much of the process that the Town of Bourne is now going through where everyone is participating in the review and modeling. All the technical analysis was not done up front and it was installed before much participation was given to the community. After it was installed there were some repairs made to it but basically the analysis indicates it is and was in compliance with the DEP noise standards but the analysis that they have outlined and have volumes of documentation on wasn't done in Falmouth until after the turbine was cranking. Barry Funfar, Falmouth, asked if the computer will shut off the turbine if there is shadow flicker. Mr. Ingersoll stated that it is capable of shutting it off if it is determined by the resident and the operators that it is necessary. In many cases the only thing the shadow flicker analysis program knows is the topography and elevation but knows nothing about trees and there are a many trees that can stop a shadow flicker if they are near your house. Mr. Funfar asked if it could be programmed to shut down if there were no trees. Mr. Ingersoll stated that yes; it could and also knows when the sun is shining and when the day would not cast any shadows. Mr. Ingersoll stated that it is a very good technology and is working very effectively. A resident at 57 Mirasol Drive stated that he will be affected by the turbines which will be within 1200 ft of his home and that Dr. McCunney's study was on sound and not low frequency vibrations attributed to vibroacoustic disease which is associated to wind turbines that are near your home. Jim Porter, Citizens for Responsible Wind Energy, stated that they are a group of local Bourne residents that have been the sleeping giant that this project has awoken and wouldn't say that several hundred people in the group are based on fear but rather concern and understanding of actualities that this project would bring to the community. Mr. Porter stated that there is no green in the project for Bourne and is this something that we can invite into our community with the potential for all these adverse health affects amongst other issues. Mr. Porter passed material to the Board Members on behalf of their group with 10 items that can be reviewed at their leisure. These items include Evaluation of Noise Data from Winds 1 turbine, Expert acoustical Engineering critic of New Generation Wind, a presentation that was submitted to the Cape Cod Commission, Public Health Impacts of Wind Turbines as prepared by the Minnesota Dept of Health, Wind Energy Industry Acknowledgement of adverse health affects, Analysis of the American Canadian Wind Energy Assoc., Wind Turbine Sound and Health effects, Summary and rebuttal of Dr. McCunney's testimony on behalf of Green Mountain Power Corp by Dr. Nina Pierpont, Wind Turbine Syndrome and the Brain by Dr. Nina

Pierpont, Noise Complaints Draw Opposition to Wind Farms, Infra Sound; Your Ears Hear it But They Don't Tell Your Brain, which was a presentation by Mr. Alex Soule, Washington University School of Medicine, Siting of Wind Turbines with Respect to Noise Emissions and their Health and Welfare affects on Humans in Bourne MA and lastly an 11x17 diagram showing the number of homes that are within 1 ½ kilometers (4921 ft) of the proposed wind farm. Mr. Porter stated that his group is probably more for wind power for green energy but not industrial wind turbines next to residents and the Town Bylaw that was approved and they have taken issue with as not a complete document but can certainly be improved wanted to point out that in the very beginning of that bylaw under purpose it states *The purpose of this section is to provide for the development and use of wind power as an alternative energy source benefiting both the economy and the environment while protecting public health, safety and welfare preserving environmental, historic and scenic resources, controlling noise levels and preventing electromagnetic interference.* Mr. Porter stated that if you look through the entire document and there is not one section that protects anything to do with public health, there is noise and the other criteria listed, but nothing about public health. Mr. Porter stated that he would like to applaud the Board of Health for undertaking this. Mr. Carl Phillips, an epidemiologist, has spent most of his career as a professor of public health. He has been working on issues associated with wind turbines and health affects on local residents for most of the last year and has reviewed the literature and given testimony. He is also participating in ongoing research including Dr. Nissenbaum. Dr. Phillips stated epidemiology is the only science that studies real health effects in people. Dr. Phillips stated that there is overwhelming evidence residents living nearby industrial wind turbines suffer serious health problems. There are an enormous number of reports living from people living near turbines and what is critical about these there are a dramatic consistency to them across locations and the disorders that are reported are mostly sleep disorders but also difficulty concentrating while awake and other stress mediated disorders. Also mood disorders such as anger and depression as well as balance and dizziness problems, migraines and other physiological affects. Dr. Phillips stated that this can be devastating and severe enough to make someone's life miserable and actually force them to abandon their house. There is also concern about blood pressure and Dr. Phillips believes this may be stress related because it is a constant stress and the psychological affects can be quite severe. Dr. Phillips stated that they have observed hundreds or possibly thousands of individuals having this affects to a great enough extent that they wanted to write them down and publish them to the world and what reason would they have for sending that information out if it were not true. Dr. Phillips stated the adverse event reports have been referred to already but some are not out yet but he has an opportunity to look at them and they suggest numbers higher than the 4-5% and none below 5%. That means that 3 people out of a room of 60 exposed would have substantial health effects and no one would allow that for a pharmaceutical that was being poured into the water and everyone had to take it whether it was hurting them or not. Dr. Phillips stated that population studies, because they are lacking, create a huge difficulty for those who are trying to prevent these

problems from occurring. Typically, studies are required of an industry by government and regulators before a lot of people are exposed to something. Dr. Phillips stated that this has not been done in this case leaving those who are trying to recommend best solutions from the public health perspective, lacking the data that they need, all they can say is that there is a problem and they really don't know enough about it to make it go away. Dr. Phillips stated that people should think of something that is really bothersome to them and then imagine that happening most days all night long. It might not bother 95% of other people but that is the type of thing that can turn an experience that is annoying into a serious health problem because of the constant stress reaction in your body creating all manner of psychological and physiological damage. Dr. Phillips stated that in terms of the question is there a serious health risk from this exposure he really doesn't think there is any doubt about it. There is epidemiological evidence, the outcomes are often quite severe and they are not rare. They are trying to collect more information and ask the question how can they do this better. Dr. Phillips stated that how could it make sense from a public health perspective to go forward until more of those questions are answered. Dr. Phillips stated that they know noise from a turbine reaches peoples bodies and at that point noise can have very complicated affects on people's minds and bodies and can cause severe distress. Ms. Peterson called for a five minute recess. Mr. Kurt Tramposch is an environmental planner whose background is in community environmental health. Mr. Tramposch is going to give a presentation on work that he has done over the last three years in trying to understand community aspects of wind especially health and safety concerns of wind turbine siting. Mr. Tramposch stated that local review of wind siting has been one of the most complex and challenging things he has ever run into in his career in local environmental health. He was a co-founder of MA Assoc. of Health Boards in the early 80's because he wanted to find ways that local Boards of Health could get a sense of their range of powers and how to apply them to environmental health issues. Wind siting can be a very complex project. Mr. Tramposch stated that in talking to the person in charge of overseeing Hull 2 when Hull 2 went in they had had experience with Hull 1 and there is a closeness of the turbine to the school and to the neighborhood and even the operators of the turbine admit that Hull is an extremely noisy community. It is under one of the busiest runways at Logan airport and had more noise complaints than any other town in the Boston basin. After years of running Hull 1 when it came to siting Hull 2 the Municipal Light dept in Hull went through the site selection process and came up with the site that they deemed the best which was next to Hull 1 and went out for an RFP to build that turbine. Mr. Tramposch stated that at the last minute neighbors met with the light board and convinced them that they did not want to put a second turbine in the neighborhood. This is part of a report that was done by a professor at UMass Amherst who said that they had to go back to look for another site because of issues those neighbors had about putting a much larger second turbine next to Hull 1. Hull 1 was said to be a toy next to Hull 2. Mr. Tramposch stated that Hull 2 is a toy compared to what they are talking about in Bourne for this project and the scale for the project here for wind turbines is among the largest in the Northeast. There may be a 3

megawatt that is a little larger in Maine. Wind turbines have a lot of working parts and are extraordinarily heavy and complex. The wind turbine company in Portsmouth, RI went bankrupt because of the frequent breakdowns of the turbines. They lost their warranty on the turbine and their yearly maintenance agreement after 18 months of operating that turbine. Mr. Tramposch stated that two large turbines have just been assembled in Gardner and are about to go on line which will be interesting to see when they are 600ft from the courthouse and 1200ft from the community college and 1500ft from a major hospital what the impacts will be. Mr. Tramposch stated that it has opened many eyes in Falmouth and there are many Falmouth residents here at the meeting tonight to reach out to other communities to give their experiences which is an incredible education for all of us to see how this is working but unfortunately in Falmouth instead of having one or two turbines at the wastewater facility it is now technically a wind farm. Mr. Tramposch stated that many communities are trying to change the bylaws because of the problems they are having with the wind turbines and that shutting down a turbine for non compliance can take up to 6-8 months. Most of the best research seems to have been done in the last year after the expert panel and the findings basically say that it is not necessary to hear infrasound to be exposed to it in an adverse way. Mr. Tramposch stated that wind turbine noise being as loud as your refrigerator is laughable; if that were the case no one would have a refrigerator. The sleep disturbance issue is part of the WHO message but is much bigger than sleep disturbance in that it leads to real extended serious health problems as many of the neighbors from Falmouth can tell them. Mr. Tramposch stated that they know from research that wind turbines cause problems for people at a much lower sound exposure. Dr. Nissanbaum has done great work in looking at a community such as Mars Hill that has an extensive problem with noise. The Board of Health, Board of Selectmen and other town leaders of Brimfield where 11 turbines were proposed visited Mars Hill to speak with residents and came to the conclusion that it was noisy with more problems than they could have imagined and that they did not think it was suitable for their town and for the noise levels they will have in that residential community. Mr. Tramposch stated that the hearings in Wareham that are under way right now that an increase in noise in the community leads to levels of complaint which become more serious as the noise is increased. Mr. Tramposch stated that he would like to see the Board of Health participate in asking for an acoustic analysis which incorporates low frequency sound. The DEP standards are from 1972 and are suggestive and outmoded for this kind of noise complexity. Mr. Tramposch stated that a school 1100 ft from one of the turbines is totally unacceptable and one of the reasons why is the work that Dr. Eileen Brunseck did showing that noise in the community can have physiological and learning problems for students. The shadow flicker strobe effects are totally misclassified as annoyance and nuisance. There is no predicting what will happen with flicker and the flicker standard for 30 hours per year is not a standard but a suggestive guideline that came out of Germany that the industry picked up on as something that the people are willing to accept at the outside limit. The Cape Cod Commission is now suggesting that any flicker over 10 hours per year be mitigated but Mr. Tramposch feels that five

hours is too much based on what he has seen from different communities that have experienced this. Mr. Tramosch stated that accidents with wind turbines do not have to be reported. They also attract lightening which can cause fires. Falling parts can also be dangerous. There is also concern for the water supply in Bourne. One audience member wanted to know why it was acceptable for any percentage of the residents to be annoyed and is the Board willing to aggravate 3-5% of the people in Bourne. Mr. Tramosch stated that the Board should also consider susceptible populations such as nursing homes, assisted living centers and people suffering an illness at home. Ms. Peterson asked Mr. Ingersoll if he had any rebuttal comments to make. Ms. Tillotson stated that due to the lateness of the hour they would let the public make their comments. Mr. Griffin (audience) stated that he had noticed that Mr. Ingersoll has already cleared some land for the wind turbines and asked what he would do with that land if the turbines were not constructed. Mr. Ingersoll stated that his family has been instrumental in conserving land in Bourne for the last 45 years and they have set aside several hundred acres and managed to get the town to buy another 99.5 a few years ago for open space and the land that has been cleared will ultimately reforest itself if the turbines are not approved. Mr. Ingersoll stated that they have a replanting plan for whatever happens with that site and are sincere about conservation and green energy and there would be \$200,000 a year for the Town for the life of the project and money for the residents living around them in close proximity. Sarah Cody (audience) stated that there are significant health consequences of not pursuing clean renewable energy. The report that Ms. Cody read from is attached. Ms. Cody stated that in New England we import over 90% of our electricity from other nations and other regions of the U.S and urges the Board to look at the science and benefits of utilizing a clean local resource. Greg O'Brien stated that he was here on behalf of Liz Argo of the Cape & Island Wind Information Network who couldn't be here tonight. Mr. O'Brien stated that he would email Ms. Argo's presentation to the office. Mr. O'Brien stated that in Vinyl Haven there was a survey done in 2010. Of the 515 that responded 95% did not have a problem with the turbine. Mr. O'Brien stated that in the words of the justice in Canada, Dr. Nissenbaum, in a review of his affidavit, shows that he does not take an objective approach to the issues at hand siting leaps and logic and goes on to say that he has obtained a great deal of information on the subject but information is not knowledge and Dr. Nissenbaum does not have the type of knowledge referred to the court that makes him an expert in any of this area. An audience member asked for a copy of the report from Mr. O'Brien. Ms. Tillotson stated that if he would contact her she would get him a copy. Shawn Brennon (audience) stated that he is a taxpayer and a registered voter in the town of Bourne and lives on Chamber Rock Rd. which is located within 2000 ft. of the nearest proposed wind turbine. Mr. Brennon stated that he appreciates the Board taking the time to review the project. Mr. Brennon stated that he is concerned about shadow flicker that is going to be caused by these proposed 500ft industrial wind turbines and is providing the Board with a study that shows that the distance from turbines is not a factor in diminishing the affects of shadow flicker. The area of concern is wherever the turbines may cast a shadow. Mr. Brennon stated that means the area

of concern are the hundreds of homes and businesses in Bourne, major roadways that travel through Bourne, and Bournedale Elementary School, which are all located within one mile of the proposed wind farm. The developers of this industrial wind farm have stated publicly that the only ill effect from industrial wind turbines sited near residences is annoyance and that they have researched medical journals the world over and could not find any evidence that annoyance is a disease. Mr. Brennon stated that he would like to bring problems with concentration and learning to the Board's attention because of Bournedale Elementary School and don't our children deserve a safe and comfortable environment with which to learn and isn't that the very reason the Hoxie School was closed. Mr. Brennon sited another study that he will leave with the Board which shows there is a highly documented health condition that is triggered by shadow flicker. Professor Graham Harding is a pioneer in the research of the affects of light on photo sensitive humans. It was the Dr's research and findings that caused the television and video game industry to change their flick rates to prevent epileptic seizures. Photo sensitive epilepsy, a condition that 1 in every 4,000 people has, can be triggered by shadow flicker. Mr. Brennon stated that he would like to ask the proponents with Dr. Graham's findings along with the millions of pages of individual testimonies and doctor's findings from all the world over stating the ill effects of siting industrial wind turbines in residential neighborhoods why haven't the wind developers and turbine manufacturers acted to mitigate or eliminate the cause of these problems and in his opinion the only conclusion is that it is all about money and not about people. Mr. Brennon stated that a comprehensive study done in Bethany, NY concludes that the most effective way to reduce flicker affects is to zone them away from residences, schools, churches, libraries and places of business prior to construction. Mr. Brennon stated that he has a copy of the study for the Board. Ms. Peterson stated that in the future she would like all materials submitted to the Board of Health office with five copies for the Board members. Mr. Funfar stated that he lives near the wind turbine in Falmouth and people there are adversely affected from a one mile distance to 1320 ft. Ms. Peterson stated that Mr. Funfar has already made this presentation at a previous meeting. Mr. Andrews agreed that they have already heard this presentation. Mr. Barlow stated that this is not about one group against another and the Board is looking at this as if wind turbines are going to go anywhere in town and the Board does not have to keep hearing about what different judge's opinions are about what a scientist may have said. Ms. Peterson stated that they are not minimizing what they are going through but the Board does not want to hear repeat information so everyone gets a chance to speak. Keith Mann, (audience) who lives on Head of the Bay Rd. stated that there are 160 megawatts worth of wind power in the US and Europe producing right now, which is about 100,000 turbines. People are living with these turbines in their communities. Most power sources have some adverse health affects. Mr. Mann believes that wind turbines have the lowest risk. He is a proponent for wind projects and has a permit for three wind turbines on his farm. Mr. Mann stated that he is concerned about safety as well and has contacted the manufacturer of Nordix and asked for their safety records for the turbines and was told that they

have been producing these turbines for 10 years and have 1,000 in production right now of this particular model and as of six months ago there have not been any catastrophic problems with any of the turbines. Mr. Mann stated that Portsmouth, Hull and MMA all have turbines within 500-800 ft within schools and there have not been any complaints of lack of concentration. Mr. Mann stated that he did not hear Dr. Phillips say in his analysis any reference to any epidemiological study that had been done only that he felt they should be done. Dr. Phillips stated that every one of the adverse event reports that consist of someone doing a case crossover study on themselves is a useful epidemiological study and there are hundreds of those. Mr. Mann stated that there had never been a report generated from those. Dr. Phillips stated he understands there is a mythology about peer reviews about all the studies don't necessarily end up in a journal. Ms. Tillotson stated that there has been a lot of information brought up tonight and would like the opportunity to answer some of the questions that they didn't have the answers to tonight. Mr. Andrews stated that modeling software is retested against real world situations to fine tune some of the assumptions that are made as they are doing that and on these two programs has the model been tested against similar turbines, the exact same model and height, and difference in terrain to confirm that the assumptions in the model as tuned as close as possible. Mr. Andrews asked if they knew how much work had been done on the tuning and the software. Mr. Shedell stated that both packages he had referred to; Windpro and Cadna are the pieces of software that people use for major sources in Europe and more recently in the US. Mr. Andrews stated that if someone is going to use that information to hang their hat on and the proponents want to make sure that this software is as accurate as possible. Mr. Shedell stated that this is why they use the two premium pieces of software to back up each other because they have strengths and limitations. Mr. Shedell stated that he is certain, because these turbines did not exist then, they were not analyzed. Ms. Tillotson stated that despite the fact that the software wasn't designed to anticipate these particular turbines experimental noise measurements from existing turbines that are consistent with this turbine essentially prove the projection of the software. Mr. Ingersoll stated that in order to get financing for a private turbine project they must emulate three years of wind data. Mr. Ingersoll stated that they will continue to monitor the Glacier Way area which is potentially like the Falmouth situation and is in the wind shadow of the hilltop on which their cell tower sits so they will monitor the actual wind ambient in comparison to the actual met tower velocity so they can predict the real accuracy of what conditions will be with turbine #3. Mr. Barlow suggested this be continued on another night due to the late hour. Mr. Andrews stated that they have already heard so much information and they could continue this on forever and believes it is time for the Board to sit down and go through the regs that they have for the town and develop a set by the Board of Health that is specifically for the health so that they have guidelines and the proponent knows what he has to maintain and be within and enforcement work within those guidelines. Ms. Peterson asked if what Mr. Andrews is saying is that he finds sufficient evidence to determine that there is a potential for health affects. Mr. Andrews agreed. Ms. Peterson stated that wind turbines can have impacts

upon public health and that the Board of Health should consider formulating and adopting regulations to protect public health from such impacts. Mr. Andrews stated that they should be reasonable regulations. Mr. Barlow stated that they could probably take half the information they have received and set it aside because it doesn't pertain to public health. Mr. Andrews stated that they have been receiving many emails and have information overload and have had a lot of duplicate information. Mr. Andrews stated that he believes they have seen enough information and has heard from the proponent that shadow flicker can be an issue and it has to be limited and they have talked about the software and the proponents could actually help the Board with the regulations by saying they have certain software that can do certain things which could be implemented into the regulations. Suzanne Hebb asked if the Board would also be looking at the protocol for if the neighbors have a problem. Mr. Andrews stated that that would also be a part of the regulations. Mr. Barlow stated that they develop regulations and then there is a public hearing on it so the public can make comments. Mrs. Hebb stated that she didn't want it to become a Falmouth situation where the people were not listened to and if she is the only one that has a problem with the turbines she wants to be listened to. Mr. Barlow stated that most of them had gone to Blacksmith Shop Rd. and listened and rode around. **Mr. Andrews made a motion that the Board of Health make a finding that there is sufficient evidence to determine that wind turbines can have deleterious impacts upon public health and that the Board of Health should consider formulating and adopting regs to protect public health from such impacts.** Ms. Peterson stated that this means that they have determined that there may be detrimental health aspects that would cause adverse health impacts. With this motion they can move forward and take evidence to make rational connections with the evidence. **Ms. Peterson seconded the motion. All in favor and the motion PASSES.** Ms. Peterson stated that things will not be much different and they will make a date for the next time together. Mr. Andrews stated that there have been many topics brought up and each meeting should be topic related. Mr. Barlow stated that in all fairness to everyone setbacks should be looked at first because that is the crux of the issue because setbacks affect everything, shadow flicker and noise. Mr. Barlow stated that they have seen in previous projects that setbacks seem to alleviate some of the problems. Mr. Barlow stated that he cannot say what setback would sit with most of the Board of Health. Mr. Andrews stated that he did not believe they were at that point yet and the concern seems to be sound noise, flicker, fire and ice throw. Ms. Peterson stated that the first meeting will be about sound and noise which will be held on February 23, 2011. The acoustical expert for the proponents could not be at the meeting on February 23, 2011 so Ms. Peterson stated that would change the meeting date to March 9, 2011. Mr. Andrews asked that the proponent send in a formal request for that change.

5. **Update on Working Group-Stanley Andrews-ISWM Business Model Working Group and Sewer Wastewater Committee Advisory Board-**Mr. Andrews stated that the Sewer and Wastewater advisory committee has met once and has had several cancelled meetings since and the next meeting is proposed for

next week. They will start with organization of the Board and then start working through the mandate and the suggestions of the Selectmen and the statements on scope of work and start having regular meetings. The ISWM business model working group is proposing on Feb 15, 2011 for a joint meeting of the four Boards and at that meeting, George Aronson, consultant for ISWM, is going to be coming in and going through everything that is being worked on and looked at. In the packets is a legal request form that ISWM put out to Town Counsel. Town Counsel reported back what his findings were. Mr. Andrews stated that there is also a chart prepared by the ISWM group as well as George Aronson and what they propose for a working schedule coming through. Reading the memo from Town Counsel it is anticipated that there is potentially going to be a request of ISWM to come back to the Board of Health to ask to do some of the other functions that they are looking to do such as use properties on the facility as part of their RFP. Mr. Andrews stated that the RFP should be, as far as the timeline goes through, where they will be for looking at different technologies to put in proposals to the working group. They will have a group towards the end of it that does a review of those proposals. Mr. Andrews stated that he and the chairman have both signified to the group that neither one of them would be able to sit on that process because they would be voting on those after the facts. Mr. Barlow asked if the ISWM committee think it's an adversarial position that they would try and take the site assignment of the landfill away from the Board of Health. Mr. Andrews stated absolutely not and has not heard anything about that. Mr. Barlow stated that it was announced at the Finance Committee meeting the other night. Mr. Andrews stated that he will ask for a clarification on that.

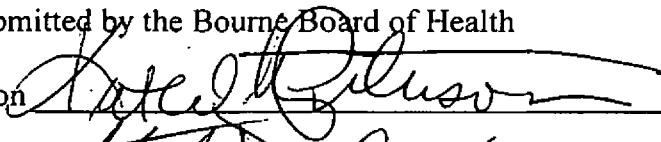
6. **New Business**-No new business reported

Mr. Barlow made a motion to adjourn. Mr. Andrews seconded the motion. All in favor and the motion PASSES. The meeting adjourned at 11:10 P.M.

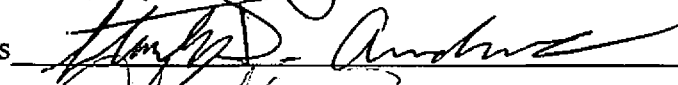
Taped and typed by Kathy M. Burgess for the Bourne Board of Health

Respectfully submitted by the Bourne Board of Health

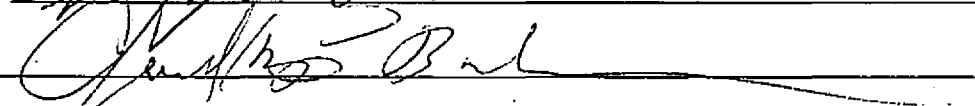
Kathleen Peterson



Stanley Andrews



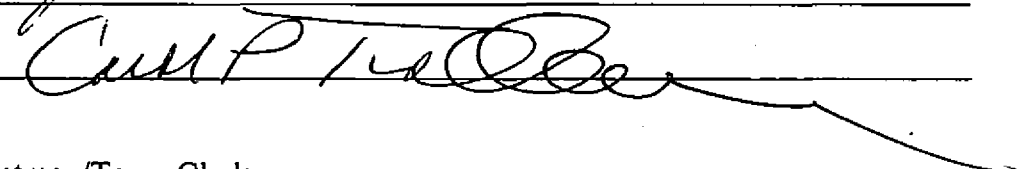
Galon Barlow



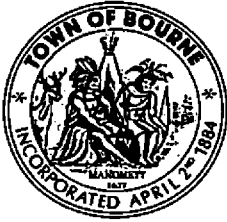
Donald Uitti



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:

February 15, 2011

Time:

7:00 P.M.

Place:

Bourne Middle School
Library Media Center
77 Waterhouse Rd.
Bourne, MA 02532

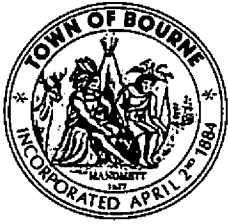
AGENDA ITEMS:

1. **Joint Meeting with the Board of Selectmen, Board of Health, Finance Committee and Energy Advisory Committee**
2. **Presentation by George Aronson, Commonwealth Resource Management Corp. and ISWM staff regarding:**
 - **Update and discussion on the process of waste acquisition for the landfill**
 - **Update and discussion of an RFP for leasing land at the ISWM facility**
 - **Update and discussion of an RFP for landfill gas utilization at ISWM**
 - **Proposed timeline and resources for both RFP's**
 - **Update and discussion regarding recent legal opinion from Town Counsel Bob Troy and proposed actions relative to the Town Charter and site assignment**
 - **General discussion, questions and answers**

TOWN CLERK'S OFFICE

2011 FEB 11 PM 2 39

Signed: *Kathy M. Burgess*
Title: Secretary
Date: February 11, 2011



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:

February 23, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

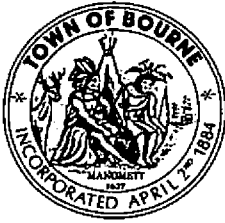
1. ISWM-

- a. Landfill Updates
- b. Future Projects- Discuss and possible vote
 - i. Considered Technologies
 - ii. Site Assignment Changes
 - iii. Interpretation of Combustion/ Gasification
- c. Tonnage Overage
- d. Odor Issues
- e. Water Runoff

2. Pocasset Mobile Home Park-Update on Attorney General's Receivership Motion

TOWN CLERK'S OFFICE
2011 FEB 17 PM 12 01

Signed:
Title: Health Inspector
Date: February 17, 2011



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:

February 23, 2011

Time:

7:00 P.M.

Place:

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

AMENDED AGENDA ITEMS:

1. ISWM-

- a. Landfill Updates
- b. Future Projects- Discuss and possible vote
 - Considered Technologies
 - Site Assignment Changes
 - Interpretation of Combustion/ Gasification
- c. Tonnage Overage
- d. Odor Issues
- e. Water Runoff

2. Pocasset Mobile Home Park-Update on Attorney General's Receivership Motion and Discuss and and Possible Vote regarding non-compliance with license conditions

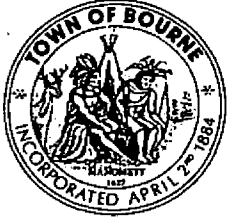
3. Approval of Minutes dated January 19, 2011

4. New Business

TOWN CLERK'S OFFICE

2011 FEB 18 AM 9 50

Signed: *Carrie Furl*
Title: Health Inspector
Date: February 17, 2011



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
February 23, 2011

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow and Don Uitti. Members Absent: Carol Tinkham

Support Staff: Cynthia Coffin, Health Agent, Carrie Furtek, Health Inspector and Kathy Burgess, Secretary

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

- 1. Pocasset Mobile Home Park-Update on Attorney General's Receivership Motion and Discuss and Possible Vote regarding non-compliance with license conditions.** Ms. Peterson informed the audience members, many of whom were residents of the Mobile Home Park, that the Superior Court had approved the Attorney General's Motion for Receivership and had appointed Attorney Charles Sabbatt as the receiver. Ms. Peterson stated that Atty. Sabbatt had a good reputation and from everything she had heard about him, she believed that he would do a good job for the Park Residents. One Park resident was concerned that the wording on the decision said 'temporary' but Ms. Peterson stated that all receiverships are temporary. She asked the Park residents to give Atty. Sabbatt some time to get acclimated and also told them that Attorney Sabbatt would be in contact with them to explain rent payment. Ms. Coffin told the residents that Tracy Triplett of the Attorney General's office asked her to tell them not to mail their rent checks to Donald May or Mr. Austin and that they would indeed now go to the receiver. Several of the residents thanked the Board for their efforts. Ms. Peterson said that the Board would wait to hear from Atty. Sabbatt before any action was taken on the temporary license, its conditions, and the fines already placed on Mr. Austin. No further action was taken.
- 2. Landfill updates-** Dan Barrett for ISWM made a presentation to the Board members. First item for discussion was an update on odors. ISWM has received

five odor complaints since the Board's last meeting on January 19, 2011. Most were from the Brookside area. In December and early January the landfill was still making adjustments to accommodate the addition of the new wells and the horizontal collector. In late January they noticed a reduction in the vacuum on the new horizontal collector and adjustments were made to rectify the situation. Last Thursday they excavated the water traps on the system and found that they were watered-in, thus sealing off the vacuum. ISWM installed a larger sump that can be pumped out with a vacuum truck to quickly remove the excess water in the area. The vacuum truck can now be used to get a vacuum on the horizontal collector. Mr. Barrett stated that the excess moisture is due to the above average precipitation this winter and this may continue to be a problem but will be managed accordingly. Mr. Barrett went on to say that the DPW and ISWM had problems with their phone lines since the middle of January. Verizon has been out to the site last week to make final repairs and service has been fine since. The problem with the phone lines may have caused some problems with the odor reporting hot line. Mr. Barrett then went on to discuss the North Slope capping project. The contractor, ET & L, has not been able to work due to the weather conditions since January 21, 2011. They did assist with the sump installation last week and hope to be back on site the first week of March or as soon as possible. Mr. Barrett stated that there are generally no odor issues associated with the North End of the landfill. They are starting to see gas production in this section, however. Mr. Barrett said ET & L has only been able to connect two of the nine vertical wells installed so they are anxious to get back to work. Mr. Barrett then discussed the Phase ID Reclamation Project which was started back on Feb. 7, 2011. SITEC is monitoring for odors and inspecting the excavated waste for unacceptable materials. SITEC has a full time Field Technician on site. There have been no reported odors from that project. Finally Mr. Barrett stated that construction of the main haul road from the east side of the landfill to the current working face along the east slope of Phase 1 ABC is complete. He anticipates the closing of the southern access road by the middle of next week. Mr. Barlow wanted to make sure that the integrity of the landfill cap would be maintained. Mr. Barrett put up a map of the landfill so that he could show the Board the areas he was speaking about. He showed all the areas being capped and the location of the nine vertical wells that were being installed. The horizontal collector is key since there are gas wells in the abutting areas. Closing of the southern access road will allow them to fill in the valley created by the road and runoff and will enhance drainage controls from the working face. Mr. Barlow stated that he was very concerned about the unlined retention ponds and how that might affect groundwater quality. He feels that it defeats the whole purpose of having a double composite liner landfill by having unlined leaching ponds on the site. Mr. Barrett stated that there are monitoring wells down gradient of the retention area and there are no indications of any contamination. He stated that 90% of the water that fills the pond is non-contact water. Mr. Barlow said that having the retention areas unlined was a problem. Mr. Barrett again said that the monitoring wells allow them to monitor the situation and that; again, most of the water is non-contact water. Mr. Barrett stated that even when leach ate contaminated the

drainage area last year, it was promptly pumped from the retention area and there were no detections in the monitoring wells. Mr. Andrews stated that once the road is closed off there should no longer be issues with run off from that area. Mr. Barrett stated that the ponds are not lined because they are recharge ponds and the water is designed to go thru them. He reiterated that the monitoring wells are in place to protect groundwater. It was mentioned that members of the Landfill Working Group were in the audience. Mr. Barrett then went on to speak about Future Projects. He showed the Board members on the photo map of the landfill site the areas within the 25 acre parcel that are being considered for leasing for alternative technologies. One is a large 6-7 acre section. Mr. Barrett stated that there is an existing section in the working landfill piece where photo-voltaic panels could be put into the cap, but this technology needs to be looked at a little more. Other technologies being discussed are anaerobic digestion and co-composting. Mr. Barrett stated that in 2004 a Landfill Working Group was created to discuss co-composting. In 2008 the same issues were raised and the Group once again was looking at technologies and future uses of the site assigned land. Now the Landfill Working Group is in its third iteration. The goal is to develop a workable RFP to lease areas of land on the 25-acre site assigned parcel. One important thing that has to happen before the RFP's can be issued is to consider changes to or seek clarification about the Town Charter and the site assignment of the 25-acre parcel. Questions have to be asked about tonnage allowed, necessary permits, space issues, traffic concerns and other requirements before any RFP's can be released. Mr. Barrett stated that Town Counsel was asked for his opinion on the existing site assignment and Charter language as it might relate to any requests for considered alternative technologies. Mr. Barrett has provided the Board members with a copy of that opinion. As a result of the opinion, the Selectmen are pursuing language changes for the Town Charter, which will be on the Town Meeting warrant. The new language will clarify that the Board of Selectmen will set policy decisions for the direction of ISWM that are consistent with the Board of Health Site Assignment. There still are questions of how the site assignment conditions would apply to various technologies and whether some technologies might be excluded based on the existing Site Assignment language. ISWM would like feedback from the BOH regarding allowable uses on the 25-acre parcel prior to the issuance of an RFP so that vendors will know whether to respond or not. He described other areas within the active landfill where some alternative technologies are being considered. There are two viable technologies that will most likely be considered. One is the anaerobic digestion of source separated food waste. The food waste breaks down and forms methane. The gas must then undergo combustion. The State Solid Waste Master Plan does not support burning or gasification of MSW but will support processes related to source-separated waste such as wood and food. Another technology is the gasification of biosolids. An upcoming problem for Cape Cod and other areas is what do to with waste from waste water treatment plants. The material that comes off the digesters, after it has been settled out and semi-dewatered, is hauled off the site and some of it gets land applied, some gets burned, and some gets landfilled. Mr. Barrett stated that there are several

questions that need to be answered by the Town before any RFP's can go out.

Question 1 is: 'Does the BOH site assignment on the 25-acre parcel allow for the acceptance and management of source separated organics, including composting and anaerobic digestion? Mr. Barrett stated that the Board members need to decide if this process falls under the definition of waste handling and waste processing. He went on to say that during the process methane and CO2 will be created. Accelerated composting would take place inside a building. One of the options would be to combust the resultant gases. Compost will also be an end result and 15% or less would go back into the landfill. Town Counsel, Bob Troy, has stated that combustion is not allowed on the 25-acre parcel, but Mr. Barrett said the gas could be piped to the other side of the landfill and burned in a power plant to generate electricity or could be sold to National Grid, who is looking to convert it to pipeline quality gas. Mr. Barlow asked if Mr. Barrett was talking about using it as a fuel to heat water to run a turbine or will internal combustion engines be used to generate electricity. Mr. Barrett stated that they would be looking at generating electricity from internal combustion engines. Mr. Barlow said that neither the Board nor the state has had any problems with internal combustion engines. Ms. Peterson stated that she wanted to keep the discussion on track. Mr. Andrews summarized by saying that Mr. Barrett was trying to find out if the Board felt that source separated organics are consistent with the general policy of handling waste on the site. Mr. Barrett replied yes. Mr. Barlow stated that he felt it was a site specific and project specific question. Mr. Andrews stated that we have to look at the process and that later on the Board would review any specific proposals. Ms. Peterson stated that she wants to see the RFP process move forward but wants the Board to reserve the right to issue a formal decision due to the newness of the technology. Mr. Barrett stated that after the RFP stage, when any vendor is selected, an engineering plan will be done and then that plan will be brought before the Board of Health to approve, disapprove, or modify. The Board members discussed this question and finally voted unanimously that the acceptance and management of source separated organics, including gasification and anaerobic digestion would be allowed under the present site assignment.

Question #2 - Does the BOH site assignment on the 25-acre parcel allow for the acceptance and management of biosolids, including the processes of gasification and anaerobic digestion? Mr. Barrett stated that the Board would have to consider biosolids as solid waste in order to be in line with the current site assignment. Mr. Barrett said that solid waste is defined in the solid waste regs but it is difficult for even DEP to set a definition. There are places in Massachusetts that call sewage sludge solid waste and actually dispose of it in landfills. Mr. Barrett is not suggesting that we landfill the material. Ms. Peterson reiterated the question and what was actually being asked of the Board. Ms. Peterson has a few questions. She spoke about Attorney Troy's decision regarding what is allowed under the current site assignment. She does not feel that handling biosolids comes under the present site assignment. She still wants to go forward but feels that the Board needs more information to help the Board understand the issue. She believes that the Board could modify the site assignment if this were necessary. Mr. Barlow stated that the Board looked at co-composting of biosolids before and

there never was any question. Mr. Barrett stated that this was true and that it was assumed that biosolids would be allowed. Mr. Barlow doesn't think that we should change our feeling on biosolids at this time. Ms. Peterson is still concerned because we have a decision from Town Counsel to the contrary. The Board members agreed that it was and that the present site assignment would allow for this type of process. The Board members voted favorable on Question #2. Mr. Barrett then proposed **Question #3** – Does the BOH site assignment on the 25-acre parcel allow for the gasification of materials (other than mixed MSW), including biosolids and wood? Ms. Coffin asked how question #3 was different from question #2. Mr. Barrett stated that it only introduced the idea of gasification of wood waste. The Board members decided that this type of process could also be allowed under the present site assignment and voted favorable on question #3. Mr. Barrett proceeded to **Question #4** – Does the BOH site assignment on the 25-acre parcel allow for the combustion of gases produced on the site by various technologies, or from gases piped to and/or stored on the parcel that are necessary for operation of allowable technologies, including biogas (CH₄ or methane), natural gas from a pipeline (CH₄), propane and syngas(CO and H)? Mr. Barlow stated that he would like to know what DEP considers combustion and asked Mr. Barrett to come back to the Board with more information on that. The Board members therefore voted 'no' on question #4. **Question #5**– Does the BOH site assignment on the 25-acre parcel allow for the conversion of gases, such as syngas (CO and H), into saleable products through chemical processes such as Fischer-Tropsch? Mr. Barrett stated that this process is considered wood gasification but there is no combustion. The syngas is converted to biofuels and waxes. Mr. Barlow made a motion of yes to #5 since the conversion is not combustion and the site assignment does not specifically exclude this type of process. Mr. Andrews seconded the motion. The vote was 4-1 to answer #5 favorably. Mr. Barrett addressed **Question #6** – Does the BOH site assignment on the 25-acre parcel allow the generation of electricity, and production of waxes, kerosene or other saleable products that may be produced by proposed technologies as part of their business model? Mr. Barrett stated that some proponents of these technologies want to be able to run generators using the gases created for their own internal use. The Board felt again that they would like to hear what DEP felt about this type of process and what DEP would consider combustion in this case. Mr. Barrett stated that he would get a decision from DEP and would come back to the Board. Mr. Andrews stated that the Board would probably consider modifying the present Site Assignment based on the information they received from DEP. The Board then voted to say no to question #6. Mr. Barrett stated that he would get to the Board with information from DEP but that the Board's positive votes on 1-3 and 5 would at least let them begin to get RFP's out on the various technologies. Mr. Barrett then moved on to issues that had been raised regarding possible violation on the landfill site. Mr. Barlow stated that he had reviewed the documentation submitted and found that, in general, except for when SEMASS had their boiler issue and the landfill found itself in the position of taking extra waste so it wouldn't be out on the streets, the landfill basically did not have exceedances of their tonnage, which was 825 tons

per day. Mr. Barlow made a motion to waive any fines or penalties for any tonnage overages since the landfill now has a good handle on the issue and is maintaining their tonnage limits. Mr. Andrews seconded that motion. It was unanimous. Mr. Barrett stated that he had already spoken about the odor issues relative to the issues with the gas collectors. The final issue was water runoff. Mr. Barrett said that with work on the new road that the problems should be eliminated.

3. **Approval of minutes dated January 19, 2011. Ms. Peterson made a motion to APPROVE the minutes. Mr. Andrews seconded the motion. It was unanimous to approve.**

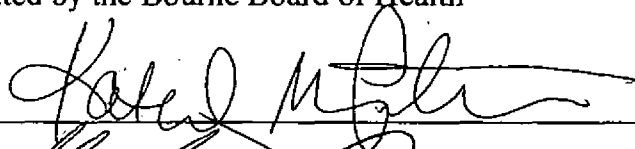
4. **Other business.** Ms. Peterson asked Ms. Burgess to relate the phone conversation she had had with Mr. Austin of the Pocasset Mobile Home Park. Ms. Burgess stated that Mr. Austin had questioned who had told Bill Gilpin to come to the Park to pump the leaching area and Ms. Burgess had stated that she believed it was the Attorney General's office. She asked Mr. Austin if he wanted Tracy Triplett's number but he responded with an expletive and seemed very agitated. Ms. Peterson then went on to say that for safety reasons she did not want either Ms. Coffin or Ms. Furtek out at the Park alone until Attorney Sabbatt was in charge and running things. There was discussion that the Site Assignment public hearing for Sagamore Truck and Rail would be held on March 2. Also comment on Wind Turbines would be taken at the Board of Health meeting on March 9th. Ms. Peterson asked Ms. Coffin to draft a letter to the applicant and others who might speak on the matter to state that there would be a time limit on any presentation. Ms. Peterson suggested ½ testimonies with 15 minutes for rebuttal but Mr. Andrews said that 3-5 minutes should be given to each person who wanted to speak but that only new information would be allowed. Ms. Peterson agreed. Mr. Andrews said that there would be no hearsay and that only documentation on noise and health effects from said notice would be admissible. The Board is only looking for true data to base the proposed regulations on. It was discussed that there would be a sign up sheet for those wishing to present any testimony. Ms. Peterson stated that 7-8 PM should be set aside for testimony and 8-8:30 PM for public comment. The Board reiterated that it would not be entertaining any redundant information as that was already a part of the record of past hearings. Flicker would be discussed at another separate meeting. Ms. Furtek informed the Board about the new requirement for food allergy training and labeling in restaurants. She told the Board that she had already inspected over half the restaurants and she has had very good rates of compliance although there are still a couple restaurants that she is working with. Ms. Coffin mentioned to the Board members that Town Administrator Guerino had asked her for a letter regarding the moratorium on NSTAR's spraying of herbicides and she sent a letter stating that she and the Board still had concerns about the health effects of the spraying and the potential effects on groundwater and that she supported a continued moratorium on the herbicide spraying.

**Mr. Andrews made a motion to adjourn. Mr. Barlow seconded the motion.
All in favor and the meeting ended at 9:00 P.M.**

Taped by Kathy M. Burgess and Typed by Cynthia Coffin for the Bourne Board
of Health.

Respectfully submitted by the Bourne Board of Health

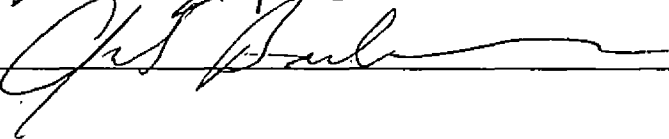
Kathleen Peterson



Stanley Andrews



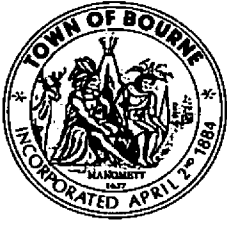
Galon Barlow



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:

March 2, 2011

Time:

6:30 P.M.

Place:

Jonathan Bourne Public Library
19 Sandwich Rd.
Bourne, MA 02532

PUBLIC HEARING:

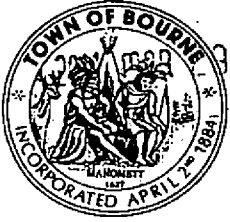
6:30 P.M. Meeting with Brian Wall, Town Counsel regarding site assignment public hearing

7:00 P.M. Public hearing regarding site assignment for Sagamore Truck & Rail

cc Board of Selectmen/Town Clerk

Signed: *Kathy M. Burgess*
Title: Secretary
Date: February 24, 2011

2011 FEB 24 AM 11 27



AM 11 33

MARK'S OFFICE

**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 2, 2011**

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow and Don Uitti. Members Absent: Carol Tinkham

Support Staff: Cynthia Coffin, Health Agent, Carrie Furtek, Health Inspector and Kathy Burgess, Secretary

Call to order: Special Meeting called to order at 6:30 P.M.

Meeting with Brian Wall, Town Counsel, regarding site assignment public hearing-
Mr. Barlow stated that they have had a lot of submissions of evidence already and asked if they had to ask questions regarding the material they are already aware of. Mr. Wall stated that you can do either or but doesn't think there is any need to rehash something just for purposes of the record. Mr. Hanscom stated that he can present again in paper form and will address any questions but it is all information that they have previously submitted. Mr. Wall stated that for purposes of clarity, for the record, they could incorporate by reference the fact that there have been prior submissions which could become part of the record. Ms. Peterson stated that in a previous site assignment they had to give the hearing officer the questions and he decided how he would take those questions. Attorney George Hardiman, hearing officer, stated that he believes the rules allow the hearing officer to conduct the hearing as informally as appropriate and the hearing officer can require that the questions go through him or through the chairperson. Mr. Hardiman stated that his thoughts were to see how the Board wanted to handle it and, being a small group, the questions being directly posed to the witness might be easier and help to move things along more quickly. Ms. Peterson stated that she would like to let Mr. Hanscom present fully and then let the Board ask any questions that they may have. Mr. Wall stated that he and Mr. Hardiman spoke briefly and feel that it would be appropriate to have the applicant present and then turn it over to the Board for any questions that are relevant to the proceeding and at that point it can be opened up to any public commentary. The regulations that are applicable to this do actually contemplate the ability to cross examine so it is possible that the Board can ask the witness directly any questions through proper channels. Mr. Wall stated that he is concerned about

keeping control of the hearing if the public comes out in a large number and asks questions through the chair. Mr. Hardiman stated that he believes the litigator cross examine, as stated in the rules, is limited to the Board and the applicant. Ms. Peterson asked what the rest of the process was after this evening. Mr. Wall stated that the hearing officer has to open the hearing. It is like having an evidentiary hearing inside of a public hearing. Mr. Wall stated that the Board will open the public hearing and then Mr. Hardiman will open tonight and at the conclusion of the proceeding he ends the process but has to make a determination as to how long the record remains open for the submission of written evidence afterward. At some point after that happens the hearing becomes closed. Mr. Wall stated that under the regulations as they now read, bearing in mind the statute has changed, they are dealing with regulations that are slightly out of sync with the statute but the regulations provide that the Board has to issue a written decision within 45 days of the initial hearing date. Ms. Peterson asked if the decision would be reviewed by Mr. Wall or Mr. Hardiman. Mr. Wall stated that Mr. Hardiman had to remain neutral and that Mr. Wall was there to aid and represent the Board. Mr. Wall stated that what he envisioned was a subsequent public meeting where the Board meets in accordance with the public meeting law in open but not in a hearing setting to deliberate comment on where they will go with it and how they will write this decision and he will be happy to help the Board with the drafting. Mr. Wall stated that he believes they will have to make factual findings on the criteria and then ultimately conclusions to grant or deny the permit. The site assignment and the statute and regulations do provide that you can condition the permit. Mr. Wall stated that it is almost like a permit decision you make on a Title 5 or a restaurant license and he is sure after the hearing the Board will have opinions. They have to comply with the open meeting law so they can't deliberate outside of an open session but are certainly free to think about it. Mr. Wall stated that they can have a public meeting in accordance with the open meeting law to have questions, answers, deliberations, comment and give some direction as to which way the Board is going because he does not want to be presumptuous about this. Mr. Wall stated that the most expedient way to do this would be to assign a particular member of the Board to take the lead on drafting a decision and Mr. Wall would work in concert with that person to write it and then the Board would have to approve the decision and vote on it. Mr. Andrews stated that they would open the hearing today and Mr. Hardiman would set forth a deadline for submittals to be put into the record and will tell the Board how long submittals can come through. The decision has to be made in 45 days which puts them to April 16th. In the meantime it sounds like there will be one meeting where they deliberate as a Board and then one member working with Mr. Wall to write the decision then one more meeting to vote on the decision to confirm it. Ms. Peterson stated that that would work because they have March 23 and April 13 to make the final vote. Mr. Wall stated that that would be his suggestion and if the calendar permits they should leave room for another meeting if necessary in case, after writing the draft, there are changes of heart or comments and it can't be voted on at that meeting they have to leave themselves room for one more meeting. Ms. Peterson stated that that gives them almost three weeks to draft the regulations and then on the 23rd they could be put forth as a discussion and possible vote. There was general discussion regarding the future meeting dates. Mr. Hanscom stated that there has already been a 21 day public comment period and neither he nor Ms. Coffin has received any comments. Mr. Hanscom stated that they

are also consulted on the conditions of approval that are issued by the Board of Health and interact directly with their technical consultant or the hearing officer. Mr. Barlow asked what a reasonable time frame was for waiting to start their decision. Mr. Hanscom stated that it is usually two weeks. Mr. Wall stated that he does not believe it is advisable for the Board to deliberate without all the evidence. Something could come in on the 16th and if they have already deliberated and don't take into account that piece of evidence it could be arbitrary or capricious. Mr. Wall stated that if the Board deliberates on March 23rd 2011 and chooses a decision officer to work with him on March 23rd the Board could reach some sort of consensus as to deny, grant or grant with conditions and that would give him a few days to work on drafting a decision. Mr. Wall stated that he believes the open meeting law allows it to be sent to them all individually ahead of time and that way they could come back on March 30th and have comments on the draft. Ms. Coffin asked if there weren't any comments on the 30th could the Board vote at that meeting. Mr. Wall answered yes as long as it was covered on the agenda. Ms. Peterson asked that if everything goes okay and there is not a lot of public comment could it be put on the agenda for the 9th. Mr. Wall stated that the number one instruction that a jury gets when they come into court is to not make up your mind until you hear all of the evidence. Mr. Wall stated that you wouldn't want to start commenting on it and have the applicant file an appeal saying the Board wasn't impartial. Mr. Wall stated that you really have to delay your deliberations until all of the evidence is in and a two week period should be perfectly fine. Ms. Peterson called a five minute recess before beginning the public hearing.

Call to order 7:00 P.M.- Public hearing regarding site assignment for Sagamore Truck & Rail- Mr. Hardiman stated, as the appointed hearing officer, that he calls this hearing to order. Mr. Hardiman stated that the petitioner will present their case and immediately following the presentation of any witnesses the meeting will be open to questions from the Board. The Board will be allowed questions directly of the witness. If there are any other witnesses following the petitioners presentation they will be open to questions from either party. If the public cares to make comments they can make those comments following the presentation of the evidence. At the end of the presentation of the evidence and the comments from the public they will set the date for the deadline of the submission for any further written documents and the hearing will be closed. Mr. Hardiman stated that the hearing would be conducted consistently with 310 CMR 16. In that regard the hearing officer is required to submit any regulations that may be relevant to the procedures of decision. Mr. Hardiman stated that he would ask that the Board accept into the record copies of Mass General Law Chapter 111A, Section 150A, Mass General Law 111, Section 150 ½ and 310 CMR 16. The documents were stamped in for the record. Mr. Hardiman stated that this is the hearing for the site assignment request for Sagamore Truck & Rail and unless anyone objects would ask the petitioner to begin their presentation. Mr. Hardiman stated that the rules require all the witnesses to be sworn in and he would be happy to do that. Mr. Hanscom was sworn in. Mr. Hanscom, Beta Group, is representing Sagamore Truck & Rail. Carol Gallo, president of Sagamore Truck & Rail, and her husband Lou Gallo are present at the meeting tonight. Mr. Hanscom asked since they have made several submittals and there have been several public meetings on the project already can he make reference to the documents that have already been submitted for consideration on this. Mr. Hardiman answered yes. Mr.

Hanscom stated that he would like all the prior documents that have been submitted to the Board of Health with regard to this site assignment be included in the record. Mr. Hanscom stated that the transfer station has been in operation for the past 15 years and has received fly ash and bottom ash from the Mirant Canal plant with which they have loaded the material onto rail cars for the recovery of vanadium. During that period of time Mirant Canal burned fuel oil that was high in vanadium content and there were large volumes of oil and large volumes of ash that was generated during that time which made it economically viable, due to concentration of vanadium in the ash, for recovery. Over the last few years Mirant Canal had converted their boilers to gas fire so the volume of the ash that was generated was severely reduced to the point that it became economically not feasible to ship by rail which is why they are here looking for a site assignment to deal with that smaller volume. The lower concentration of vanadium has a solid waste as opposed to a recoverable heavy metal. Mr. Hanscom stated that that would enable the transfer station to operate with trucks as opposed to rail or by rail and they would like the flexibility to ship off by rail or truck from the transfer facility so the operation is almost identical to what has happened over the past 15 years in that all of the transfer of material would happen within the building. Mr. Hanscom stated that, to the best of his knowledge, there have not been any nuisance conditions that have been created during that time or any public complaints on the handling of the ash during that time. Mr. Hanscom stated that this is for procedure and they need to have a site assignment under the solid waste regulations to operate a transfer station for solid waste. It has become solid waste rather than a reclaimed material. Mr. Hanscom handed the timeline to the Board members. Mr. Hanscom stated that they submitted to the DEP in May of 2010. The change in the regulations shifted the responsibility for site suitability review to the local boards of health. The application has been forwarded to the Board of Health and is now their responsibility to act on it. The timeline was put back on track at the Board of Health meeting on October 7, 2011. The public notifications were made in the paper and complied with the regulations for public notification of the meeting. They provided it to the MDPH for their review as well as DEP but DEP is ignoring it. Mr. Hanscom stated that the BOH has involved an independent reviewer of their technical submittal of the application and have responded to comments. Tonight is the first date of the public hearing and they have 45 days to issue a decision. They are looking for a decision to deny or accept the application with or without conditions by April 16th. Mr. Hanscom stated that as part of their application DEP provides a site suitability criteria checklist in their review. Mr. Hanscom stated that the only criteria, in their opinion, that has not been met is the 100 ft setback from the property lines. Mr. Hanscom believes there are 4 properties involved and three of the four properties have provided letters of support for the project. The 4th party is the Army Corps of Engineers and they have not had a response from them. Mr. Hanscom showed the abutters locations on the map. Mr. Hanscom stated that there is a provision in the regulations that a waiver of the 100 property line setback can be granted by the commissioner of the DEP and as of this moment that responsibility still resides with the DEP commissioner according to Dave Ellis. Mr. Hanscom stated that they would be seeking approval to the DEP commissioner's office if this were to be granted by the BOH. Mr. Hanscom stated that he has made a few minor modifications to the document provided by Sitec, the technical reviewer for the Board of Health. Mr. Hanscom stated that the first modification is on page 3 which stated that there was some

concern with groundwater elevations and Mr. Hanscom had given conservative numbers before but they are actually much greater in depth. The groundwater below the solid waste handling floor and below the rail siding itself are on the order of 23 and 15' below grade to the groundwater which easily meets the criteria. Mr. Hanscom stated that on the last page of the documents he put a note on the bottom regarding the Board's concern that a panic bar be provided for safety for any personnel inside the facility so that a rapid means of exit in an emergency be available. Mr. Hanscom stated that they are agreeing to that condition and will, as part of the development of the transfer station, provide for panic door hardware. Mr. Hanscom stated that he would like to show the diagram of the lay out plan that was part of the original application to the Board. Mr. Hanscom pointed out the existing buildings and stated that there are no new proposed buildings but there is an area that is proposed to be paved because they are going to be looking for truck access to the back of the facility so they can load out the ash into trucks and be able to drive back out. Mr. Hanscom pointed out the egress point by the Citgo Station to get directly into the transfer station on the diagram. There is also a secondary access through the Gallo Construction yard. Mr. Hanscom stated that there was also some concern about traffic. Mr. Hanscom stated that they are talking about a maximum amount of vehicle trips per day at any point of six so they are looking at an almost indiscernible impact on traffic. However, during the summer it can be a very busy traffic area but from a practical standpoint the truck drivers will not want to be sitting in traffic so they would schedule the trips during off hours so they wouldn't be in peak traffic at the time they would be handling the ash. Ms. Coffin stated that Mr. Hanscom had mentioned paving the road and asked if there would be a filing with conservation. Mr. Hanscom stated that that would be a question for the conservation commission whether or not the Rivers Protection Act would apply to the canal. Ms. Coffin stated that that might have to be included as a condition. Mr. Hanscom stated that it was outside the 100' buffer and is probably just within the 200' River Protection Act but he does not believe that the canal is considered a river. Ms. Coffin suggested that Mr. Hanscom contact the Conservation Agent, Brendon Mullaney. Mr. Hanscom agreed. Ms. Peterson stated that she has a problem with DEP not issuing their decision and does not know if a letter from the Board might get them to issue that before April 13th. Ms. Coffin stated that she had sent them an email but has not heard anything back from them. Mr. Wall asked if Ms. Peterson was referring to the requirement that the DEP are the only ones with the authority to waive the 100' buffer. Ms. Peterson answered yes. Mr. Wall stated that the Board is in somewhat of a bind with regard of delaying until the DEP responds because the applicant has a set time frame. Mr. Wall stated that he believes that it could be addressed hypothetically, if the Board is going to grant the site assignment, but the waiver is required in order for it to be suitable. Mr. Wall stated that they could draft a condition that would condition the approval upon obtaining the necessary waiver and providing the Board with evidence that it was properly obtained. The site assignment would not become effective until that was obtained. Mr. Andrews stated that this process was started last spring and one of the things that was brought up was an operational procedure document that was going to be updated and submitted to the Board. Mr. Andrews stated that they would like copies of that document sent in because that will tell them the whole process and how things are going through. Mr. Hanscom stated that procedurally it will be very similar except that instead of dumping the ash and loading it into rail cars on the floor it will be lifted up into

trucks within the facility or it could be that trucks will be backing down where the rail cars are currently being loaded and they could actually push off of the operating floor into the trucks below. Mr. Hanscom stated that they would be preparing and submitting an updated operation and maintenance plan. Mr. Hanscom stated that he should be able to get that manual to the Board before their meeting on March 23, 2011. Mr. Hardiman stated that they would need to get the manual before the date that the records close. Mr. Hanscom stated that whatever date is chosen as the date for the records to close they will accommodate. Mr. Andrews stated that the ash comes through in a wet state and asked what protection they had on the water supply in the building. Mr. Gallo was sworn in by Mr. Hardiman. Mr. Gallo stated that there was just a garden hose set up in there now. The ash will be tipped into the tipping car that is cement lined but it does come in wet and would have to be there for quite a while for it to be thoroughly dry. Mr. Gallo stated that it would be pretty simple to put the backflow valve on. Mr. Andrews asked if the building had been secured and was tight to the weather. Mrs. Gallo was sworn in by Mr. Hardiman. Mrs. Gallo stated that the roof has been repaired. Ms. Peterson asked if they had in the manual their emergency procedures written out should there be a problem. Mr. & Mrs. Gallo both answered yes. Mr. Gallo stated that the handbook is very thorough and the only procedure that will change is the loading of the truck. Ms. Peterson stated that she would like to see the emergency procedure so that it is in the office and on the record should anything happen. Mr. Barlow stated that he feels that this facility has been operating under the DEP guidelines for the past 15 years and anything fundamental would have been addressed a long time ago by the DEP and he would not second guess them. Mr. Uitti agreed. Mr. Wall asked if the access through the Citgo property was legal access. Mr. Hanscom stated that he uses that as an identifier but it's actually on the property owned by Sagamore Truck & Rail adjacent to the Citgo station. Mr. Wall asked if the applicant had two means of access. Mr. Hanscom answered yes. Mrs. Gallo stated that the Citgo station is owned by Mr. Gallo's sisters. Mr. Wall asked if they anticipated any problem with the waiver from the DEP and asked about the recreational bike path that the Army Corps has on its property regarding pollution. Mr. Hanscom stated that this has been a 21E site and there was a written release at the Citgo Station but there has been a response action outcome issued so any release of gasoline underground has been addressed and there are no other contaminated sites that they are aware of. Mr. Wall stated that he was referring to the public using the recreational path for walking and biking. Mr. Wall asked that since the ash was wet is there any air pollution that would bother the public on the recreation path nearby. Mr. Hanscom stated that to the best of his knowledge there have never been any complaints or any overt signs of airborne contamination that has caused any nuisance conditions. Mr. Gallo stated that they have moved more than 60,000 tons out of there that has gone out of state and will continue to go out of state the way it looks now. Mr. Gallo stated that the woods from the back of his building to the canal are very thick and you cannot even see the people walking there. Mr. Hardiman stated that when Mr. Hanscom stated that there were no complaints or overt signs of any airborne particulate and asked if there has ever been any signs that there has been a problem with airborne particulate. Mr. Hanscom stated that, to the best of his knowledge, no there has not been. Ms. Peterson asked if the Gallo's owned the entrance to the left of the gas station. Mr. Gallo answered yes they did own it. Mrs. Gallo stated that the Corp of Engineers has a right of way but they use the Gallo's land to enter

and exit their gate. Mr. Gallo stated that in the lower yard they have a scale and they have to weigh everything for DEP so they would enter the lower down where the landscape yard is and weigh the truck and then proceed along the rail up to the building. The trucks are loaded coming back through the rear entrance by the other side of the bridge. Mr. Hanscom asked Mr. Gallo if the incoming trucks loaded from Mirant would be weighed. Mr. Gallo answered yes they are weighed. Mr. Barlow asked if they had a copy of the original DEP guidelines set for this site. Mr. Hanscom stated that he could provide it to the Board. Mr. Hanscom stated that it was a 1994 letter from DEP. Ms. Coffin asked if it was part of their application. Mr. Barlow stated that he believes that that document would be helpful to the Board. Mr. Wall asked if Mr. Barlow was referring to the prior site assignment. Mr. Barlow stated that the prior site assignment was directly for rail and now they want to add trucking so they would like to see what the DEP guidelines were set for rail and for the site. Mr. Hanscom stated that it was not site assigned previously but there was an approval letter that was provided by DEP which he believes is part of their application but if not he will get a copy to the Board of Health office. Mr. Hanscom looked at the application but did not see the letter and stated that he would get a copy to Ms. Coffin. Mr. Barlow stated that he understands that there was not a site assignment by DEP but believes that they had set some guidelines for handling which may or may not help the Board in making a decision. Mr. Hanscom stated that it was a determination of exemption because the vanadium was being reclaimed and there is an exemption for recovered materials like that. Ms. Peterson asked if there was anyone in the audience for Sagamore Truck & Rail. There was not. Mr. Hardiman asked if there were any more questions for the applicant or if the applicant had anything else to present. Mr. Hardiman stated that he wanted to make sure that everyone agreed that there would be several things submitted to the Board prior to the closing of the records and those things are the updated operational guidelines and procedures, and the 1994 determination letter from DEP. Mr. Hanscom stated he would fax or email the letter to Ms. Coffin in the morning and the manual will be submitted no later than March 18, 2011. Mr. Hanscom stated that he will also check with conservation regarding the canal and the River Protection Act. Mr. Barlow asked if the paving they were considering was a part of their proposal or a separate issue. Ms. Coffin stated that it was part of this issue. Mr. Barlow asked if it was absolute to the project. Mr. Gallo stated that it was not. Mr. Barlow asked if they didn't pave it and just put stone down how was it different from backing a railroad car. Mr. Hanscom stated that they will all agree on the fact that if it is regulated under the wetlands protection act they will file with the conservation commission and that would be a separate permitting process that they would have to go through. Mr. Barlow stated that they do not generally make decisions on something that has not already gone through ConCom and that could become a stumbling block for the applicant. Mr. Hanscom stated that paving the road is not essential to the success of the project and if they wanted to do that at a later time and was regulated they could go before the conservation commission so they will take that out of their request on the application. Mr. Hardiman asked if they had an agreed upon date for the closing of the record. Mr. Hardiman asked if the date of March 17, 2011 was okay with the applicant. Mr. Hanscom answered yes. Mr. Wall stated that that date is adequate because it will give the applicant and the public two weeks to submit anything. Mr. Hardiman stated that they will set the date as March 17, 2011 as the date to close the record by 3:00 P.M. Everyone was in agreement. Ms. Coffin

asked if the public should be made aware that they can submit material until March 17th at 3:00 P.M. since no one from the public attended the meeting. Mr. Hanscom stated that he has been part of situations where they closed the public hearing when there has been no one from the public there. Mr. Hanscom stated that the public has had 21 days to comment and neither he nor Ms. Coffin has been contacted by any member of the public. Mr. Barlow asked if it was advertised in the local papers. Ms. Coffin answered that it was advertised in both papers. It was decided that the notice did not have to be re-advertised in the papers. Mr. Hardiman asked if the Board members and the applicant agreed with that. Everyone agreed. Mr. Hardiman stated that it was 7:45 P.M. and the hearing is closed.

Mr. Andrews made a motion to ADJOURN the meeting at 7:45 P.M. Mr. Barlow seconded the motion. All in favor and the meeting is adjourned.

Taped and Typed by Kathy M. Burgess for the Bourne Board of Health

Respectfully submitted by the Bourne Board of Health

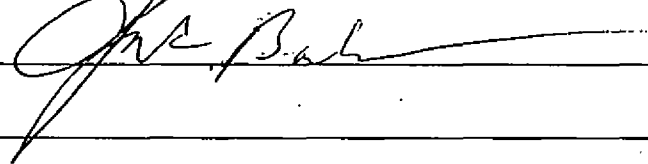
Kathleen Peterson



Stanley Andrews



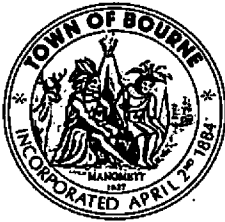
Galon Barlow



Donald 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:

March 9, 2011

Time:

7:00 P.M.

Place:

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

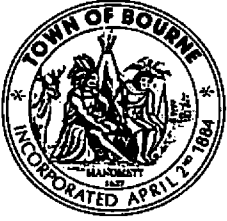
2011 MAR 3 PM 2
TOWN CLERK'S OFFICE

AGENDA ITEMS:

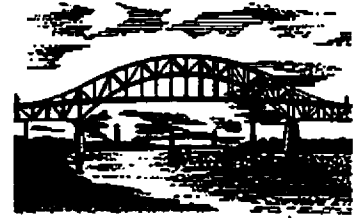
1. **62 Old Plymouth Rd-Continued-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010**
2. **Wind Turbine Project-General discussion & brief factual statements with regard to health and nuisance effect from the noise generated from wind turbines submitted by the public**
3. **Discuss & Possible Vote regarding fines for non-compliance with required alternative system maintenance and/or contract-**
 - a) **Vincent & Susan Origlio, 62 Mashnee Rd., Bourne, MA**
 - b) **Thomas & Patricia Lynch, 270 Circuit Ave, Bourne, MA**
 - c) **Kathleen Mays, 22 Westview St, Bourne, MA**
4. **Approval of Minutes dated February 2, 2011**
5. **New Business**

cc Board of Selectmen/Town Clerk

Signed: *Kathy M Bungers*
Title: Secretary
Date: March 3, 2011



**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 9, 2011**

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow, Don Uitti and Carol Tinkham

Support Staff: Cynthia Coffin, Health Agent, Carrie Furtek, Health Inspector and Kathy Burgess, Secretary

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

Ms. Peterson stated that there is a sign up sheet for anyone who would like to speak once the agenda item regarding the wind turbines is on. The Board is looking for brief, factual statements that they have not heard before. Everything that has already been presented has been entered into the record and they will be sitting down as a Board in an open meeting in the future discussing what has already been heard and will be heard. Ms. Peterson stated that everyone will have their chance to speak but the meeting will not go on until midnight because there will be many more hearings.

- 1. 62 Old Plymouth Rd.-Continued-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010-** Gail Spencer, tenant, is in the audience. Carrie Furtek, health inspector, stated that she received an email from Ms. Hernandez stating that they were getting a bid to repair the door frame but it has not been repaired yet. The basement window has not been fixed. Ms. Hernandez did not realize the window had not been fixed. Ms. Furtek stated that everything else in the house has been repaired. Ms. Peterson recommended that if the Bank does not have all items fixed by the next meeting that they issue a fine retroactive to October. Mr. Andrews stated that they had said in the past that these issues were supposed to be repaired by now and he would like to issue a fine of \$200.00 per day going back to October 29, 2010. Ms. Coffin stated that under the regulation the highest amount you can issue is \$100.00 for a first violation.

Mr. Andrews stated that he would like to make a motion to issue the fine to \$100.00 per week from the week of October 29, 2011 until present. Mr. Barlow seconded the motion. All in favor and the motion PASSES. Ms. Coffin

stated that she did not understand why they were fining back until October 29, 2010 because the bank has made some repairs. Mr. Andrews stated that they have not completed them. Ms. Peterson stated that they have fined other people in Town the same way. Mr. Barlow stated that they could come in to appeal it. Ms. Peterson stated that they would continue this until March 23, 2011 and send the bank a letter stating that they want all the repairs done by that time. Ms. Coffin stated that the tenants had made a new complaint the other day about a hole in the roof. Ms. Peterson asked Ms. Spencer to let the Board know if they have to move out at any point so they can be put up in a hotel again.

2. **Wind Turbine Project-General discussion & brief factual statements with regard to health and nuisance effect from the noise generated from wind turbines submitted by the public-**Ms. Peterson called the first name on the sign up sheet which was Diane Tillotson, attorney for New Generation Wind. Ms. Tillotson stated that she would be introducing Dr. Robert McCunney who has a brief presentation. Ms. Tillotson stated that she knows the Board is working diligently to determine what types of standard it should adopt and she would like them to remember they are not adopting the standards in a vacuum and there are many other regulatory agencies and boards at the federal, state, local, and regional level that have similar standards and she would urge the Board to take judicial notice of those standards. There is a state standard that DEP has adopted and they periodically review that standard to make sure that it is still appropriate in the way it is measured. There are also World Health Organization standards that can be reviewed. The Cape Cod Commission is in the process of reviewing new regulations and there is a town zoning bylaw. Ms. Tillotson stated that she would encourage the Board that whatever standards they do adopt should be in sync with whatever the current zoning bylaw is. Ms. Tillotson stated that this Board has regulatory power over things that affect human health and from their perspective it is important that whatever regulations the Board adopts there be some nexus between what it is they are regulating and public health. Ms. Peterson stated that anyone in Town has the right to ask the Board of Health to look into whatever they deem a health hazard or health nuisance and the people in Town have asked the Board to look into the health effects of wind turbines and they are obligated to do this. Ms. Tillotson stated that they do not disagree with the fact that if a wind turbine does go up that there is a need to monitor the impacts of it. They believe the data and science to date support their claim that there are no adverse health effects but they have submitted to the Cape Cod Commission and Town Counsel Brian Wall a complaint and mitigation protocol that would deal swiftly and efficiently and involve the Board of Health in any issues as a result of any turbine project including theirs. Dr. McCunney stated that he was part of a panel that was asked to review the literature that was convened by the American Wind Energy Assoc. and the Canadian Wind Energy Assoc. Dr. McCunney stated that there were seven of them from four countries that looked at the literature and prepared a report. He believes that there is enough information that has been published in journals from which people can get information to make reasonable public policy. There have also been measurements done of various types of wind farms in

countries in Europe and the US that have looked at sound levels and infrasound. Dr. McCunney stated that there is scientific literature that suggests certain noise levels, regardless of the source, can be annoying to certain people. The level of annoyance will vary from person to person. Chronic annoyance is not good for your health and can impair sleep. Dr. McCunney stated that a study published by some Dutch investigators called Pedersan 2007 found that 1 out of 75 people that lived in the vicinity of wind turbines in Holland reported some sort of sleep disturbance. There was an article from Dr. Salt, 2010, that presented the results of his investigations where he exposed guinea pigs to infrasound. The ear of a mammal is similar but not the same as humans. Dr. Salt reported that the inner ear cells may be affected by sub audible infrasound, essentially infrasound that can be measured but not heard which has not been shown to be damaging. Dr. McCunney stated that he believes that what has to be worked out is what levels affect people. The World Health Organization has done some studies on nighttime noise. There are a lot of scientific research that can be leaned on for public policy. Dr. McCunney stated that infrasound has been assessed and measured in the vicinities of wind turbines and are found not to be a problem. Mr. Barlow stated that if infrasound is a non issue why do all these different countries and different people keep looking into it. Dr. McCunney stated that infrasound can be generated by a wind turbine if you stand under it. As you get farther away, particularly where people live, the measurements that have been done have not confirmed an issue with infrasound. Dr. McCunney stated that people may not have looked into the research enough and that may be why the issue keeps coming up. Dr. McCunney stated that distance may not be the right measure when the question is asked about how far homes should be from wind turbines. He feels it is better to look at what the sound levels might be. Ms. Coffin asked what the results were with the nighttime study done by the World Health Organization. Dr. McCunney stated that they are proposing a 40 decibel annual average for nighttime noise level. Ms. Peterson stated that in the literature they have received it says that with 10 different turbines the sound would be equivalent to a quiet bedroom and wanted to know at what distance it would be a quiet bedroom. Dr. McCunney stated that there are a lot of studies out there but most of them are not peer reviewed and are more like field studies. Dr. McCunney again stated that he does not believe that designated setbacks are the appropriate way to evaluate health issues and believes that it should be noise levels. There are models available based on the power output of the turbine will determine what the noise levels will be at certain distances. Ms. Peterson stated that she wondered if annoyance was associated with the visual impact of wind turbines. Dr. McCunney stated that it is his understanding that the turbine rotations can be controlled to control the noise. Dr. McCunney stated that in the Pedersan study they reported that the strongest factors associated with reporting annoyance was the unfavorable attitude towards the visual impact and lack of economic benefit from the wind turbines. Richard Elrick, the Energy Coordinator for Bourne and Barnstable, has worked in the renewable energy field for a decade. Mr. Elrick stated that it has been the policy of the towns, county, and states to promote the development of renewable energy because of their belief that fossil fuels are also dangerous to

your health. Mr. Elrick stated that he asks the Board, as they decide what regulations are appropriate and how to avoid the minimal impacts produced by wind turbines, to consider what the alternatives are. Mr. Elrick stated that there have been no deaths or serious injuries from wind turbines that he is aware of but in the Northeast alone last year there were 4,000 deaths due to the emissions from coal fired generating facilities. Mr. Elrick stated that it is challenging for the Board to determine what is credible from all the information they have received but they should focus on the science and the facts and not on the emotional evidence which can be very difficult. What has happened in Falmouth and the criticism that has resulted there makes it difficult but each project is different and each turbine is different. Mr. Elrick stated that it is important to focus on an acoustic setback standard as opposed to a distance standard when considering regulations. Mr. Elrick stated that establishing an arbitrary distance standard to be safe doesn't achieve the purpose of making sure you are reducing impacts to an individual abutter and if you rely on acoustical standards you are much more likely to be able to make it specific to an actual turbine model in a specific location. Mr. Elrick stated that if we make restrictions and establish standards that are unjustifiably strict we will defeat the Towns efforts to create more renewable energy. Mr. Elrick stated that we need to make the transition from fossil fuel and it will not come without some down side but believes it will be a minor down side compared to the alternative. Ms. Coffin asked where the acoustic standard would be measured. Mr. Elrick answered that traditionally it has been measured at the closest residential abutter or the abutter where there may be people that are likely to be negatively impacted by the noise. DEP is presently looking at refining and rewriting their noise standard. Mr. Elrick stated that they have all used no more than 10 decibels above ambient but perhaps that standard needs to be refined. DEP is trying to fashion a standard that is responsive to the concerns that have been raised but is it overly restrictive. Mr. Barlow asked Mr. Elrick if he was a paid consultant for Bourne and Barnstable. Mr. Elrick stated that he is a part time, grant funded energy coordinator for both towns and that it would be accurate to say he was a paid consultant. Mr. Barlow stated that the higher fireworks are shot in the air the further away they can be heard and wanted to know if Mr. Elrick feels that distances should be further away. Mr. Elrick stated that he is not saying that distance shouldn't be a factor and depending on the size, model and height of the turbine it should be taken into effect but believes a better way to judge the ultimate impact is with a noise standard measured at an abutters residence because if you have a height standard or setback standard it won't be nearly as accurate a standard as an acoustic standard would be for that individual abutter. Mr. Barlow stated that Mr. Elrick is talking about an acoustic standard which, to Mr. Barlow, means that the higher it is the further away you can hear it. Mr. Elrick stated that they should be more focused on what DEP is doing and that to produce a good acoustical standard and noise standard, which is something that can be applicable project by project, turbine by turbine and be more specific than just simple arbitrary distance setback. Hendrick Lueka, Mirasol Drive, asked Mr. Elrick if he agreed that the current town bylaw for wind turbines distance standard for setbacks is inadequate. Mr. Elrick stated that his reading of the town bylaw is that

there is a noise standard which is no more than 10 decibels above ambient and he is talking about a setback for noise concerns and it's primarily a decibel measurement that would be most effective in dealing with the noise created by a turbine. Jerry Ingersoll stated that he would like to remind the Board that there are 15 years cumulative of commercial size turbines operating in MA within 1000-1100 ft of hundreds of people with no complaints and wondered how this was possible if turbines are so dreadful. Mr. Ingersoll stated that they are actually less than 1000 ft to the nearest residence and it does not matter how high they are but how much noise they make and every turbine operating in MA is noisier than turbines now being manufactured. Doug Sheddell stated that he had a response to a question from the last meeting regarding the construction of a new noise module for this new turbine. Ultimately, they will use the international standard which is for establishing the sound level from wind turbine generator. This standard gives them specific methodology for measuring an actual operating wind turbine and they will measure that and distribute it as data. They will start with the sound power level and from that they have prepared a propagation model which accounts for distance and surface roughness, terrain, and elevation. Kurt Tramosch, environmental planner, has brought a power point presentation stating that he spoke before the Board a month ago on general environmental issues of concern. Ms. Peterson asked Mr. Tramosch to make sure that he got a copy of the presentation to the Board of Health office. Mr. Tramosch agreed. Mr. Tramosch stated that he wanted to submit a 17 pg rebuttal from Dr. Nina Pierpont to testimony that Dr. McCunney gave on behalf of Green Mountain Power Corp last November. Mr. Andrews stated that he would like Mr. Tramosch to send that report along with five copies to the Board of Health Office so that it can be stamped in. The report concludes that wind turbine noise can cause annoyance, stress and sleep disturbance which results in adverse physiological and psychological symptoms. Mr. Tramosch stated that he has spent a lot of time talking with people that live near wind installations. Wind turbine noise is a different kind of nuisance and annoyance can lead, over time, to illness. Mr. Tramosch stated that the large projects, with turbines of the scale they are talking about with New Generation Wind, are found in upstate New York. Even in rural communities with extensive setbacks there have been many instances of documented noise and health problems. Mr. Tramosch went on with his presentation. Mr. Andrews stated that this information has been presented at a previous meeting and he would like Mr. Tramosch to only present any new information he might have. Dr. McCunney stated that he would like to make sure that any new information submitted is credible, peer reviewed information. Mr. Tramosch stated that there is some question as to whether the wind industry has done anything other than a literature search regarding the health hazards and that Dr. McCunney is aware of screening for previously unrecognized disease. Mr. Tramosch is concerned that there are not any case studies done with wind turbines by the wind industry. Mr. Tramosch stated that no one is hearing about problems in communities because nobody has been looking and that is why Falmouth is so important. Mr. Tramosch stated that Dr. Sara Laurie, Australia, has put together assessments as to why wind and wind noise has created a

problem. She has found, as a physician, with the wind turbine community in Australia that there has been severe chronic sleep deprivation, horrible turbine noise, waking up anxious and in a panic state for no good reason, irritability, depression, high blood pressure, heart palpitations and increased nocturnal urination and night terrors in children. These are all field reports and not part of the peer reviewed literature yet. The medical evidence clearly links exposure to turbines with the symptoms being described but not all adjacent residents are affected. Mr. Tramposch stated more study is needed because of the reports of noise, vibration and flicker problems from people in the communities here near the MMA, the turbine on OTIS AFB and in Hull. Mr. Tramposch stated that most of the work done in the last 18 months has begun to indicate that you don't have to audibly hear noise for it to affect you. Dr. Nissenbaum did do a controlled epidemiological study at Mars Hill, Maine and found that adults living within 1100 meters suffer a high incidence of chronic sleep disturbance, headaches and other complaints. Part of the problem with determining setbacks is that acceptable wind turbine noises vary around the world but what they are seeing everywhere is a reassessment of what is considered acceptable noise exposure from turbines. Oregon is now doing a DPH statewide health impact assessment of wind health issues due out the end of this month which may help the Boards efforts since it is looking specifically at health impacts. A recent article in Audiology Today suggested setbacks that would be health based rather than acoustic based. Mr. Tramposch stated that the burden should be on the proponent of the project and the state guideline is extremely inadequate for this purpose and doesn't begin to help people. The Town of Brimfield has received news this week that First Wind has withdrawn their project of 8-10 turbines from that community and Mr. Tramposch has been working with their Board of Health on noise regulations and would be happy to share any of his information with this Board. Mr. Barlow stated that there was some new information with Mr. Tramposch's presentation and he wanted to make sure that he got copies to the Board. Mr. Tramposch agreed. Mr. Andrews stated that he would have liked to hear more about his working with the Brimfield Board of Health on regulations rather than hearing the same thing that the Board has already heard. Dr. McCunney stated that Mr. Tramposch's presentation had some incorrect information in it. Dr. McCunney stated that there has been a peer reviewed paper by O'Neal done in the U.S. in April 2010. There was some disagreement between Mr. Tramposch and Dr. McCunney regarding case studies that have been done. Mr. Tramposch feels that there should be more studies done by talking with victims of noise problems in various communities rather than just reviewing the literature. Mark Hebb (audience) stated that it is a travesty that they can find the subsidy to take taxpayers money and fund the turbines and not subsidize a health study on the issue and that should be done before the turbines are built in people's backyards. Hendrick Lueka (audience) stated that Dr. McCunney went on the record at the Selectmen's hearing in October as well as the Cape Cod Commission hearing as saying there are no adverse health affects and asked if now Dr. McCunney seems to be saying there are adverse health effects if it is too loud. Dr. McCunney stated that there still remains lack of published articles and peer reviewed literature

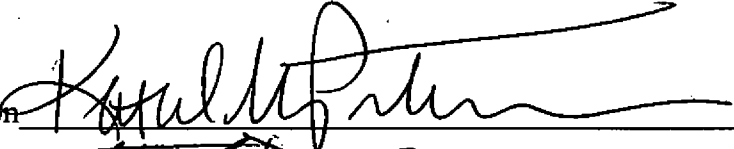
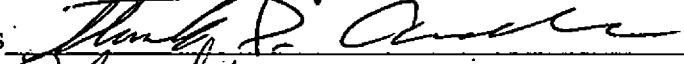
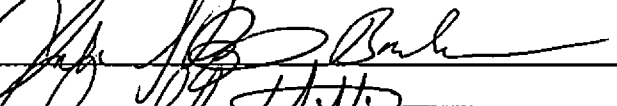

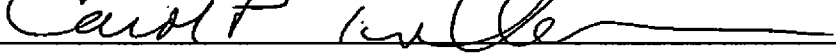
demonstrating causal effects between wind turbines and health effects. Dr. McCunney stated that he has acknowledged that there are some studies that show annoyance among people living in the vicinity of wind turbines but from a theoretical basis certainly annoyance can lead to stress and stress may affect sleep but there are no studies that report that hypothesis in the vicinity of wind turbines. Ms. Peterson asked Dr. McCunney if he believed that annoyance equals nuisance. Dr. McCunney stated that annoyance was a difficult term to categorize and validate but annoyance can be nuisance. Dr. McCunney stated that it is difficult to define because it means different things to different people. Ms. Tillotson stated that annoyance is personally experienced where as nuisance is more what a reasonable person with an objective standard would experience. Lydia Mantor, Clarissa Joseph Rd, asked what caused the uncomfortable body pressure when you are in the vicinity of a turbine. Ms. Mantor stated that she was near the wind turbine in Falmouth and she could feel the air pressure and asked how far away you need to be to stop that body pressure. Dr. McCunney stated that the operative issue goes to the acoustics and not the distance but the cause of that feeling has been attributed to the swoosh sound of the blades turning. Dr. McCunney stated if you control the noise levels the health affects should be prevented. John Sutton (audience) asked how you can control the noise levels once the turbines are installed. Mr. Ingersoll stated that the manufactures of wind turbines now offer computer controlled partial or total curtailment of a turbines rotation. They can slow the turbine down or shut it off completely if there is noise that exceeds the noise levels. They can do the same thing with shadow flicker which is much easier to control. Due to wind direction you can program individual turbines within a group of turbines to be sensitive to identify wind conditions. Jamie Sloniecki, Bourne Selectman, stated that he wanted to disclose that he was friends with Mark Hebb. Mr. Sloniecki stated that he has been doing his due diligence online and at forums regarding the wind turbines and when the Board of Selectmen took their vote to oppose the project they did not do it on a whim and they have done a lot of research just as he knows the Board of Health will do. Mr. Sloniecki stated that no one has the influence that the Board of Health does and it is up to them to do their research and come back with a decision. Maybe the Town needs its own special guidelines. Mr. Sloniecki believes that the State guidelines go back to the 60's and are extremely outdated and hopes that the Board does not rely on those guidelines when they render their decision. Mr. Sloniecki stated that the Board may need to write totally new guidelines whether it's regarding distance or noise. Mr. Sloniecki stated that he believes that a 492 ft. turbine is going to send out the noise further than the one that is at Mass Maritime. Mr. Sloniecki stated that one of the things that have been talked about is the noise infrasound; is it there or is it not? Protracted noise has been admitted to be a problem. Peer reviews were mentioned to be out for research but it was stated that Dr. McCunney did not personally ask questions or call on anyone. Mr. Sloniecki stated that he is opposed to the turbines in any residential area and urged the Board to do their research and that whatever happens is permanent and is not something that is only going to affect this project it could affect projects in anybody's backyard. Mr. McPhee, Pocasset, stated that he knows people on

Blacksmith Shop Rd. in Falmouth and they are suffering because of the wind turbines there and urged the Board to come up with some kind of a bylaw which will make the turbines disappear to some other place. Ms. Peterson stated that they will close the hearing on the wind turbine project for this evening. The next available date is April 13, 2011 where the Board will hear brief factual statements with regards to health issues on the flicker effect of wind turbines. Ms. Peterson thanked everyone for coming. **The meeting resumed at 8:45 after a five minute recess.**

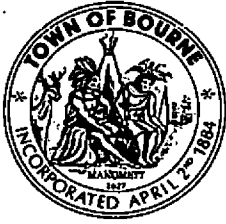
3. **Discuss & Vote regarding fines for non-compliance with required alternative system maintenance and/or contract-** Ms. Coffin stated that there are 11 contracts that have not been renewed and some have been almost a year overdue. She has sent letters to the homeowners and four have already signed a new contract and others have called her to say they are working on it. Mr. Lynch, who is on the agenda tonight, already has a signed contract and Mrs. Mays is working on a proposal with Holmes and McGrath. Ms. Peterson asked if there was anyone in the audience here for this item. There was not. Ms. Coffin stated that the Origlio's had been current up until last year but she has not heard from them. Mr. Barlow suggested sending them a certified letter to make sure that they get the notification. Mr. Andrews stated that any of the homeowners who do not have a contract by the next meeting should be notified to come to the meeting and explain why they do not have a contract. Mr. Andrews stated that he would like to get a graph of the 90 alternative systems that are in Town. He would like to see the results of how they are working. Ms. Coffin stated that she is working on getting the graph from Brian at the Barnstable County Health Dept. That will help the Board evaluate the systems. Ms. Coffin stated that she believes that a lot of the data shows that seasonals are still an issue. When they first start up they are not getting the treatment but the graphs will help them look at that. Ms. Coffin stated that Sue Rask and Brian are willing to come to a meeting to give a presentation about the Carmody program and explain the graphs to the Board.
4. **Approval of Minutes dated February 2, 2011-Mr. Barlow made a motion to APPROVE the minutes of February 2, 2011. Mr. Andrews seconded the motion. Don Uitti abstained as he was not present at that meeting. All others in favor and the motion PASSES.**
5. **New Business-** Ms. Coffin stated that most of the restaurants have complied with the allergen awareness training and have posted the allergy warnings on menus. The Board commended Ms. Furtek for doing a good job with that. **Mr. Andrews made a motion to ADJOURN. Mr. Uitti seconded the motion. All in favor and the meeting was adjourned at 9:00 P.M.**

Taped and Typed by Kathy M. Burgess for the Bourne Board of Health

Respectfully submitted by the Bourne Board of Health

Kathleen Peterson 
Stanley Andrews 
Galon Barlow 
Donald 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:

March 23, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

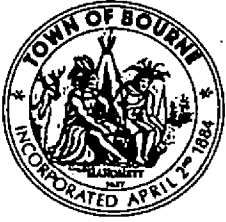
1. **62 Old Plymouth Rd-Continued-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010**
2. **Discuss & Possible Vote regarding fines for 62 Old Plymouth Rd.**
3. **Discuss & Vote regarding site assignment for Sagamore Truck & Rail**
4. **118 Wings Neck-Mr. Mohan requests variances for system upgrade with renovations**
5. **Approval of Minutes dated February 23, 2011 & March 2, 2011**
6. **New Business**

cc Board of Selectmen/Town Clerk

TOWN CLERK'S OFFICE

2011 MAR 17 PM 1:45

Signed: *Kathy M. Burgess*
Title: Secretary
Date: March 17, 2011



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>
March 23, 2011	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

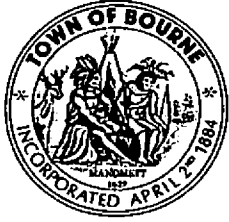
AMENDED AGENDA ITEMS:

1. 62 Old Plymouth Rd-Continued-Discuss & Possible Vote regarding non-compliance with housing order dated October 29, 2010
2. Discuss & Possible Vote regarding fines for 62 Old Plymouth Rd.
3. Discuss & Vote regarding site assignment for Sagamore Truck & Rail
4. 118 Wings Neck-Mr. Mohan requests variances for system upgrade with renovations
5. 62 Mashnee Rd, Vincent & Susan Origlio, Discuss & Possible Vote regarding fines for non-compliance with required alternative system maintenance and/or contract
6. Pocasset Mobile Home Park-Discuss & Possible Vote regarding extension on temporary license
7. Approval of Minutes dated February 23, 2011 & March 2, 2011
8. New Business

2011 MAR 21 5PM 11 28
TOWN OF BOURNE

cc Board of Selectmen/Town Clerk

Signed: *Kathy M. Bungo*
Title: Secretary
Date: March 21, 2011



**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 23, 2011**

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow, and Carol Tinkham

Support Staff: Cynthia Coffin, Health Agent and Carrie Furtek, Health

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

- 1. 62 Old Plymouth Rd – Continued- Discuss and Possible Vote regarding non-compliance with housing order dated October 29, 2010 -** Ms. Furtek told the Board that she received an email March 21st which stated that the work on the property would be finished by the end of the week. Ms. Peterson asked what was remaining to be addressed. Ms. Furtek replied that the door frame and the roof repair have been approved. She also stated that the roof repair has more time to be addressed as this item was on another later enforcement order. The tenant, Gail Spencer, stated that she has not been contacted by the property management company nor anyone who works for them. They have not been contacted since March 10 or March 11. Ms. Coffin said that it was her understanding that the property management company had to get prior permission from the bank or some other entity before they could proceed with the work and she believes that the email may just be stating that they got the go ahead to go forward. Ms. Furtek stated that she is very disappointed that no contact with the tenant has been made as of this date. Ms. Peterson stated that whoever does the work needs to give the tenants 24-hr notice by law. She doubts that this work will proceed on time if the tenants haven't even been contacted yet. Ms. Furtek stated that the email came from Danielle Hernandez, Code Compliance Coordinator. The Code Compliance Coordinator is the person from the Tenant Access company. Her contact there has been Jessica Ballweg. Mr. Andrews asked the status of the fines on the owners that the Board voted at a prior meeting. Ms. Coffin stated that this is a separate item for discussion during the next agenda item. Ms. Furtek explained that the original order went to Deutsche Bank who then contacted Ms. Furtek and told her she needed to deal with Mr. Scofield. Ms. Peterson stated that Ablitt & Scofield

still holds the foreclosure note on the property. She had been emailing Ablitt & Scofield but at some point was told that this was also not the party she should be dealing with. Eventually she was put in contact with Danielle Hernandez who has been responsible for getting some of the items corrected. Ms. Peterson asked if Ms. Spencer would be available should someone try and contact her to get work done. Ms. Spencer stated that she would not be available Thursday or Friday. Ms. Spencer stated that there were two other items on the list that had not been addressed and these were two window well covers on the basement. Ms. Furtek stated that her order only included the repair of one of the basement windows that had a gap. Ms. Coffin stated that if there was something not on the original order it would have to be addressed separately at a later date. She too believes that the order only mentions one window in the basement that needed to be fixed. Ms. Peterson told Ms. Furtek to tell Ms. Hernandez or other responsible party that they have 24 hours to get in touch with Ms. Spencer and make arrangements for the repairs. Any fines assessed will continue to be assessed to the owners. Ms. Peterson would like to move on to item #2 to see what the issue is with the original vote on the fines.

- 2. Discuss and Possible Vote regarding fines for 62 Old Plymouth Rd.** Ms. Coffin explained that when she went to write the fine letter to the owner from the Board's March 9th vote she reviewed the dates of the original violation notice and the date that the owners finally received the order of non-compliance. The Board's vote on the fine went back to the date of the inspection and she does not believe that this is allowable under the regulation. An owner has to receive proper notification and this was not until November 18th. According to statute, the owner then has 30 days to complete the repairs listed in the original order and this would bring the date to about December 17. She believes that legally the fines could only go back to that date and so she had a concern with issuing the letter on the fines. Mr. Andrews felt that the Board should be able to go back to the date of notification which was November 18th but Ms. Coffin stated that she still does not believe that the actual non-compliance started until December 17th which is the date by which they were supposed to address all the items. There was further discussion. Mr. Barlow made a motion to withdraw the fine assessed at the March 9, 2011 meeting. Mr. Andrews seconded. It was unanimous to withdraw that fine. Mr. Andrews asked Attorney Wall his opinion. Mr. Wall asked what the original notice said and Ms. Coffin explained that the owners were told that they had 30 days to correct the violations. The owners received the notice on Nov. 18. They actually did not do any work to the property until well after the 30 day period, but the 30 days were up on December 17. Mr. Wall asked if the actual letter stated that fines would be assessed if there was failure to comply within the 30 days. Mr. Furtek and Ms. Coffin stated that the verbiage in the order comes straight from the housing code and that there was no mention of future fines. Mr. Wall stated that the safer vote would be to assess fines as of tonight's meeting. Ms. Furtek also stated that she would add the wording about the possible fines in any consecutive housing orders. Ms. Peterson stated that the owners would be fined from the date of this hearing. Ms. Peterson made a motion to assess a fine \$100.00

per day for 62 Old Plymouth Rd, for each day of non-compliance with the housing order, beginning March 23, 2011. The owners of the property are Deutsche Bank and Ms. Peterson wants the letter to go to the bank with a copy to the other parties Ms. Furtek has been dealing with as well. Mr. Andrews seconded the motion. There was a unanimous vote to assess the fines. Ms. Peterson stated that across the Cape banks are continuing to address orders and notices on properties taken.

3. **Discuss and Possible Vote regarding Site Assignment for Sagamore Truck and Rail.** Brian Wall, office of Town Counsel, began the discussion. Mr. Wall stated that the last time that he was present at the Board of Health hearing on this item, the evidentiary part hearing was closed. The record was left open until March 18 for any person who wanted to submit any additional information. After that date the record was closed. Ms. Coffin stated that nothing had been received by the Board of Health office. Mr. Andrews stated that the Board did receive the Operation Manual from Alan Hanscom with a revised copy submitted tonight. Mr. Wall said that now the Board was in the deliberation stage of the proceedings. The Board has to now review the evidence, the legal standard, and make findings of fact on the applicable criteria and then make conclusions based on those findings to decide whether or not to grant the Site Assignment. The standard is found in MGL Chapter 111, Section 150. No assignment shall be granted by the Board of Health unless the Board of Health affirms that the siting criteria of section 150A ½ have been met by the proposed site. The Board of Health shall consider the concerns, if any, relative to the public health and safety sited by the Department of Public Health. A local Board of Health shall assign a place requested by an applicant as a site for a new facility, unless it makes a finding, based on the siting criteria, that the siting thereof would constitute a danger to the public health or safety of the environment. The criteria that the Board has to use as a guideline include, but are not limited to, the criteria in Chapter 111, Section 150A 1/2. Mr. Wall passed out copies of these criteria to the Board members. Mr. Wall stated that the applicant had also put these criteria in a table with comments as part of their original submission. Mr. Wall stated that Ms. Peterson also has looked at the past Site Assignment decision for the Bourne Landfill and has used that document as a guideline for required wording in the Board's decision. The decision reviews what the procedural events were from the date of filing, the various materials submitted, the hearing held, and then summarizes the evidence and the legal standards and makes findings on all of the criteria. Then there will be a conclusion to either approve or deny the site assignment. Mr. Wall stated that the conclusion has to be based upon whether the proposal is a threat to public health or not based on the criteria. The Board is also allowed to place conditions on the approval, if one is given. Ms. Peterson stated that tonight most of the legal wording will come from Mr. Wall. Mr. Wall stated that he is working on that portion but the Board needs to make a statement of findings as they go through the criteria. Ms. Peterson stated that the conditions imposed by the Board are what the Board should be working on tonight. Ms. Peterson stated that one condition is that the applicant shall implement best management practices to

control litter, dust, storm water, and air emissions from equipment, vehicles, and operations. This wording is taken right from the Board's site assignment conditions for the Bourne Landfill. Mr. Andrews stated that we need to do the site suitability criteria first. Mr. Wall stated that the Board needs to make an independent assessment and should not rely totally on the applicant's materials. Mr. Andrews stated that the Town did have SITEC do a review of the materials. Mr. Barlow stated that the Board has reviewed all of the materials at prior meetings. Ms. Peterson stated that the first criterion pursuant to Chapter 111, Section 150A ½ is "the location, nature and extent of any existing or potential sources of public or private drinking water supplies in relation to the site, including the recharge area of the sole source aquifer." Mr. Andrews stated that Mass DEP's Priority Resource Map shows that the facility is not within Zone I of a Public Water Supply. This was confirmed with the applicant's application as well as by our consultant from SITEC. Mr. Andrews continued to the next criterion, "the relationship of the site to groundwater elevations." Mr. Barlow stated that based on groundwater mapping, the minimum two foot separation to groundwater has been met. Mr. Andrews continued, "the proximity to wetlands as defined in section forty of chapter one hundred and thirty-one." Mr. Barlow stated that the facilities are not within a Riverfront area. Mr. Andrews also stated that there are no wetlands within the area of the waste handling facility. Mr. Wall stated that he thought a question had been raised at a previous meeting as to whether the canal was considered riverfront. Ms. Coffin stated that she had checked with the Conservation Agent and he stated that the canal does not come under the Riverfront Act. Mr. Hanscom also stated that this was in the applicant's documentation as well. Mr. Andrews proceed with the next criterion, "the proximity of surface water bodies." Mr. Barlow stated that the area is not within a Riverfront area and there are no other water bodies in the area. Ms. Peterson commented on criterion #5, "the proximity of flood plains", and stated that the property was not within the 100-yr floodplain. Ms. Tinkham asked whether the canal was in the 100-yr flood plain. Mr. Andrews stated that the 100 yr. flood plain has to do with the elevation that the water will achieve in a flooding situation in the worst case over a 100 year period, and this does not occur in this location. Mr. Andrews continued to #6, "the nature and extent of residential areas in proximity to the site." Mr. Barlow stated that there was no occupied residential dwelling within 250 feet of the waste handling site. #7, "the availability and suitability of access roads to the site. Mr. Barlow stated that there are two access roads with a potential third road. Mr. Andrews stated that Board members did do a site visit to confirm those access roads. Ms. Peterson questioned whether the Board had requested that something be put on record for an easement on the property to the front. Mr. Andrews stated that this would have been for the third access only. The entrance will be in the area of the scale area and outbound will be straight out and on to the main road. #8 "whether areas adjacent to the proposed site have been previously used for solid waste disposal." Ms. Coffin stated that there were no records of any properties adjacent to the site being used for solid waste disposal. Ms. Peterson asked if there had to be a set distance in the Board's decision and it was decided that the word 'adjacent' meant

abutting property. #9 "the potential for adverse impact on air quality." Mr. Andrews stated that any potential for impact would mean that there had been a breakdown in their procedural method. The Applicant has submitted an Operation and Maintenance Manual and in that manual there are checks for maintaining that there is no release either through trucking over the town roads or public ways or within the facility. Mr. Andrews stated that he wanted to make reference to the Manual in the Board's additional conditions. Mr. Andrews continued to #10 "the potential for creation of a nuisance from noise, windblown litter, or the proliferation of rodents, flies, or other vermin." Mr. Andrews stated that the material being transferred and handled at the facility consists of inert ash and as such would not create windblown litter or cause a proliferation of rodents, flies, or other vermin. He stated further that while the process may have the potential to create a nuisance from noise, the Operation and Maintenance Manual contains measures to mitigate this. Ms. Peterson also stated that there will be hours of operation listed in the conditions. Mr. Andrews also stated that the O & M Manual stated that the doors will be closed when the material is being handled and the machines are operational. Ms. Coffin stated that the office has never received any complaints regarding the present operation. Mr. Andrews continued with #11, "the potential for the adverse public health and safety impacts." Mr. Andrews stated that the Board of Health will probably put conditions on the site, such as the crash door for removal of workers from the building and the requirement for a backflow prevention device to protect drinking water going into the building. He believes that the access to the site and the O & M manuals will address any safety issues for the facility. He stated that with these documents, this item can be addressed. #12, "the potential impact on agricultural uses." Ms. Coffin stated that there are no agricultural uses in the area. #13, "the potential adverse impact on wildlife or on wildlife habitat." Mr. Barlow stated that he does not believe that there will be any potential impact on wildlife or wildlife habitat based on the location. Ms. Peterson also stated that the operation is contained within a building at the facility. #14, "the potential impact of increased traffic volume on roads to the site." Mr. Andrews stated that this is an existing operation that has been operating with rail car exit so that the incoming traffic will be the same or reduced. The tonnage suggests that there will be minimum traffic exiting the site. #15, "the extent to which existing solid waste disposal facilities are located within the municipality. Site assignments for new facilities are preferred in municipalities without existing facilities." Mr. Andrews stated that while there is an existing facility in Town but there are no common attributes between the two facilities. He feels that it is advantageous for this facility to operate where it is. Ms. Peterson stated that there will be some wording under the conditions that will further separate the two operations so that there is no overlapping in the future. Mr. Wall stated that the Board might want to add that although the present facility does not have a site assignment it is operating under an existing exemption. Mr. Andrews stated that this site assignment is actually a modification of an existing beneficial use project. #16 "the extent to which the solid waste disposal needs of the municipality in which the site is sought are met as a member of a regional refuse disposal district. Site assignments in municipalities not participating in

regional refuse disposal districts are preferred." Ms. Peterson asked Mr. Wall to explain this item. Mr. Wall stated he believed that flyash was not refuse and that this item is not applicable. The Board members agreed. #17 the potential adverse impacts on communities within one-half mile of the proposed site including the potential adverse impacts on the considerations stated within this section for which site suitability standards and criteria are established." Mr. Andrews stated that there is nothing changing from the existing facility conditions. Mr. Gallo stated that the site was more than half a mile from Sandwich. Ms. Coffin stated that she had already looked into this and that Sandwich was well over a half mile from the site. Mr. Andrews stated that the Board has now reviewed and commented on the criteria in Chapter 111, Section 150 A ½ items 1-17. Ms. Peterson asked if there were further statements from the Board or Counsel on items #1-17. Mr. Wall stated that the only issue not addressed yet was the DEP Commissioner's ruling on the property line setback waiver. Mr. Andrews stated that he has four items that he would like to discuss as conditions. Ms. Peterson said that she would like to go over a couple of conditions that she wants to make sure are included in the Board's decision. 1) The applicant shall comply with all conditions imposed by the Board of Health in its site suitability report relating to traffic. Ms. Peterson stated that the Board did cover during discussion of the criteria. 2) The applicant shall implement Best Management Practices to control litter, dust, stormwater, and air emissions from equipment, vehicles, and operations. Ms. Peterson stated that this was covered but that she wants this in the Board's conditions. 3) The maximum daily flyash tonnage accepted at the facility from the Mirant Plant, now Genon, aka the Sandwich Canal Power Plant, shall be less than 50 tons. 4) The hours of operation at the site shall be limited to 7 AM – 5 PM. Ms. Peterson asked if there were ever any emergencies when the operation might need to take place beyond these hours. Mr. Gallo stated that the existing operation has been 24/7. Mr. Andrews stated that he does not foresee any impact to any of the residential area. Mrs. Gallo stated that currently the operation is Mon- Fri 7AM-3 PM. There was discussion and the Board members agreed that the hours would be set to 7 AM – 7 PM, 7 days per week with the understanding that should the need arise for 24/7 this could be brought to the Board of Health in an emergency for approval. The request for extension would come to the Board within 24 hours unless there was an emergency and then the Board members could be contacted by phone. 5) The applicant shall construct and operate the improvements and activities on the site in conformity with the application and the materials submitted herein. Mr. Andrews would like to incorporate the submitted Operations and Maintenance Manual, dated 3/23/2011. He would like to add that if the document is revised, the Board of Health should receive a copy. Mr. Hanscom stated that he will probably revise the document to include any conditions that the Board places on the operation. The new O & M will address the crash doors and the backflow preventers that the Board of Health already mentioned. Mr. Andrews stated that the Board will require that all pass doors will have crash bars for quick, emergency access for safety of the personnel inside the facility. He stated that the O & M Manual talks about the wash down and clean up of the floors in the facility so there will be the requirement of backflow prevention

device put on the water service to the facility and that it be maintained in accordance with the State Plumbing Code. Ms. Andrews also stated that inside the O & M Manual there is a section which states that in the event of a spill or accident that the Town of Bourne and Massachusetts DEP will be notified. He would like the Board of Health to be in this notification process. There was discussion and it was decided that the Town Emergency safety personnel and DEP would be notified in the event of an accident or spill and that the BOH would subsequently be notified within 24 hours. Mr. Andrews also stated that he would like to have a statement in the O & M that the building will be secured to prevent wildlife from entering the building. Ms. Peterson continued. 6) The area described in the application shall be considered a specific use site assignment pursuant to 310 CMR 16.23 and shall be utilized only for flyash handling and processing, including but not limited to transfer operations, processing and handling. Landfilling and/or combustion use are expressly prohibited. Any activity other than the handling and processing of flyash shall not be conducted at the site except in accordance with a new or modified site assignment. Mr. Hanscom wanted to add that the facility has the potential for bottom ash as well as flyash. The Board included the wording for bottom ash. Ms. Peterson further stated that the site assignment would take effect when recorded with the Registry of Deeds and after a certified copy of the same from the Registry is provided to the Board of Health, with all recording fees and charges paid by the applicant. She further stated that the site assignment would not be in effect until the Board received the decision from DEP on the setback waiver. Ms. Peterson asked the Health Agent to send another letter to DEP requesting a decision on the matter and stating that the Board was nearing the end of the site assignment process. Ms. Peterson further stated that the site assignment may be modified, suspended, or rescinded for good cause by the Board after notice to the owner and operator and after a public hearing. She also stated that the operational responsibility for the site assigned area shall not be assigned or transferred in whole, or in part, to another party unless approved by a vote of the majority of the Board of Health at a public hearing. Assignment or transfer shall include, but not be limited to, lease, license or other agreement related to the operation of the site assigned area. Ms. Peterson explained to Mr. Gallo that this meant that he could not sell the site assignment without coming before the Board of Health. Mr. Wall asked how far the Board wanted to go and asked if the applicant was a corporation, i.e. Sagamore Trucking and Rail, Inc. Mr. Gallo answered yes. Mr. Wall suggested adding the wording 'or any substantial change of ownership of the applicant, Sagamore Truck and Rail.' Ms. Peterson asked if there were any other comments or conditions. At this time, Mr. Mulvey questioned the earlier reference to bottom ash. Mr. Hanscom stated that the bottom ash is an incidental amount and he was just trying to cover that in the earlier wording. Mr. Barlow did not see the need to segregate fly ash from bottom ash. Mr. Andrews was concerned about the wording in the application and asked Mr. Wall what his feelings were. Mr. Wall stated that everything he can see in the application says flyash. Mr. Hanscom stated that everything is generically called flyash because 95% of the material is flyash. He stated that the existing waste stream also included miniscule amounts

of bottom ash. After much deliberation between the Board, Council, and Agent, concerning the wording in the application and the wording of the public hearing, it was decided that the site assignment and conditions would be for flyash, i.e. that there would be no reference to bottom ash. Ms. Peterson asked if, in the letter to DEP, Ms. Coffin could ask if they consider bottom ash generally under the same guidelines as flyash. Mr. Wall stated that after tonight's meeting he will work with the Chair on a draft decision. He will send that draft to Ms. Coffin and she can forward it to the Board members for review. The Board has to be careful and not deliberate through emails, but they can send their comments to Ms. Coffin and she can forward them to him. Hopefully the decision could be voted on at the next meeting. Mr. Hanscom asked to receive a copy of the draft as well. The Board members decided that the Board would tentatively meet on April 6th to review the draft and potentially vote on it. If not, the vote could take place on April 13th. The deadline for a decision is April 16th.

4. **118 Wings Neck Rd –Mr. Mohan requests variances for system upgrade with renovations.** Ms. Coffin gave the Board a little background on the project history. The applicant is proposing to do a small addition to two sides on the first floor of the dwelling. About a year ago the owner had contemplated demolishing the house and rebuilding but there were wetland issues so he has subsequently come forward with the proposed work on the first floor. Inspection revealed that the existing septic system does not have the required four foot separation to groundwater. The proposal tonight is for an upgraded system in connection with the proposed renovations. Ms. Coffin passed out side view plans that were received late afternoon. The percentage for the addition of non-bedroom space is a 40% increase. The project engineer, Mr. Koska, began his presentation to the Board. Mr. Koska stated that the groundwater elevation at high tide was determined in the field in the presence of Ms. Coffin and it was confirmed that the existing leaching system did not have the required four foot separation to groundwater. Groundwater was found at elevation 4.07. The base of the gravel-less contactor system is elevation 8.07, achieving the four foot separation. The proposed system will need a new tank and a pump chamber as well. There has been a filing before Conservation. Ms. Coffin stated that there had been an original filing with ConCom on the addition in which they agreed on the wetland line on the plan. This new plan for the septic upgrade will need to go back before the Conservation Commission, however. Mr. Koska reviewed the plans and showed the Board the wetland delineation line. He has tried to move the leaching facility a little further from the wetland line but could only move it about 9 feet due to the driveway. The variance that is being requested is 111 feet from the required 150 foot setback from the leaching facility to the wetlands. In addition the current water supply line is too close to the leaching. The water line will be relocated, however, it will still be within 5 feet of the septic tank and therefore a variance from the required 10 foot separation between the tank and leaching is necessary. Ms. Coffin stated that the water line will have to be sleeved. Mr. Koska stated that due to the mounded system, an impervious barrier will be placed around the leaching facility to prevent breakout. Ms. Coffin asked about

the elevation along the driveway and whether a retaining wall would be necessary in that location. There was further discussion and it was agreed that where necessary to prevent breakout, and a 3 to 1 slope could not be provided, a retaining wall would be installed. This should only affect the part of the leaching near the driveway. Ms. Peterson stated that no other additions will be allowed on this house without an alternative technology system. Ms. Peterson and Mr. Andrews want to have Ms. Coffin go through the house and verify that there are only three bedrooms, or rooms that meet our bedroom definition, in the dwelling. Ms. Peterson made a motion to approve the request for 118 Wings Neck Rd for a 111 foot variance from the required 150 foot setback of the leaching facility to the edge of wetlands and a 5 foot variance from the required 10 foot separation between the water line and septic tank. The water line will be sleeved and there will be a 1500 gallon tank installed. If the three bedrooms are confirmed by the BOH office, there will be a three bedroom deed restriction recorded with the Registry of Deeds. Ms. Peterson said that there is also a further condition that there will be no additional alterations and/or additions without an alternative septic system installation. The septic plans of record is #10-46, dated received by the Board of Health March 17, 2011 and amended on March 23, 2011 with the addition of a section of retaining wall in the southwest corner of the leaching facility. The architectural records are two pages dated March 17, 2011 and two pages submitted March 23, 2011. Mr. Andrews seconded the motion. Mr. Barlow stated that the deed restriction will have to be recorded before any permits are issued. Ms. Tinkham asked why an alternative system was not required for this property. The Board members explained that the work does not exceed the existing Board's policy guideline of less than 50 percent of non-bedroom space. Ms. Coffin explained that another part of the policy is that work on bedroom space should be less than 25% over what presently exists. It was a unanimous vote.

5. **62 Mashnee Rd, Vincent & Susan Origlio, Discuss and Possible Vote regarding fines for non-compliance with required alternative system maintenance and/or contract.** Ms. Coffin stated that she did mail a certified letter of non-compliance after the last Board of Health meeting. She verified online that the certified mail was delivered on March 17, 2011. She has not heard anything from the owners. Ms. Coffin stated that the original letter did reference the possibility of fines. Ms. Peterson made a motion to issue a fine of \$500.00 to Mr. & Mrs. Origlio for each two week period that they are not in compliance from March 17, 2011. Mr. Andrews seconded that motion. Ms. Peterson stated that the owners need to provide a contract for the alternative system to the Board immediately. They will be assessed the fines although they can always come before the Board of Health to request a hearing on said fines. It was a unanimous vote.
6. **Pocasset Mobile Home Park – Discuss and Possible Vote regarding extension on temporary license.** Ms. Peterson stated that she spoke to Attorney Sabatt and suggested that he send a letter to the Board to request a 60 day extension on the

temporary license for the Park. Ms. Peterson stated that Mr. Sabatt has been in contact with Ms. Coffin, has visited the site with Ms. Coffin, is having the system pumped and is attempting to collect the rents due. Mr. Austin did not turn over any monies, rental records, or bank accounts and Mr. Sabatt has been forced to go door to door in attempt to get a record of those living in the Park and who owe rent. She would like to see the Board give Mr. Sabatt additional time to get things in order before he can come before the Board with more solid plans for fixing the failed system and addressing other issues. Ms. Peterson stated that Mr. Sabatt has already hired BSC to look at the septic design and is looking at ways to get funding from government and private resources. Mr. Andrews asked a question about the temporary license that the Board had already issued. Ms. Coffin stated that application for and payment for the original license was made. Then the Board held a hearing and put conditions on a temporary license. In the meantime, the court appointed Mr. Sabatt as receiver for the Park. Mr. Barlow stated that the license should be transferred to Mr. Sabatt, but Ms. Peterson disagreed. Mr. Andrews stated that Mr. Sabatt needs to come before the Board of Health to request a license. Ms. Peterson and Ms. Coffin stated that Mr. Sabatt is not in a position to do that yet and needs more time, hence the reason for the extension. Mr. Andrews feels that the temporary license should have only been good until the receiver took over and that Mr. Sabatt should now apply for a separate license. Ms. Peterson does not feel that this is the appropriate way to see it done. She stated that Mr. Sabatt is the receiver for Charles Austin and that everything that Mr. Austin was given automatically goes to Mr. Sabatt. There was further discussion. Mr. Andrews said that he would like to see Mr. Sabatt before the Board and Ms. Peterson said that he will be before the Board soon, when things are in better order. Ms. Coffin stated that she would be meeting Mr. Sabatt on March 24 at 9 AM at the Park if Mr. Andrews would like to join that meeting and Mr. Andrews stated that he would do that. Mr. Barlow made a motion to extend the temporary license for another 60 days. Ms. Peterson seconded the motion. It was unanimous to extend the temporary license.

7. **Approval of Minutes dated February 23, 2011 and March 2, 2011.** Mr. Andrews made a motion to accept the minutes of February 23, 2011 and March 2, 2011. Mr. Barlow seconded the motion. It was a unanimous vote.
8. **New Business-** The Board members stated that they wanted wording about potential fines for non-compliance added to any enforcement letter.

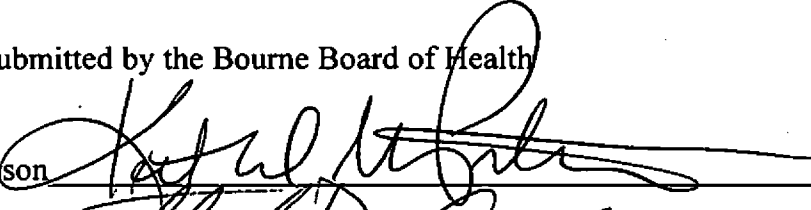
Mr. Barlow made a motion to adjourn. Mr. Andrews seconded the motion. The meeting adjourned at 9:30 PM.

Typed and submitted by,

Cynthia Coffin.

Respectfully submitted by the Bourne Board of Health

Kathleen Peterson



Stanley Andrews



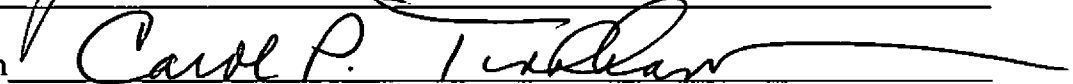
Galon Barlow



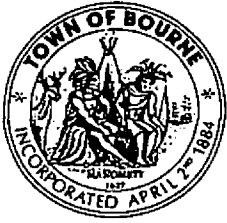
Donald Uitti



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

SPECIAL MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

April 6, 2011

Time:

6:00 P.M.

Place:

Bourne Veterans Memorial
Community Center
Selectmen's Meeting Room
239 Main St.
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. Discuss & Vote regarding final decision on site assignment for Sagamore Truck & Rail.

cc Board of Selectmen/Town Clerk

Signed:

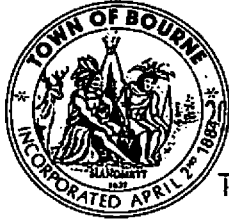
Title: Secretary

Date: March 29, 2011

Kathy M. Bungers

TOWN OF BOURNE OFFICE

2011 MAR 29 AM 11 33



**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

MAY 13

TOWN CLERK'S

**MINUTES
April 6, 2011**

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow, and Don Uitti. Members Absent: Carol Tinkham

Support Staff: Cynthia Coffin, Health Agent and Kathy Burgess, Secretary

Call to order: Meeting called to order at 6:15 P.M.

- 1. Discuss and Vote regarding final decision on site assignment for Sagamore Truck and Rail.** Ms. Peterson stated that this is the final hearing and determination of decision and statement of finding on Sagamore Truck & Rail's application for site assignment for a transfer station under 50 tons, fly ash only. Ms. Peterson stated that there was an item on page 10 that Mr. Andrews would like Town Counsel, Brian Wall to clarify. Mr. Andrews stated that item *O* on page 10 read: *The extent to which existing solid waste disposal facilities are located within a municipality. Site assignments for new facilities are preferred in municipalities without existing facilities.* Mr. Andrews stated that in their decision it states that the purpose of the existing facility and the solid waste that will be transferred at the proposed site cannot be disposed at Bourne's existing facility. Mr. Andrews wanted to know if it was factual that the material cannot go into the Bourne landfill. Mrs. Gallo stated that they had met with Dan Barrett on this issue but Mirant did not want to go to a facility like the Bourne landfill. Mr. Hanscom stated that it is a liability issue with Mirant and they would rather have it go to a lined landfill as a special waste. Mr. Wall asked if the Board would like to change the word cannot to something else. The Board agreed to leave the wording as it was. Mr. Hanscom stated that he had a few minor comments on the first few pages. The first paragraph under introduction talks specifically about an out of state facility licensed to dispose of fly ash and Mr. Hanscom feels that their intent in the application was to go to an appropriately licensed disposal, reuse, or recycling facility or whatever is legally appropriate and does not necessarily restrict them to an out of state facility. Ms. Peterson asked why would they allow it to be put into another landfill in the State of MA when there is a perfectly good

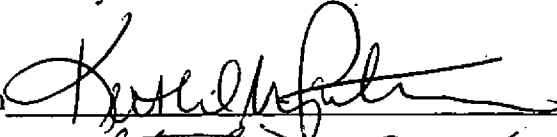
landfill that can and would accept it if Mirant wanted to do business with them. Mr. Hanscom stated that Bourne is not licensed to accept special waste; the license is to accept Municipal Solid Waste. Mr. Barlow asked if Mr. Hanscom would like it to read to transfer same on trucks for transportation to a facility licensed to dispose or recycle fly ash. Mr. Hanscom stated that he would like the wording to read *to an appropriately licensed reuse, recycle, or disposal facility*. Mr. Hanscom stated that they are talking about fly ash only. Fly ash from the power generated plant on Cape Cod Canal and transfers same onto trucks for transportation to an appropriately licensed reuse, recycle, or disposal facility. Mr. Barlow stated that that would leave the door open if Bourne ever reached the level of being able to take it. Mr. Hanscom stated that if Mirant would agree that is what they would prefer as well. Mr. Wall stated that he would agree with that wording and as long as it's an appropriately licensed facility the Board of Health really doesn't have any say as to whether it's out of state or not. Mr. Hanscom stated that he would like to change the word landfill on page 2 to the wording *licensed off site management facility*. Ms. Peterson read the Decision and Order to the Board on Page 11. (See attached) Mr. Hanscom questioned item #4 which states *the maximum daily fly ash tonnage accepted and transferred at the site assigned area shall not exceed 50 tons per day*. Mr. Hanscom stated that they have not really discussed whether the 50 tons per day was a strict daily number or an average number. Mr. Hanscom stated that often times in this type of situation you have an average number based on five, six or seven days a week. Mr. Hanscom would prefer not to exceed an average 50 tons per day in a five day work week. Ms. Peterson stated that at the last meeting Mr. Hanscom stated that they might be operating seven days a week and if it got busy enough they would have people on 24/7. Mr. Andrews stated that Mr. Hanscom also stated that if the tonnage went up he would come back to the Board to request an increase. Mr. Hanscom stated that he is only talking about 250 tons per week as opposed to 350 tons per week. Ms. Coffin stated that in the application it reads that the maximum capacity accepted in any single day is 49 tons. Mr. Andrews stated that the Board typically looks at tonnage limits as that day's limit and not an average over a certain amount of days. Mr. Hanscom stated that what they are saying is on average they will not exceed 49 tons a day but on a single day they may do 54 and the next day could be zero or 22. Mr. Andrews stated that the Board has to look at it as a max for the day. Ms. Peterson stated that the application should have stated that they wanted to vary their daily limit if that is the way they wanted to do it. Ms. Coffin stated that no where in the application was it mentioned that it might go over 49 tons per day at any time. Mr. Barlow stated that if they get to a point that they feel they may be going over the 49 tons they can just come before the Board and they can vote to increase it. Mr. Andrews stated that they can request an increase even if it's an emergency situation and something changes drastically. The Board is very understanding about that. Ms. Coffin stated that she has a problem with the fact that their application states that they will not exceed 49 tons per day and they should have brought this up at any of the discussions they have had over the months. Mr. Barlow stated that he would not be supportive of changing it now. Mr. Hanscom stated that he does not consider it to be a change.

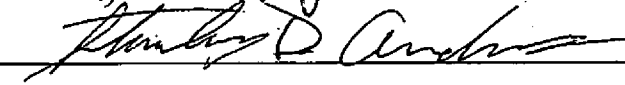
Mr. Barlow stated that tonnage is a big change. Mr. Andrews stated that it is Mr. Hanscom's interpretation of the tonnage that is different from the Boards. Mr. Hanscom stated that that is the way DEP interprets it as well as the regulations. Mr. Wall stated that he understands how the applicant got the number but if the Board were to give the applicant what he wants it should read not to exceed an average of 50 tons per day and what he is hearing that is not something that the Board wants to do. Mr. Andrews stated that it would be a disconnect from their decisions in a prior site assignment in the Town. Mr. Wall stated that he used the prior site assignment as a model for the tonnage wording. Ms. Peterson read from a prior site assignment which stated *the maximum daily tonnage accepted at the combined 103 acre site assigned area shall not exceed 825 tons per day*. Ms. Peterson stated that they changed the wording from the previous site assignment to this one by replacing the word solid waste with fly ash and changing the 825 tons to 50 tons and that is how they have done their previous site assignments and agrees with Mr. Barlow that they should not change it. Mr. Hanscom stated that his intention is not to be controversial but all the site assignments he has been involved with have been interpreted as an average day and the discussion becomes are they counting weekends or 24 hours a day. Ms. Coffin stated that if it is less than 50 tons a day it could become 50 and if it becomes 50 it will involve DEP approval. Ms. Coffin believes it should state less than 50. Mr. Hanscom and the Board agreed that the wording should read less than 49. There was general discussion regarding Item # 6 which stated that the applicant will run the facility in strict accordance with the O&M manual revised as of April ___ 2011. It was decided that there would be no specific date added and it would be left as April 2011. Mr. Hanscom stated that he would get a revised copy to Ms. Coffin. Mr. Hanscom also stated that on Item #6 he would like it to read potable water supply rather than just the washroom because it could include bubblers or any other connection to a potable water supply. Mr. Hanscom stated that they do not want to have people potentially drinking contaminated water. There was general discussion regarding the wording. Mr. Hanscom stated that they are maintaining the back flow prevention device which is simply to prevent a back flow of any contaminated water into the potable water supply. Mr. Wall read it to the Board to make sure the wording was correct. It read as *installing a backflow prevention device to protect the potable water supply in the building which device shall be maintained in accordance with state plumbing code*. There was general discussion regarding the use of the word potable. Mr. Hanscom stated that the clarification is that the potable water supply coming into the building and then they are going to branch off to other potable water supplies in the building and then the backflow preventor will go off to the hose bibs and other areas. Mr. Andrews stated that that was not correct and typically the backflow device is the first device entering the facility so that nothing from the facility can go back outside. Mr. Andrews stated that his concern was anything from the building getting back out into the street. Mr. Andrews stated that they could put anti suction devices on the hose bibs if they wanted. Mr. Hanscom stated that the way Mr. Andrews is talking he would have to run a separate dedicated service from the public water supply outside the street into the building for the washroom and

the bubblers. Mr. Hanscom stated that he wants to run one main line in and branch off to the bubblers and the wash room on the public water supply side. Mr. Andrews stated that he would like the backflow device on the main line coming in and off of that they can get the bubblers and whatever else they would like. Mr. Hanscom stated that that does not protect the people using the bubblers. Mr. Andrews stated that he is looking to protect the people outside of the facility. Mr. Hanscom stated that he would like to protect both. Mr. Andrews stated that they can put in an additional one to protect the drinking bubblers inside the facility. Mr. Andrews stated that he went over this with Mr. Tribou, the plumbing inspector. Mr. Andrews stated it should be worded as *installing a backflow prevention device for the protection of the public water supply system*. Mr. Andrews stated that anything else Mr. Hanscom may want to do inside could be done with backflow preventors at the hose bibs. Mr. Hanscom stated that anything that would be done would be done with a plumbing permit and the plumbing code officer would be inspecting it. It was decided that item #6 would remain as is except for changing the word washroom to building, adding the word potable in and correcting the spelling error in the word device. Mr. Hanscom and Mr. Wall agreed. It will now read *installing a backflow prevention device to protect the potable water supply in the building which device shall be maintained in accordance with state plumbing code*. Ms. Peterson read item #9 and stated that they had received a letter from DEP which read that DEP was working on the letter that the Commissioner has to approve to grant a waiver of property line setback criteria in 310 CMR 16.00 for the Sagamore Trucking Facility at 845 Sandwich Rd, Sagamore, MA. With that letter they will address additional questions regarding the definition of fly ash and the relationship between fly ash and bottom ash. They anticipate the letter to be signed before the Board of Health meeting on April 13, 2011. It was signed by David Johnson, Acting Deputy Regional Director. Ms. Peterson stated that the site assignment would not go forth until they received the letter from DEP. Mr. Hanscom asked, referencing item #12, if there was an emergency on a weekend who would he contact. Ms. Peterson stated that he could call the police or fire dept. and they would contact Ms. Coffin. Ms. Coffin would then call Mr. Hanscom or the Gallo's. Ms. Peterson stated that Mr. Hanscom would also be provided with the phone number of the Chairperson of the Board of Health. Mr. Hanscom agreed. **Mr. Andrews stated that he believes that the changes they have made tonight are mostly typographical and he would like to make a motion to APPROVE the site assignment as amended in the discussion tonight. Mr. Uitti seconded the motion. All in favor and the motion PASSES.** Mr. Wall stated that he would make the changes and get the final version to Ms. Coffin. Ms. Peterson stated that this should be added to the agenda as signing purposes and they will sign it at the April 13, 2011 Board of Health meeting. Ms. Peterson wanted to publicly thank Brian Wall for doing a great job and also thanked Mr. Hanscom and the Gallo's for making it a smooth process. **Mr. Andrews made a motion to ADJOURN. Mr. Uitti seconded the motion. All in favor and the meeting was adjourned at 7:10 P.M.**


Taped and Typed by Kathy M. Burgess for the Bourne Board of Health

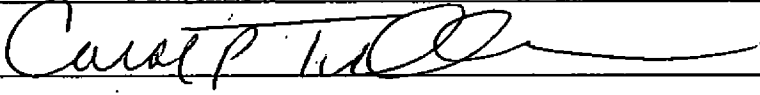
Respectfully submitted by the Bourne Board of Health

Kathleen Peterson 

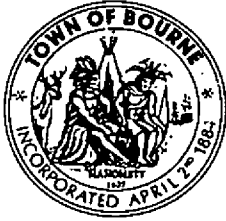
Stanley Andrews 

Galon Barlow _____

Donald 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:

April 13, 2011

2011 APR 13 PM 1 58

TOWN CLERK'S OFFICE

Time:

7:00 P.M.

Place:

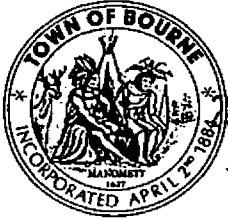
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. Sign final decision on site assignment for Sagamore Truck & Rail
2. ISWM – Dan Barrett- General update; discussion regarding DEP answers relative to questions 4 & 6- proposed alternative technologies
3. 45 & 47 Cove Lane – Brad Birtolo, JC Engineering for Thomas LeBlanc- Request variances
4. Debbie's Veggie Depot, 441 Shore Rd – Debbie Larsen- Request to allow expanded use of existing business
5. Wind Turbine Project-General discussion & brief factual statements submitted by the public and applicant with regard to flicker from wind turbines
6. Approval of Minutes dated March 9, 2011 and March 23, 2011
7. New Business

cc Board of Selectmen/Town Clerk

Signed: *Kathy M. Burgess*
Title: Secretary
Date: April 7, 2011



**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
April 13, 2011

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow, Don Uitti and Carol Tinkham.

Support Staff: Cynthia Coffin, Health Agent, Carrie Furtek, Health Inspector and Kathy Burgess, Secretary

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

Mr. Andrews stated that he would move item #1 further down on the agenda and move directly onto item #2.

1. **Sign final decision on site assignment for Sagamore Truck & Rail-** Moved further down on the agenda
2. **ISWM-Dan Barrett-General update;** discussion regarding DEP answers relative to questions 4 & 6-proposed alternative technologies-Mr. Barrett stated that they have not had any odor complaints since February but early morning odor loops by ISWM staff have noticed some minor odors due to morning startup of ongoing construction projects. These minor events have all been dealt with quickly and effectively. ET&L is continuing the installation of the gas system expansion. All header piping is in and four of the nine new vertical wells have been hooked up. The remaining wells will be hooked up by the end of next week, as finish grade is reached on the top areas and the wells can be set to their finish elevations. Mr. Barrett stated that in anticipation of the next potential area to cause odors they plan to focus land filling in the south end of Phase 2A/3A Stage 2 through the summer. This is the last area with waste in place that does not have any vertical wells. Their plan is to drill in that area sometime next winter. Litter-over the past month filling operations have been focused on the top level of the northeast corner of the landfill. They are placing the final lift of trash daily and intermediate cover on this area and doing the finish grading to facilitate the Final Cap project. Mr. Barrett stated

that the need to bring this area to finish grade to stay ahead of the Final Cap Project has not allowed us to drop operations to a lower elevation when the winds pick up. This caused problems last week when they experienced strong winds out of the southwest blowing litter on to the Gun Club and the MMR. They were working on an outside slope and could not place temporary nets in position. Mr. Barrett stated that he sent an email to DEP representatives at MMR as well as the Southeast Regional Office, TA Tom Guerino and Health Agent Cynthia Coffin to notify them of the situation. Everything has been cleaned up but there are still a few issues and they have to clean up on a daily basis. Mr. Barrett stated that today was a disheartening day as ET&L was working with about 7,000 yards of sand up on a slope and it all washed down. There is still some drainage and water issues at the landfill that they are continuing to work on. The Phase ID reclamation project is moving along well and they have not had odor complaints. Mr. Barrett stated that on Feb 23, 2011 he came before the Board and asked them to vote on several topics. Mr. Barrett stated, speaking for the working group, he wanted to thank them for that. It allowed them to move forward and get the RFP's off the ground and moving ahead. Mr. Barrett stated that he and Phil Goddard took the questions from the Board to DEP and to James Colman, Assistant Commissioner, Bureau of Waste Prevention, to discuss. In quick summation DEP will allow and supports combustion of gasses derived from various processes as long as the material consists of source separated organics and more specifically, not mixed MSW. They will allow and support the processing of source separated C&D wood to make industrial chemicals or other products but they would not allow production and combustion of gas. They would like to study a little further to see what is in the C&D waste before they allow gasification of it. Mr. Barlow asked if Mr. Barrett was happy with the response he has received from DEP so far. Mr. Barrett stated that he was happy with the response. Mr. Andrews stated that he took a ride over to the landfill and it looked like they had dropped their operations back down into the valley. Mr. Barrett stated that they have and the North end is complete and the lift is finished. Mr. Barrett stated that they will continue to focus on the Stage 2 area. It is in the South end and is the only area that doesn't have vertical gas collection wells in it. They will bring it up to grade as quickly as they can and hope to be drilling there by next winter. All nine gas wells are now hooked up and are operational. Mr. Barrett stated that the decision by DEP on questions 4&6 did not slow the working group down and if they receive a proposal large enough to warrant coming back to question a combustion issue it would also require a tonnage issue and at that time they would bring it up before the Board of Health. Mr. Barrett stated that they are planning an open house for the residential drop off area on May 21, 2011. The Board thanked Mr. Barrett for coming in.

3. **45 & 47 Cove Lane-Brad Birtolo, JC Engineering, for Thomas LeBlanc-**request variance-Mr. Birtolo stated that this property encompasses roughly three acres including 7 separate vacant parcels. This project is a revision of a

prior approved plan for the property that was before the Board many years ago. They had gotten an extension on an approval for a single family house at 47 Cove Lane which encompasses the Northern side of the project. The applicant owns two parcels to the South of the property and will be purchasing the property at 47 Cove Lane. Mr. Birtolo stated that they are asking for variances to install a septic system with variances to the wetland setback. They are requesting four variances for four separate wetlands. North, West, South and Southwest. The project includes the construction of a four bedroom dwelling, a garage/boathouse and pool with a 4 bedroom septic system. Mr. Birtolo stated, following the policy of the Board in regards to wetland setbacks, the variances he is requesting are a 74.4ft variance from the wetlands to the West, a 77.6 variance to the wetlands to the North, 121.8 ft variance to the wetlands to the Southwest, and 100 ft variance from the wetlands to the South. They are greater than 75ft in all directions. They have included the use of a microfast septic system and also included a UV treatment prior to discharge and to a leaching field of four chambers. Since the time they submitted this plan they have done a little more research on the UV treatment. The UV treatment can be connected to an alarm panel so that if the light goes out the alarm panel will go on. Mr. Birtolo stated that he is aware that UV treatment has issues with maintenance but with the alarm panel you will know if there is a problem. The variances are very similar to the ones on the previously approved plan for the site on 47 Cove Lane. Mr. Birtolo stated that they have come up with a total concentration of 1.8 parts per million. Ms. Coffin stated that she has a problem because what they combined to make the lot bigger isn't really upland it is still wetlands and back when the Board approved the variances it was for a two bedroom dwelling and does not see why they should do anything different now by approving it for a four bedroom house. Ms. Coffin stated that they have combined the land but it's not land that will add to treatment of the effluent. Ms. Coffin stated that she spoke with the Conservation Agent and there will be quite a lot of fill out there. Mr. Birtolo stated that they are not touching any wetlands. Ms. Peterson stated that she would like to make a site visit with the engineer. Mr. Andrews agree. Mr. Andrews stated that he had gone out there today and didn't dare try and drive in because of the huge puddle. Mr. Birtolo stated that they have talked about doing something to alleviate that problem. Mr. Andrews stated that he believes the UV and blowers to alarm panels would be beneficial. Mr. Barlow stated that this is a much bigger project than was first proposed and he would also like to take a look at it. Ms. Coffin stated that looking at the architecturals there is a game room in the main house that would meet the definition of a bedroom. Mr. Birtolo stated that they have already spoken with the building inspector who told them he would not approve the game room in the basement because it's in the flood zone. Mr. Birtolo stated that it will be open there now and used only for storage. It was decided that the site visit would be conducted on Sunday morning with the engineer. **Mr. Andrews made a motion to CONTINUE the request for variances until April 27, 2011 after the Board has made a site visit to the property. Don Uitti**

seconded the motion. All in favor and the motion PASSES. Ms. Peterson stated that she would like to apologize for arriving a little late for the meeting tonight.

4. **Debbie's Veggie Depot-441 Shore Rd-Debbie Larsen-Request to allow expanded use of existing business-**Ms. Larsen stated that they would like to have a steel smoker outside and sell ribs to expand their business. Mr. Barlow stepped off at this point as he also holds a food permit in Bourne. Ms. Coffin stated that when Ms. Larsen wanted to open last year there was an issue because there is no grease trap in the ground. Ms. Coffin stated that she told Ms. Larsen she could open but no food could be cooked on the premises and she could not operate as a restaurant. Only already prepared meals and hot dogs were okay to sell. Ms. Coffin stated that she does not have anything against generating business but is afraid this is turning into a restaurant because they have also mentioned having a raw bar. Ms. Coffin has spoken with the plumbing inspector and the plumbing code has changed. If they serve food that is to be consumed on the premises they must provide bathroom facilities for the patrons. Ms. Furtek stated last year there was one complaint that they were serving foods that were not on the list of what they should be selling. Ms. Furtek did an inspection and did not find any evidence of that. She just did their pre-inspection for this year and everything was okay. Mr. Andrews stated that he would like the Board to make a site visit to the property. Ms. Peterson agreed. Ms. Furtek asked how they would clean the smoker. George Ayer, Debbie's business partner, stated that you just broil it off the smoker and then scrape it off which would actually be easier to clean than the hot dog cart. Ms. Peterson asked where they are washing items. Ms. Furtek stated that they have a three bay sink where they wash and sanitize. They have also installed a grease trap under the sink. Ms. Peterson asked where the food is prepared that they sell. Mr. Ayes stated that they buy it from Boar's Head and are not making anything at home and are more than willing to follow any guidelines they are given and just want to have a successful business. Ms. Larsen stated that they have to grow to survive. Ms. Peterson stated that she has had a number of people tell her that Mr. Ayes and Ms. Larsen smoke out in front of the business where there is a screen door and she is concerned that the smoke will go into the shop where the food is kept. Ms. Peterson reminded them to be mindful of that and that people are seeing it. Ms. Peterson asked Ms. Coffin to look up how far you have to be away from a building while smoking. It was decided to conduct a site visit on Sunday. Mr. Uitti was going to walk through on Thursday morning. **Mr. Andrews made a motion to CONTINUE 441 Shore Rd until April 27, 2011 so the Board could make a site visit. Mr. Uitti seconded the motion. All in favor and the motion PASSES.** Mr. Barlow stepped back on after the vote was taken. Ms. Peterson called for a five minute recess.

5. **Wind Turbine Project-General discussion & brief factual statements submitted by the public and applicant with regard to flicker from wind**

turbines- Ms. Peterson stated that this is a fact finding session and the only people who will ask question of the presenters will be the Board, Health Agent and media. If there is something that is really upsetting to someone then the Board will allow them a few minutes but they would like to keep it at just the information coming in. Ms. Peterson stated that over the next few weeks the Board and Health agent will sift through the mountains of paperwork that have come in. Ms. Peterson will ask Ms. Coffin to put her thoughts together and bring it to a future meeting for any ideas she may have on future regulations and then at a public meeting the Board will discuss it. Ms. Peterson stated that they will hear from New Generation Wind first because the Citizens for Renewable Energy went first at the last meeting. Diane Tillotson, attorney for New Generation Wind Project, stated that shadow flicker has gotten a lot less attention in the world of turbine regulations. Ms. Tillotson stated that the reason for that is that there are no established adverse medically supported health impacts from shadow flicker. There has been some discussion on the impacts for people that suffer from epilepsy and photo sensitivity. Ms. Tillotson stated that there is no scientific basis for that. There is no regulatory statewide standard on the amount of shadow flicker that you are allowed to have. Ms. Tillotson stated that shadow flicker is a combination of the sun impact on the rotor blades and what happens when the sun gets to a certain point in the sky on a sunny day and the blades are turning at a particular angle. The Bourne zoning bylaw has adopted the Massachusettes model zoning ordinance which has been prepared by the Dept. of Energy Resources in 2009 which basically says that turbines have to be sited in a manner that minimizes shadowing or flicker impacts but doesn't set any kind of numerical standard for that. Ms. Tillotson stated that there has been a study done by Epsilon Assoc. and presented at a webinar in February on shadow flicker regs. They looked throughout the Commonwealth of MA and also at other New England states and did a study on what regulations were out there. Ms. Tillotson stated that there are not many regulations that deal with shadow flicker. Those that do state that they have to be sited in a manner that minimizes shadowing or flicker impact and that the applicant has the burden of proving that the effect does not have a significant adverse impact on neighboring properties. Ms. Tillotson stated that when there is an hour standard adopted it is generally the industry standard of 30 experienced hours of shadow flicker per year. There is one standard in Wisconsin that is 30 hours per year but it requires mitigation after 20 experienced hours per year. Ms. Tillotson stated that it is very easy to program the turbines so that the impacts from shadow flicker can be mitigated. The turbines can read whether or not the sun is out and can be adjusted or shut off so that people do not experience shadow flicker. All of the models that New Generation is looking at have the capacity for curtailment to address the impacts of shadow flickers. Ms. Tillotson stated that another point the survey makes is that there are no requirements in any of the bylaws that require any sort of post construction modeling but maybe that is something that should be added to a permit. Rich Tavisinski, Atlantic Design Engineers, stated that they have been doing

shadow flicker studies for dozens of projects in MA. Mr. Tavisinski stated that flicker is a moving shadow that is cast by rotating turbine blades directly in line with the sun. The flicker is viewed from inside a building when these rotating shadows cross the window in the room you are in. When you are outside it is just basically a moving shadow in the area you are standing in. It usually occurs when the sun is low in the horizon and is rising or setting unless you are directly underneath the turbine you will then experience it more during the midday. It occurs in areas that are East and West of the turbine. It will be for specific times of the day and during the year. There are ways of calculating the times and dates and how much flicker you will experience on a daily basis during the entire year. Mr. Tavisinski stated that across the industry flicker is not considered to be a health hazard, it is more of an annoyance. When you are in a building trying to read or watch TV it can be considered an annoyance while you are in that particular room. The information from the epilepsy foundation indicates that flashing lights with the frequency of 5-30 hertz typically can be considered a hazard. Mr. Tavisinski stated that 5-30 hertz would be defined as flashes per second. Modern turbines are moving at a lot slower rotation and would cause a lot lower frequency of flashes per second or flickers per second. Mr. Tavisinski stated that they looked at 7 different turbine models and sizes from smaller 100 KW models up to the larger 2.5 Megawatt turbines and listed how fast their blades rotate and converted that to hertz and basically the range that those came into was 0.5 to 2.95 flashes per second. The smaller 100 kilowatt turbines rotate a lot faster and those are the ones that have the higher range of that frequency which is still well underneath the 5-30 hertz range that the epilepsy foundation considers. Mr. Tavisinski stated that this shows and is accepted in the industry that the frequency that the flicker is occurring is way under what would typically cause epileptic seizures according to the epilepsy foundation. Mr. Tavisinski stated that most bylaws do not quantify anything and just read that turbines should be placed in a manner to minimize shadow flicker. He believes that a lot of the regulations are so general because it is hard to quantify what should cause an annoyance and what does not because it is a very personal issue. The guidelines that most consultants in the industry follow are based on some German guidelines that were set forth in Germany and some court decisions that were rendered relating to those guidelines. Those court decisions came down to a standard of 30 hours per year of actual shadow flicker experience and in certain instances 30 minutes per day of experienced shadow flicker. Mr. Tavisinski stated that experienced means that you are home and are awake. That is the guideline that everyone particularly in MA and the US has followed. They have researched numerous studies by numerous firms and they are all referencing the 30 hours per year. The UMass wind energy center which does a number of feasibility studies and flicker studies for projects throughout the state use that guideline. Atlantic Design has received special permits in the Towns of Plymouth, Douglas, Dartmouth and Scituate where there were not any specific guidelines but Atlantic Design presented the 30 hour per year as their case and they were accepted as part of

the permits issued for those projects. Ms. Peterson asked if those presentations were made to the Boards of Health in those Towns. Mr. Tavisinski stated no, they were presented to the special permit granting authority or the zoning board of appeals for variances. They have made presentations on dozens of wind turbine projects throughout the State and this is Mr. Tavisinski's first Board of Health meeting. In all the other Towns the Boards of Health have not been involved. Ms. Peterson stated that anyone has the right in the Town of Bourne to ask the Board of Health to look at any project that is being presented and that is why the Board of Health has stepped in. Mr. Tavisinski stated that they use software called Windpro which is commonly used by industry professionals and is able to track the sun as it rises and sets every day and also tracks the position of the sun and where all the homes are located surrounding the sight. The program takes into consideration the height and size of the turbine, the blade diameter, wind data, the distance from the turbines from the various residential receptors surrounding the turbine, and the elevation of the ground at the turbine. It also takes into account the probability of the amount of sunshine occurring on a monthly basis. One thing it does not consider is the existing vegetation or anything that is in line between the receptor and the turbine itself. If a house has a lot of trees surrounding their property they may not experience the shadow flicker. Mr. Tavisinski then showed the Board a presentation with a table which listed when sunrise and sunset would be occurring on a certain day and how the flicker might start to occur and when it will end on that day. The software gives them the opportunity to know when and what day shadow flicker may occur at a certain residence. The turbine can be programmed to automatically shutdown a turbine during certain times of the year to reduce the amount of flicker that is occurring. Over 300 receptors can be programmed into it. It can also be programmed to be shut down for a certain day with notice given ahead of time to the operator. Mr. Ingersoll stated that it was important to note that the module can be faultless when programming in where windows are located at a particular residence. Mr. Tavisinski agreed and stated that flicker usually dissipates to a point where it is imperceptible around 3000 ft. Mr. Barlow stated that Mr. Tavisinski stated several times in his presentation that flicker is an annoyance and annoyance on a regular and predictable basis is a nuisance. Mr. Barlow stated that this is telling the residents of that area that they can expect a new nuisance in their life for 30 hours a year and why would they accept that? Ms. Tillotson stated that the 30 hour industry guideline is maximum potential experienced. The perception is experienced differently by different people and if it can be programmed to address someone who does experience it as a nuisance that it the goal. Ms. Tillotson stated that everyone accepts a certain amount of risk and annoyance in their lives every day because that is part of living in society. Ms. Tillotson stated that they are talking about clean power that provides a sustainable energy source which is a goal of this community and the region. Ms. Tillotson stated that from a legal standpoint a nuisance has almost no social benefit. Wind energy projects will have an enormous benefit on the other side. Mr. Barlow stated that he would

like to have the engineer comment on the benefit of 30 hours of nuisance imposed on the neighbors. Mr. Barlow stated that he has talked to people that live on Taylor's Point that have told him they are uncomfortable using certain sections of their house certain times of the year and consider it nuisance. Mr. Tavisinski stated that the definition of nuisance is different for different people and believes that what annoys one person will not annoy another. Mr. Barlow stated that he does not have a problem with wind power or clean energy but there is a place for everything and he would like Mr. Tavisinski to tell the Board why he would want it next to his home. Mr. Tavisinski stated that he would not be annoyed at that particular level of shadow flicker. Mr. Andrews asked what type of equipment they would use to detect flicker at a receptor or what would the Health Agent have to use to measure if she gets complaints to prove yes there is flicker coming through. Mr. Tavisinski stated that he would recommend a camera facility on those particular areas. Mr. Ingersoll stated that the GIS location of each of those modules is in the program and they will not tell you a falsehood and will tell you when the flicker occurred. Mr. Ingersoll stated that someone that is upset with the flicker just has to notify the operator of the turbine who could just turn it off at that time. There was general discussion regarding this issue. Mr. Barlow stated that the homes that are surrounded by trees are not supposed to be affected by the flicker but with a 25 year permit he has seen a lot of trees come and go. Ms. Peterson asked how far the trees have to be from the turbines to reduce the flicker affects. Mr. Tavisinski stated that it depends on where the house is situated and how far away the turbine is they would perform a line of sight study that could calculate that if you put a 40 ft tree 20 ft from a window it would screen the turbine. Mr. Ingersoll stated that if you stand at a home and cannot see the turbine you will not get shadow flicker at that property. Ms. Peterson stated that the flicker from the turbine at the industrial park in Falmouth was extremely annoying to her and she can understand why people are concerned when telling her that they will be annoyed by shadow flicker in their neighborhood. Ms. Peterson stated that if someone has to call to complain about the flicker the nuisance has already happened. Ms. Peterson stated that she was concerned that epileptic seizures can occur because of flashing lights and that if even one person has to call to complain about an outside event they may want to have that alone is a nuisance. Ms. Peterson stated that she is having a hard time with the fact that they have admitted that it will be an annoyance and with all the specific information programs that can mitigate annoyance there must be annoyance complaints to begin with. Mr. Tavisinski agreed. Ms. Tillotson stated that their modeling does not even project close to 30 hours per year. Ms. Tillotson stated that the report put out is by the Epilepsy Foundation and talks about all photo sensitive seizures and the turbine frequency is nothing like a disco strobe. Ms. Peterson stated that it can be constant. Ms. Tillotson agreed. Mr. Barlow stated that he believes that annoyance on a regular basis rises to the level of nuisance. Mr. Barlow stated that an occasional odor from the landfill is an annoyance but an odor from the landfill every day is a nuisance so they

are predicting annoyance or nuisance for a 25 year period on people in Town. Mr. Barlow believes that renewable energy and wind energy is great but thinks there is a place for it and does not know if it's right up against people's homes. Mr. O'Brien stated that 30 hours a year is the maximum and they are not projecting anything even close to that and that is 30 hours out of 8,760 hours in the year. Mr. Andrews questioned how many of those hours were actual sunlight hours. Mr. Uitti asked how far away from a house would a turbine have to be to eliminate the flicker. Mr. Tavisinski stated that generally flicker will dissipate through dust and other atmospheric conditions and will be undetectable at about 3000 ft away. Mr. Barlow stated that when the sun goes down in Bournedale the shadow by the hill casts a shadow on the other side of the canal and if you were to put a wind turbine on top of that hill that wind turbine would very likely impact some of those houses over there on the other side of the canal. Mr. Ingersoll stated that the MMA turbine casts a shadow flicker on several of the houses on the other side of the canal which is at least 2000 ft away but for 10 minutes on June 22nd as the sun goes down. Mr. Andrews asked what the range is that the shadow flicker could be adjusted from zero to max. Mr. Tavisinski stated that it is fully adjustable for mitigation purposes on a minute by minute basis. Ms. Peterson stated that she would like to thank the speakers for coming. Mr. Hebb asked if there would be any shadow flicker that would occur under moonlit conditions. Mr. Ingersoll stated that on a beautiful moonlit night in the wintertime when there are no clouds in sight and the turbine is at the right angle there would be flicker. Ms. Peterson called for a two minute recess. Ms. Peterson resumed the meeting and stated that anyone is welcome to send in a letter or information or questions to the office and that everything will be looked at. Kiana Nowzar and Jim Potter, Concerned Citizens for Responsible Energy, are presenting a power point presentation. Ms. Nowzar stated that shadow flicker is a severely under addressed issue universally speaking. Ms. Nowzar stated that they would begin a presentation with Google Earth where they would take a look at the proposed wind farm. Mr. Potter stated that they used Google Earth and Google Sketch for the 3D modeling. It puts the sun direction in the right spot and is very accurate. Mr. Potter showed how the 500ft turbines would look from the Bourne Bridge and also where the power plant would be located. Mr. Potter stated that he will give the Board members a copy of the presentation. Ms. Nowzar pointed out the Pilgrim Pines area along with the Bournedale Elementary School location. Mr. Potter showed where the proximity of the turbines to major roads such as Scenic Highway and Rt. 25 and the shadow that would be cast along those areas. The presentation showed where each turbine would be located and the scale of the size of the turbines. Ms. Nowzar stated that the understanding of the physical presence of the turbines is of utmost importance in the context of shadow flicker. Ms. Nowzar showed the projected shadow flicker from one of the turbines at 5:30 A.M. which came in at 12,000 ft from a 500ft structure in sunshine. The presentation showed where and what time of day each turbine would cast a shadow in each location. Ms. Kowzar stated that there is concern for motorists at certain times

of day trying to travel through two lines of potential shadow flicker. Mr. Potter stated that there should be some concern with the shadow going over the canal because that could affect nautical traffic. Mr. Barlow stated that it would be a stretch to get into navigational hazards because boats are moving and would only be exposed to the flicker for a matter of seconds. Mr. Potter showed video of homes in Illinois located close to wind turbines that experience shadow flicker. It showed the flicker effect inside as well as outside the homes. Mr. Potter stated that they also have an 800 number to call when the flicker is bothersome. Ms. Coffin asked if the people there ever call to complain. Mr. Potter stated that they do call and their neighbors complain but after awhile he believes that people just stop complaining. Ms. Peterson stated that she would like Mr. Potter to drop off copies of the presentation to the Board of Health Office. Mr. Potter agreed. Mr. Jim Smith, Sagamore Beach, stated that he was not a flicker expert but does have epilepsy. The strobing part of the flicker of the turbines is most concerning to him. Mr. Smith stated that there are triggers that he has to watch out for having epilepsy and some of them are inadequate and infrequent sleep and flashing lights. Mr. Smith stated that he is also concerned about Scenic Highway and how that will affect people sitting in traffic in that area that may have epilepsy and experience the shadow flicker there. Ms. Peterson asked what Mr. Smith's doctor has said about this issue. Mr. Smith stated that his doctor told him about these epileptic triggers that he just talked about and to stay away from them. Mr. Smith stated that he cannot go into 3D movies and that he designs circuit boards for a living and one of his customers designed LED signs but he cannot go into the lab to check and make sure that the signs are functioning properly because of his epilepsy. Walter Nagle, 58 Mirasol Drive, stated that he is concerned about the affect of flicker on his wife because she suffers from migraine headaches. There is a study out from the Mayo clinic that describes the various triggers that induce migraines. Mr. Nagle stated that when migraine headaches hit his wife it is the result of flashing lights or reflected light coming through a window. Any type of flashing light that will come in their house will cause her to pull shades down and possibly stay indoors. Mr. Nagle passed in a letter from his wife who could not be here today(see attached). Another resident from Mirasol Drive expressed his concern and wondered what kind of guarantee they would have that the turbines would be shut down when they complain that the flicker is too much at a certain time. Laura Fortune stated that she has a mass in her brain that causes seizures and her doctor told her to stay away from anything that causes any kind of flicker which might bring on a seizure. She is also concerned about driving with her children in the car on Scenic Highway to the Elementary school when there is flicker which could bring on a seizure. Keith Mann stated that he does not think that flicker on the roadways would be a concern. Mr. Mann stated that there are also shade from trees on the road which would be the same thing as shadow from the turbines. Mr. Mann feels that cars are traveling at such a speed that they will pass through the shadows in 2 seconds. Mr. Mann stated that he does not believe that 30 hours a year of shadow flicker would be an

annoyance. Ms. Peterson stated that if everyone does not get a chance to speak tonight there will be other opportunities for them to speak as the Board develops the regulations and it will all be in a public hearing. Ms. Peterson stated that everyone will get their chance to voice their opinions at future meetings. John Sutton, Pilgrim Pines, stated that you have to remember that they are planning 7 turbines, not just one and believes that this will be a constant annoyance.

Sign final decision on site assignment for Sagamore Truck & Rail- Agenda #1- Ms. Peterson asked the Board Members if they had all read the final site assignment. Everyone had. **Mr. Uitti made a motion to ACCEPT the final site assignment for Sagamore Truck & Rail. Mr. Andrews seconded the motion. All in favor and the motion PASSES.** Ms. Coffin stated that she had spoken with Dave Ellis, DEP, and he does not see any problem with DEP approving the waiver. The Board Members signed the Site Assignment for Sagamore Truck & Rail at the Board of Health meeting dated April 13, 2011.

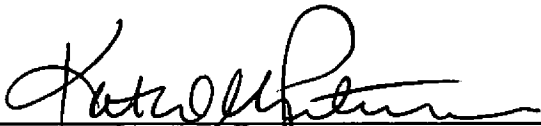
6. **Approval of Minutes dated March 9, 2011 and March 23, 2011-Mr. Andrews made a motion to APPROVE the minutes dated March 9, 2011 and March 23, 2011. Mr. Uitti seconded the motion. All in favor and the motion PASSES.**

7. **New Business-**Ms. Coffin stated that Mr. Sabbot is holding a meeting for the residents of Pocasset Mobil Home Park and will be before the Board at the next BOH meeting on April 27, 2011. They are installing six trenches at the Park because it has been overflowing on a daily basis. DEP has been out quite a bit to help. Ms. Furtek stated that the door is on backorder for 62 Old Plymouth Rd but did an inspection today. Ms. Peterson stated that they should continue to be fined and when everything is in compliance they can appeal the fine.

Mr. Andrews made a motion to ADJOURN the meeting. Mr. Uitti seconded the motion. All in favor and the meeting was adjourned at 10:10 P.M.


Taped and Typed by Kathy M. Burgess for the Bourne Board of Health

Respectfully submitted by the Bourne Board of Health

Kathleen Peterson 

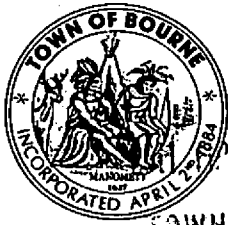
Stanley Andrews 

Galon Barlow _____

Donald 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

APR 21 AM 1 21
TOWN CLERK'S OFFICE

MEETING NOTICE

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

Schedule of Meeting

Date:

April 27, 2011

Time:

7:00 P.M.

Place:

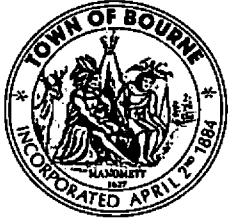
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. **Chuck Sabatt –Receiver for Pocasset Mobile Home Park-Discuss & Vote regarding Park license; update on Park status**
2. **45 & 47 Cove Lane –Continued- Brad Birtolo, JC Engineering for Thomas LeBlanc- Request variances**
3. **Debbie's Veggie Depot,- Continued- 441 Shore Rd – Debbie Larsen- Request to allow expanded use of existing business**
4. **787 County Rd-Robinson & Elizabeth Whitaker-Request waiver to use the existing septic system for renovations**
5. **91 Elgin Road-Zachary Basinski for Steve Karlson-waiver to continue use of existing system with addition of nitrogen removal and UV unit**
6. **22 Chamber Rock Road – Brenda Hickey- Request for horse license**
7. **Pocasset Auto Service – 810 MacArthur Blvd –James Chapani- Hearing for failure to obtain licenses for tobacco and retail**
8. **Board of Health deliberation on proposed Wind Turbine Regulations. No further testimony accepted.**
9. **Approval of minutes dated April 6, 2010**
10. **New Business**

cc Board of Selectmen/Town Clerk

Signed:
Title: Health Agent
Date: April 21, 2011



**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
April 27, 2011**

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow, and Carol Tinkham. Member Absent: Don Uitti

Support Staff: Carrie Furtek, Health Inspector and Kathy Burgess, Secretary

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

- 1. Chuck Sabatt-Receiver for Pocasset Mobile Home Park-Discuss & Vote** regarding Park license; update on Park Status-Mr. Sabatt stated that he has been appointed as the receiver for the Pocasset Mobile Home Park by the Suffolk Superior Court. He was appointed on February 18, 2011 and has been primarily been trying to stabilizing the rents which is fundamental to operating the park and addressing the overriding issue which is the septic system. Mr. Sabatt stated that he has spoken with Ms. Coffin as to what would be the best approach to the system to prevent it from continually overflowing. Ms. Coffin recommended that the best thing to do was to try and pump the system dry at least once a month. Mr. Sabatt contacted Capeway and they then pumped it dry. Within 3 days of pumping it dry there was an overflow at one of the leach pits which was pumped dry again and it continued to overflow each day. Mr. Gilpin, Capeway, recommended that the best thing to do was to put in some emergency overflow leaching. Ms. Coffin met them at the site and they then contacted Brian Dudley, DEP, who met with Mr. Sabatt's engineer. Mr. Andrews also made a site visit. It was decided that they would go ahead on an emergency basis and install some leaching pits. The DEP told them to just go ahead and do it, don't file a plan or wait for a permit as it was an emergency. They installed six leaching trenches and there has not been a problem since they have been installed. Mr. Sabatt stated that he has been approved through Barnstable County for a septic betterment loan. DEP has also approved of the loan. The rent is under control and Mr. Sabatt has identified most of the occupants of the Park. Mr. Sabatt stated that his next step would be to address the condition of the roads at the Park. Some of them are

nearly impassable and he has plans to patch the holes and regrade. BSC Engineering is in the process of preparing the ground work and planning for onsite wastewater treatment plant. He will be meeting with DEP and getting a list of requirements from them and that plan is currently being developed. Mr. Sabatt stated that they have hopefully resolved the overflow problem. This is only a temporary emergency resolution. Ms. Peterson stated that the conditions of the temporary license that was given to the Park have not been addressed yet. They have to be addressed one by one and the Board may consider changes because Mr. Sabatt has taken over the Park but they still need to be addressed. Ms. Peterson stated that the temporary license cannot be issued until they have been addressed. Mr. Sabatt stated that he has been distracted with the other issues at the Park but will review the license. He will take a look at the escrow requirement. Ms. Peterson stated that Mr. Sabatt has the authority to make requests for changes to the conditions. Mr. Barlow stated that the Board wanted a fence around the pits because of the overflows but if the overflow is under control they may be able to reconsider requiring a fence. Mr. Sabatt would have to request that in writing. Mr. Andrews stated that he was there when they were putting in the leaching trenches and asked when the completion date was. Ms. Furtek stated that she thought it was about two weeks ago. Mr. Andrews stated that it would help to have written documentation from Capeway that they have not had to go out and work on the field at all. That may help alleviate the fence issue and some of the other items. Ms. Peterson stated that she believes that it was the first meeting in March that the Board issued the temporary license for 60 days. Ms. Peterson stated that the Board is willing to work with Mr. Sabatt. Mr. Sabatt stated that he will run through the conditions and will send a letter to the Board and will address what he can in the meantime. Mr. Andrews asked if the flyer with the management companies name and number on it was posted on the Board in front of the Park. Mr. Sabatt stated that he believed it was. Mr. Sabatt stated that Linda Fobert was the on-site manager. Ms. Fobert does not live there but lives close by. It is Charterhouse Management that will be available 24 hrs. Mr. Sabatt stated that he met with the residents on Saturday morning and it went very well. Ms. Fobert was also there. Mr. Gately asked how many residents there were at the Park. Mr. Sabatt stated that his best estimate is 89 but believes there are more. Mr. Sabatt stated that they are working on identifying all the residents. Mr. Sabatt stated that when he took over as receiver in February he did not have any names, records or leases. He went door to door with two constables and had forms for people to fill out and they were able to identify most of the residents. A number of residents have called Mr. Sabatt on their own. Mr. Sabatt stated that the only interaction he has with Mr. Austin is through his attorneys. Diana Barth asked Mr. Sabatt if he was able to collect any back rent. Mr. Sabatt stated that he has not been able to collect back rent due to lack of information. The rent that has been collected is some for March 1 and all of the rent due April 1 and he is now seeing some rent due for May 1. The Board thanked Mr. Sabatt for coming in with an update.

2. **45 & 47 Cove Lane-Continued**-Brad Birtolo, JC Engineering for Thomas LeBlanc-Request variances-Mr. Birtolo and Thomas LeBlanc are both in

attendance tonight. Mr. Birtolo stated that he met the Board Members for a site visit last Sunday. Mr. Birtolo passed out handouts to the Board. Ms. Peterson stated that she has a deed for 41 & 45 Cove Lane but was unable to locate the deed for Mr. LeBlanc for 47 Cove Lane. Mr. Birtolo stated that 47 Cove Lane is currently under the ownership of Richard Clarke who is deceased. Mr. LeBlanc stated that he closed on the property today. Ms. Peterson stated that the new ownership was not on record as of 4:00 P.M. today. Mr. Birtolo showed the Board on the map what parcels Mr. LeBlanc owns. Mr. LeBlanc owns 41 & 45. Part of 47, where the house will be built, comes onto 45. It will be one street address. Mr. Barlow stated that they had approved a two bedroom house in that spot years ago for Richard Clarke. Mr. Birtolo stated that at the last meeting there was some concern regarding the nitrogen loading and whether wetland areas should be included or not. Mr. Birtolo stated at the site meeting on Sunday there was an extremely high tide and only a portion of the Northern property was under water. Mr. Birtolo went over the sheets he gave to the Board and stated that, showing the whole lot, 1.49 was the loading rate after accounting for all the grass and bedrooms. The second sheet he removed the marsh area along a portion of the site, roughly 27,000 sq. ft. of the area along the North and is still getting less than 2 parts per million. The third sheet is considering an alternative septic system, utilizing a nitrogen loading of 19 parts per million. The third sheet just included upland area only and delineated the portion of the wetland that is within the vicinity of the proposed work. The whole site is 3.3 acres and the site he has included is about 1.5 acres. Taking into consideration the nitrogen loading, he has 3.19 parts per million which is still below the threshold of 5. Mr. Birtolo stated that he also tried it with a conventional septic system with upland area only and it is 4.9 parts per million. That would be a conventional title V septic tank to a leaching field. That also takes into account the roof area, the gravel area for the driveway, and the lawn area which is delineated at the request of the Conservation Commission. Mr. Birtolo stated that they have a considerably large piece of the property compared with the neighborhood and there are houses in the neighborhood that range from 2-5 bedrooms with much smaller lots. They are proposing a 4 bedroom dwelling which is typical of the area and the size is similar to other homes in the area. Mr. Barlow stated that he remembers that the Board struggled with this just to put a two bedroom home there. Ms. Peterson stated that then they didn't own this other piece of property and they were out on the site visit at the highest tide she has seen in a long time. Mr. Birtolo stated that the UV will be connected to an alarm but he has not changed that on the drawings yet. Mr. Barlow stated that this area was not considered buildable at one time and now they are being asked to put a big project in there. Mr. Birtolo stated that they now own a bigger piece of land. Mr. Barlow stated that he does not see that the other piece of property makes it any different and the piece of property is basically more filled wetland. The marsh there was extensive but they filled part of it but were not allowed to build on it. Ms. Peterson stated that there are some pretty large houses in that neighborhood. Mr. Andrews looked over the soil logs. Mr. Andrews stated that they would like an indicator that can be seen from the street with an alarm if the UV light goes out. It will have to have bulb protection and an

indicator that shows the system is energized. Mr. Andrews stated that the Board has had issues with people turning off the power to their blowers and disconnecting the system. Mr. Andrews asked if the residence would just be a summer home. Mr. LeBlanc stated that it would mostly be year round. Mr. Barlow stated that he believes that the project is too big for the site. Mr. Barlow stated that they approved a two bedroom on that site before because they believed the project proposed was too big for the site. Mr. Barlow stated that he realizes Mr. LeBlanc has bought more land but the land he bought is not really upland. Mr. Birtolo stated that they had the uplands delineated and it is a big piece of land. Ms. Peterson stated that she was impressed at how dry the site was considering the high tide. Ms. Peterson stated that they have received a letter from Robert Dwyer of Kenwood Rd stating that he was concerned about the shellfish beds in that area should the project be approved and urged the Board to protect this resource. It was received by the Board of Health on April 27, 2011. Diane Prince, 40 Cove Ln, stated that she is concerned that there is a 150 ft setback and on all four sides they are asking for variances. Ms. Peterson stated that that is not unusual. Ms. Prince asked why they have the 150 ft setback. Ms. Peterson stated that you have to have a place to begin and that is where the Board, many years ago, went with what they felt was safe but anyone has the right to come and ask them for a variance. Mr. Barlow stated that the Board has to remain consistent when people come in for variances on projects and if they allow this pretty significant project, in his opinion, you might as well let anyone build anywhere. Mr. Barlow stated that he believes, from what he saw, that this was one step up from swampland. Mr. Barlow stated that he has spoken with some of the neighbors and they are very concerned about the project. Richard Clarke had to jump through quite a few hoops to get his project approved which was only a two bedroom dwelling. Ms. Prince stated that she is also concerned about the variety and quantity of the shellfish in that area. Ms. Peterson stated that it is the job of the Board of Health to make sure that a septic system can withstand a certain area and take into consideration the amount of use that it will get but not how big to build a house. Mr. Andrews stated that at the last meeting Ms. Coffin has some issues with Mr. Birtolo's initial nitrogen calculations. Mr. Birtolo stated that she had probably scaled off the grass area. Mr. Barlow stated that that area is problematic. Ms. Peterson stated that Mr. Birtolo is taking out all the wet areas and is still coming in at 3.19 which is really low. Ms. Peterson asked Mr. LeBlanc if he was firm in building a four bedroom home. Mr. LeBlanc stated that he would like the extra room for his grandchildren. Mr. Andrews stated that since the property was given an approval for a two bedroom there has been some upland added but this project is double the amount of bedrooms. Ms. Peterson stated that they have also doubled the lot size. Mr. Andrews stated that they have not doubled the upland area but he does like that the proposal came in with the alternatives. Mr. Andrews stated that he would feel a lot more comfortable with a three bedroom house on the system. It would decrease the load and they could use the existing tank. Mr. Birtolo stated that the load is already less than required. Ms. Peterson stated that when they did the site visit less than a quarter of the land was under water. Ms. Peterson stated that there was more water in her backyard than

there was in this lot. Ms. Tinkham asked where the water grade underground was. Mr. Andrews stated that he believed that it was 4 ft. Mr. Barlow stated that, in his opinion, much better for this particular lot because it was problematic to approve it for a two bedroom. Mr. Barlow stated that they have doubled the amount of land but a lot of it is wetland and it was flagged as wetlands by John Churchill. Ms. Peterson stated that if they were asking for a four bedroom with a current three bedroom system she would be against it. Ms. Peterson stated that he is putting in a new system with UV and nitrogen. Mr. Barlow stated that UV really means nothing unless it's really clear. Mr. Birtolo stated that 4 bedrooms is two people per bedroom and it is highly unlikely that there will be 8 people in the house year round. Mr. Barlow stated that if that is the case they probably don't need four bedrooms. Mr. Birtolo stated that they want the space. Mr. LeBlanc stated that if the Board prefers pressure dosing he would be willing to do that. Ms. Tinkham stated that she was not comfortable with a four bedroom home in that location. Ms. Peterson asked, even though the system fully supports what they are building and their calculations come in almost 2 ppm below the Board's policy. Mr. Andrews stated that Mr. Birtolo took all the wetlands out on the new calc sheet and used upland only for the nitrogen loading. Mr. Birtolo stated that there is still infiltration through the wetland area because it is not inundated by high tide so the actual numbers will be less. Mr. Birtolo stated that if the Board prefers to see a pressure dosing system the applicant is willing to do that. That alone will have a pump and an alarm. Mr. Andrews stated that with the addition of pressure dosing and emergency generator backup for the system he would feel comfortable with it. **Mr. Andrews made a motion to grant a 74.4 ft for the setback to the reserve area to the bordering vegetative wetlands to the West- A 72.4 variance for the setback from the reserve area to the wetland resource area to the North-A 28.2' variance for the setback from the reserve area to the wetland resource area to the Southwest-A 49.9' ft variance for the setback from the leaching area to the wetland resource area to the South. The system shall also have pressure dosing, an emergency generator on site, a standard quarterly testing per Board of Health policy and all said lots to be deeded and recorded with a restriction for no further building allowed on site. The reason the variances are approved is because of the alternative system and that it conforms with the Board of Health policy of 5 ppm with the calculations showing 19 ppm using only the upland areas. Also, an alarm system is required with a power on indication light visible from the street and the alarms to be interconnected on all components. Proof of ownership of the lots is also required. Ms. Peterson seconded the motion. Mr. Barlow is opposed. All others in favor and the motion PASSES 3-1. Ms. Peterson stated that Mr. Birtolo must submit a new plan and the deed for 47 Cove Lane before any permits are issued.**

3. **Debbie's Veggie Depot-Continued-441 Shore Rd-Debbie Larsen-Request to allow expanded use of existing business-Mr. Barlow is stepping off for this item as he also holds a food license in Town. Ms. Larsen stated that she would like to have a smoker and a raw bar outside of the building. Ms. Larsen stated that she**

has put her life savings into the business and has had to pay on the lease all winter and had to come up with something to save her business. They would like to bring the Town more alive and has noticed that a lot of businesses in that area have failed. Ms. Larsen stated that she has come from a long line of family owned fish markets on Martha's Vineyard. Ms. Peterson stated that the Board did a site visit last week and asked Ms. Larsen about catering and told her that she needed a catering license to do that. Ms. Peterson stated that Ms. Larsen was told to take the catering sign down until she applied for the license and she has not done that. Ms. Larsen apologized and stated that she did not realize that she had to take the sign down. Ms. Peterson stated that she still has some problems with how the food is getting prepared even though Ms. Larsen told her that she was buying it and reselling it. Ms. Peterson stated that she has to prove that to the office by showing the invoices for the food she has bought. Ms. Larsen agreed. Ms. Larsen asked if she had a commercial restaurant kitchen she could use would that be allowed. Ms. Furtek stated that she would have to get the license from that kitchen and inspect it before she would feel comfortable with it. Ms. Larsen stated that if there is ever any excess such as soup she does not pour it into the sink and only disposes of it in the trash. Ms. Peterson stated that if this is approved everything has to be labeled and all ingredients have to be listed. Ms. Furtek stated that they will have to know how guacamole will be made and stored. Mr. Andrews stated that he believes they should be helping out the businesses in Town and assist them when they can. Mr. Andrews stated that Ms. Furtek could give a list to Ms. Larsen of exactly what she is allowed to sell and to list what she has to do in order to sell certain items. Mr. Andrews stated that because of the septic system they cannot have this turn into a restaurant and they have to maintain that there is no seating outside as well. Ms. Larsen agreed. Ms. Furtek stated that she would help Ms. Larsen with a list but that they need to have more communication from them. Ms. Peterson stated that she spoke with the fire dept regarding a smoker and it cannot be done under the overhang. Ms. Larsen stated that they were not going to put it under the overhang. Ms. Peterson stated that she is against the raw bar until these issues are straightened out with regards to what they want to sell and what they are allowed to sell. Mr. Andrews stated that they need to get things ironed out first with the office. Ms. Larsen stated that they have put no smoking signs in the windows and nobody will be smoking at all there. Ms. Peterson stated that it is all screened in and there cannot be any cigarettes any where on that property. Mr. Andrews stated that he would like to see procedures regarding the smoker and with anything else she has planned. Ms. Peterson stated that Ms. Coffin had left a note not to approve this but the Board is going to allow them, for a temporary time, to use a smoker but the office needs to be brought up to date on what they are doing. **Mr. Andrews made a motion to APPROVE the use of a smoker for cooking meats in the exterior of the facility with the stipulation that it adheres to any requirements of the fire dept. and that the property maintain a non smoking status. The documentation must be brought up to date with the office before the next meeting.** Ms. Larsen stated that she is in the process of getting a grant to update the septic system. Ms. Peterson stated that once everything is set Ms. Larsen can come back before the Board and request the raw

bar but they will not approve that now. **Carol Tinkham seconded the motion. All in favor and the motion PASSES.** Mr. Barlow returned at this time.

4. **787 County Rd-Robinson & Elizabeth Whitaker-** Request waiver to use the existing septic system for renovations- There was a question regarding the green cards and if they had all been turned in. There were two green cards missing and Mr. Whitaker did not have the receipts that they had been mailed. Mr. Whitaker stated that the Town has put him through the ringer with this project. Ms. Peterson stated that the green cards have to be turned in before the item is heard and that is a law which has nothing to do with the Town of Bourne. Mr. Whitaker asked if he had to reissue all the green cards. Ms. Peterson stated that he only had to notify the abutters that had not been notified and he will put on the agenda for the next meeting. Mr. Whitaker stated that he did not want to withdraw and would continue it until the next meeting on May 11, 2011. **Mr. Barlow made a motion to CONTINUE 787 County Rd until the next meeting. Mr. Andrews seconded the motion. All in favor and the motion passes.**

5. **91 Elgin Rd-Don Bracken for Steve Karlson-**waiver to continue use of existing system with addition of nitrogen removal and UV unit-Mr. Bracken stated that the property is located on the West side of Elgin Rd and consists of approximately 32,500 square ft. Currently on the property is a six bedroom single family dwelling. The existing house has a septic system that was installed in 2010 which consisting of a 1500 gallon septic tank and soil absorption system designed for the six bedroom based on 650 gallons per day. Mr. Karlson would like to renovate the house and maintain the existing six bedrooms. Currently there is one bedroom in the basement which would be moved up to the second floor. The primary expansion on the building will be the second floor with additional support added to the front of the house. Mr. Bracken stated that the packet he submitted to the Board includes calculations for the increase in living area for bedroom and non bedroom space. There will be a 49% increase in bedroom space and a 31% increase in non bedroom space. Nitrogen loading calcs, under existing conditions, 10.5ppm under proposed calculations it would be 6.1ppm which is because they are proposing to add a high strength microfast denite system. Along with that system they are adding a UV light prior to the soil absorption system. Mr. Bracken stated that they typically do pressure dosing but because the septic system is less than a year old they are proposing, rather than pressure dosing and changing the leaching system they are proposing the UV light. The UV light will be maintained under a contract with the same company that will maintain the denitrofication unit which will be subject to the quarterly testing and a report that also includes inspection of the UV to make sure it is operating. The variances are to the top of the coastal bank and to the mean high water mark. Mr. Bracken showed the Board on his map the area of the coastal bank which primarily follows the flood elevation which is 15 until it intersects the retaining wall runs along the building and another wall to the driveway and back down. That coastal bank is by definition from DEP having to do with the slope above the flood zone. Mr. Bracken stated that the primary variance would be to the mean high water mark

where they have a separation of 125ft to the SAS so they are asking for a 25ft variance for that resource area. The two locations closest to that would be 70ft heading West and 34ft heading south to the coastal bank. Mr. Bracken stated that they see the project as an improvement. There is no increase in the number of bedrooms and an almost 50% decrease in the nitrogen loading and they have received a request for determination flexibility from the Conservation Commission where they reviewed the resource area delineations for the work they are proposing in the front. The contractor was not aware that the septic would have to be upgraded so they will refile with Conservation for the work to put the septic tank and the UV light in. Mr. Andrews stated that the previous applicant for another agenda item had proposed a UV light system that had detection that could detect if the lamp was working and if not, trip an alarm. Mr. Bracken stated that if the Board wanted to make that a condition they would not have a problem with it. Mr. Andrews suggested that Mr. Bracken come back after he gets approval from Conservation. Ms. Peterson stated that they could make the approval with the understanding that if it is not approved by Conservation they will take back the Board of Health approval. Mr. Andrews asked when they marked the delineation for the original project. Mr. Bracken stated that it was March 21, 2011. **Mr. Barlow made a motion to APPROVE the request for the upgrade of the system at 91 Elgin Rd. with the inclusion of an alarm to the UV light and pump system with a microfast that is visible from the street and an indicator light that indicates that the system is powered. Also following the alternative system policy which includes quarterly reports. A 25ft variance from the 150ft setback from the high water mark. Ms. Tinkham seconded the motion. All in favor and the motion is APPROVED.** Mr. Barlow stated that he was comfortable approving the project because of the elevation of the property on Elgin Ave.

6. **22 Chamber Rock Rd.-Brenda Hickey-Request for horse license-Evyn Hanley** is accompanied by her Aunt, Caroline DeRosa. Evyn stated that she is getting the horse from Linda McKenna. Mike McKenna is going to help make a three sided lean-to with a door and roof that will be all enclosed. They have a shed to store all the hay. The barn will be 10x10. Manure will be shipped out every Sunday. The corral and paddock area slopes from back to front and is completely fenced so the horse will have ¼ of an acre to roam. Evyn stated that it is at least 100 ft from any dwelling on Chamber Rock Rd. and they plan to provide a larger area for grazing this summer. The grain and feed will be stored in covered metal bins and any openings are screened against flies and other insects. Evyn stated that all abutters were notified and she is aware of the penalties for any violations. There were no audience members against the request. Mr. Andrews stated that Evyn had done her research and had addressed each regulation one by one with her application. **Mr. Andrews made a motion to APPROVE the request for a horse license at 22 Chamber Rock Rd. Ms. Tinkham seconded the motion. All in favor and the motion PASSES.**

7. **Pocasset Auto Service-810 MacArthur Blvd.- James Champini-Hearing for failure to obtain licenses for tobacco and retail-James Champini did not attend the meeting. Ms. Peterson made a motion to fine Mr. Champini \$100.00 per day and issue a cease and desist as of tomorrow morning from selling all cigarettes and food items. The fine will start from the date of this hearing which is April 27, 2011. Mr. Champini has the right to appeal the fine. Mr. Andrews seconded the motion. All favor and the motion PASSES.**

8. Board of Health deliberation on proposed Wind Turbine Regulations. No further testimony accepted- Ms. Peterson stated that no further testimony was being accepted so any materials that were given to the office after the agenda was posted at noon on Thursday April 21, 2011 would not be reviewed. Ms. Peterson stated that she was very proud of the Board Members for all the hours they have spent on the wind turbine project and would like to know if everyone on the Board, after the lengthy hearings, agrees that reasonable health regulations need to be adopted. Mr. Andrews stated that they had already agreed on that and had already come up with four regulations and believes there is sufficient information to start drafting regulations for noise and flicker. Ms. Peterson asked the Board to express their thoughts on any kind of regulations they would like to see and they will write it down and have them looked at by counsel. Then the draft regulations will come back for a public hearing to be deliberated on. Ms. Peterson stated that she would like to meet with Mr. Wall in the next two weeks or so. Ms. Peterson stated that the consensus of the Board is that they find it necessary to demonstrate the need for regulations. Ms. Peterson asked if there was a go ahead from the Board as a whole to draft the regulations. **Mr. Barlow made a motion that the Board of Health write wind turbine regulations to address environmental, safety and health issues related to wind turbines. Ms. Tinkham seconded the motion. All in favor and the motion is APPROVED.** Mr. Andrews stated that he would like to discuss the topic of flicker first. Mr. Andrews stated that he finds it very concerning that there is health effects for people with epilepsy and that the flicker should not extend beyond the property bounds of the property that it sits on and shall not affect public ways. Mr. Andrews would like to leave room for variances to be done on that which would be granted with the approval of property owners that would be affected and recorded at the Registry of Deeds. No variances to be given to public ways, places of worship, schools, public buildings, playgrounds, hospitals, nursing homes or rest homes. Ms. Peterson asked the Board if they had thought about the standards with which they want to go with as far as size or height. Mr. Andrews stated that he does not believe that that has anything to do with the Board of Health. He believes that the Board just address noise and flicker one at a time and if they find an additional item that may be a potential for health effects they can discuss it at another time. Ms. Peterson stated that she would like everyone's opinion. Mr. Barlow stated that they discussed a lot more than just flicker. They have heard about infrasound and safety issues related to fire. Mr. Andrews stated that they have not had public hearings on those. Mr. Barlow stated that that was not necessary. Ms. Peterson stated that information on those items was brought up at public meetings and they can be discussed and a regulation can be written for it. Mr. Barlow stated that he is concerned because right now if someone had enough land they could put up a turbine 1000 ft tall. Mr. Barlow stated that he feels they should address each proposed turbine

individually and site specific. He believes that they should look at the location and size of the turbine and what is located near it such as public buildings or residential business. Mr. Barlow stated public safety and fire is a big concern. If there were to ever be a fire in the turbine access may be very difficult to gain. The fire issues have to be addressed because people want to put the turbines in residential areas. Mr. Barlow stated that they should have the ability to review the engineered plans on all the turbines and models that are planned for the area. Mr. Barlow stated that he believes they need the right to approve, modify or reject any proposed wind turbine. Ms. Peterson stated that she agrees with Mr. Barlow that each turbine should be examined but what should trigger their review. Ms. Tinkham stated that they have to be focused on the health effects. Mr. Andrews stated that the concern of the Board is the health regulations and that is why they took specific testimony on noise and flicker. Mr. Barlow stated that they have to decide what they consider a turbine. A small windmill on the side of someone's home he does not consider a turbine. Ms. Peterson suggested that any turbine that produces electricity could be a good trigger point. Mr. Andrews stated that you could do compressed air or a windmill for water but you can actually gage it as a windmill that does work. Ms. Peterson asked what would trigger their threshold. Mr. Barlow stated that it should be defined as a turbine that converts energy. Mr. Andrews stated that he would rather have it worded *that does work*. He would like to define work as converting to some type of energy or performing a function. Mr. Andrews stated that they should have a defined set of regulations that they have to adhere to and if they can't they have to come before the board and ask for a variance. Ms. Peterson asked what the threshold should be for requesting a variance. Mr. Andrews suggested that if it doesn't conform to the regulation anyone can request a variance. If it produces a flicker that extends beyond the property they will have to come in for a variance and they have to notify abutters. Mr. Andrews stated that he wants to exclude from being available for a variance places of worship, schools, public buildings, playgrounds, hospitals, nursing homes and public ways. Ms. Peterson stated that she believes that one of their largest health concerns would be a catastrophic accident. She would like the Town and the people to be prepared and would like to see an insurance policy of 2 million plus that rolls over as inflation goes up with the Town of Bourne as policy holder. Ms. Peterson stated that if it cost \$100,000 to put up one of the turbines she would like to see 3x that amount in an insurance policy for removal and damages. Mr. Andrews stated that maybe something they should require with each of these applications is that a failure mode analysis be done by an independent engineering firm paid for by the applicant chosen by the Board of Health. There are so many different versions that would tell them what the potential issues might be for a catastrophic failure. Mr. Barlow stated that regardless of how big it is he would like to see the area around the base of the turbine fenced with a Knox box attached so that any fire or police personnel could enter it during an emergency and that there be a system there that has the ability to shut the turbine down, for whatever reason, that the Board of Health and emergency personnel have access to and not have to call an 800 number somewhere to do that. Ms. Peterson stated that it sounds to her like the threshold of where they want their review to come in is at all levels because of the information that was heard at the public meetings. Mr. Andrews stated that they have to look at setting a real number that can be measured and addressed by the Health Agent and be clear enough so that when they get a complaint it can be easily figured out. Mr. Andrews stated that you

can have triggers for review but you still have to have reasonable values that are enforceable and recordable. Ms. Peterson stated that it goes back to health effects which can become a nuisance and should not extend beyond the property that the turbine sits upon. Mr. Andrews stated that the neighbor could agree to a waiver but it would have to be recorded as a deed restriction in case the property was ever sold. The applicant and property owner would also have to come before the Board of Health with the request. Ms. Tinkham stated that she does not have a problem with looking at the turbines but would not want to have to experience the noise or flicker and believes that you have to have a large amount of space between the turbine and neighboring properties. Mr. Andrews stated that concerning the sound they discussed the 10 DB being the doubling. 6 DB is 1.5 times, 3DB is 1 ¼ times the sound level as you go up. The acoustic power of the sound 10DB is 10 times the power, 6DB is four times and three DB is double power, the imaging of that sound. Mr. Andrews stated that is the point when you experience the pulsating infrasound. Mr. Barlow stated that site specific, and size should be considered. Mr. Barlow stated that if you go to the vocational school that wind turbine does not have a tremendous affect even if the wind is very strong. Mr. Andrews stated that the way sound works the further away you are the stronger the echo. Mr. Barlow stated that a 100 ft tall turbine may not be as offensive as one that is 500 ft tall. Mr. Andrews believes that the regulations should focus more on the property lines than the size. He would also like a mitigation plan. Ms. Peterson stated that there are potential health hazards there that may not be known for the next 10 years very much like what happened with second hand smoke. If Boards of Health had not adopted regulations back then a lot more people would have gotten sick. Ms. Peterson stated that she believes that there was not any concrete evidence that said turbines would not cause these health problems. Mr. Barlow stated that what they are talking about is the same as setting a setback except the setback will be based on the height and shadow. Mr. Andrews stated it will be on shadow flicker and noise. Mr. Barlow stated that the setback will be variable on the size of the wind turbine. Ms. Tinkham stated it will also depend on how far away the next property is. Mr. Barlow stated that he was thinking of a proposed setback of 3500 ft because they have heard of setbacks as much as 7000ft are recommended from credible people. Ms. Tinkham stated that it may work with the noise but they will always come back with the argument that they can regulate the flicker. Mr. Barlow stated that that was what happened in Falmouth where the flicker bothered people and they called the number to complain and the turbine did not get shut off. Ms. Peterson stated that they are looking to make sure these health effects and safety issues are addressed and what the Board's jurisdictional threshold is. Mr. Andrews stated that he believes because of possible catastrophic failure you are going to have a complete review of every turbine. When it comes to flicker he believes there should be no exposure off the property. Ms. Peterson stated that however you look at it, it is a nuisance and does not think anyone should have nuisance imposed on them for the sake of renewable energy. She believes that because they have not proven to her that this is going to be the renewable energy, the Town will be stuck with the turbines for hundreds of years and you have to put controls that no one thinks about twenty years up the road. Ms. Peterson stated that you are not going to control flicker with trees or with an 800 number and you will not control the sound with an 800 number. Mr. Andrews stated that they should also put in the regs that if something develops further down the line as a health effect they can readdress or reopen it. Mr.

Andrews stated that he cannot let something go in that is going to potentially affect someone's health and they have to develop some type of values and strict numbers that trigger what they cannot do and he does not believe that setbacks cover it properly. He believes it should be based off true health risks and they have heard testimony that the noise and flicker does that. Mr. Barlow stated that you also have to worry about a turbine catching fire and that fire spreading through the trees. Mr. Andrews stated that you could put that under the catastrophic section. Mr. Barlow stated that there are a lot of issues they need to address. Mr. Barlow stated that another reason they would want to address these individually rather than as a power unit or a power plant is because once it becomes a power unit or power plant then they do not have to pay any attention to local control. The Board of Health in Plymouth has no oversight over the nuclear power plant there. Mr. Barlow stated that you want to keep them individual as wind turbines, not as a power unit or power plant. Ms. Peterson stated that the US has not asked for a catastrophic plan for wind turbines because everyone thinks that it will never happen. Anything can be a health hazard when the worst happens. Ms. Peterson stated that there should be a rigid threshold on the turbines and someone has to look out for the residents now and 25-50 years from now. Ms. Peterson stated that she would write the regulations and Mr. Wall, Town Counsel, will assist the Board of Health in review. Ms. Peterson stated that at the next meeting, May 11, they will have the beginnings of draft regulations with regards to wind turbine, siting and location. Ms. Peterson stated that everyone has done a great job and she appreciates all the testimony submitted. **Mr. Barlow made a motion that Ms. Peterson proceed with the writing of the regulations regarding wind turbines that the Board has discussed tonight. They will be brought back to the Board on May 11th 2011 for further review and/or approval. Mr. Andrews seconded the motion. All in favor and the motion is APPROVED.**

9. Approval of minutes dated April 6, 2010-The minutes could not be approved as they were dated on the agenda as 2010 instead of 2011.

10. New Business- Mr. Barlow stated that he is running for Selectmen and may have to step down from the Board of Health if he is elected. The Board asked for an update on 62 Old Plymouth Rd. Ms. Furtek stated that everything is done and believes that the bank will appeal the fines.

Mr. Andrews made a motion to ADJOURN. Ms. Peterson seconded the motion. All in favor and the meeting is adjourned at 9:32 P.M.

Taped and Typed by Kathy M. Burgess for the Bourne Board of Health

Kathleen Peterson _____

Stanley Andrews _____

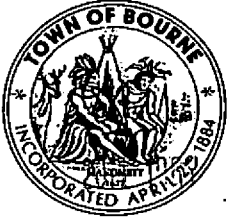
Galon Barlow _____

Donald Uitti _____

Carol Tinkham _____

Handwritten signatures in cursive script. The first signature is for Stanley Andrews, the second for Galon Barlow, the third for Donald Uitti, and the fourth for Carol Tinkham. Each signature is written over a horizontal line.

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
Cynthia A. Coffin,
Health Agent

MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

May 11, 2011

Time:

7:00 P.M.

Place:

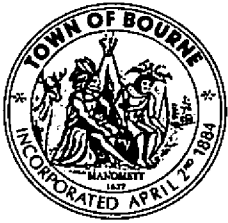
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. **787 County Rd-Robinson & Elizabeth Whitaker-Continued-Requesting waiver to use the existing septic system for proposed renovations**
2. **5 Middle Way-Barbara Frappier for John Keaney-Requesting waiver to use the existing septic system for proposed renovations**
3. **62 Old Plymouth Rd-Danielle Hernandez, Code Compliance-Appealing fine imposed for noncompliance of housing codes**
4. **Pocasset Auto Service-810 MacArthur Blvd-James Champani-Appealing fine imposed for selling tobacco and retail items without required licensing**
5. **Wind Turbine Regulations-Discuss & Possible vote on proposed wind turbine regulations**
6. **Approval of Minutes dated April 6, 2011 & April 13, 2011**
7. **New Business**

cc Board of Selectmen/Town Clerk

Signed: *Kathy M. Burgess*
Title: Secretary
Date: May 5, 2011



**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
May 11, 2011**

Members Present: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Don Uitti and Carol Tinkham. Members Absent: Galon Barlow

Support Staff: Cynthia Coffin, Health Agent, Carrie Furtek, Health Inspector and Kathy Burgess, Secretary

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

Ms. Peterson stated that she would like to congratulate the Town of Bourne on the recent tobacco compliance checks on local businesses. There were no violations. Ms. Peterson stated that she would like to move agenda item number 5 up to number 1 as Town Counsel is present and he has another meeting to get to.

- I. Wind Turbine Regulations-Discuss & Possible Vote on Proposed Wind Turbine Regulations-**Ms. Peterson thanked Town Counsel, Brian Wall for coming to the meeting tonight. Ms. Peterson stated that there are some changes to the regulations she had drafted that Mr. Wall would like to change. Mr. Wall stated that he had received the draft on Monday and was busy with Town Meeting on Tuesday so he has not had a lot of time to go over the regulations. Mr. Wall stated that whenever an administrative body like the Board of Health adopts regulations there has to be a rational relationship between the regulation that you are proposing and the thing that you are trying to regulate. If you don't meet that standard the regulation is susceptible to challenge in the Superior Court. Mr. Wall suggested that the Board come up with a preamble or a factual finding from all the conflicting evidence they have heard on the effects of sound and flicker that turbines can create and make some findings as to what they believe the evidence suggests. The evidence does not have to be beyond a reasonable doubt. Mr. Wall used tobacco regulations as an example because in the 50's and 60's there were no regulations but today it is known there is a problem and the regulations have evolved. You need to make findings based upon what you think the evidence suggests and if you think there are effects to public safety or health you make

findings to that effect. Mr. Wall stated that some of the ideas in the draft are a good start to how they will regulate the findings. When courts review regulations there has to be certain standards in the regulations so that a court can determine the Boards application of its regulations is reasonable. Mr. Wall stated that a good example of that would be the zoning bylaw that just got amended this week. It used to say 10 decibels at the property line and that was a standard that someone could point to. If you are going to get into sound you have to have a standard. Mr. Wall stated that at the special town meeting Attorney Senie had quite a bit of information about the decibels and the A scale and C scale but you need to have a standard that someone can point to. In the draft that was written it read *the noise created should not aggrieve any persons land*. Mr. Wall stated that if a court were reviewing that you can't have an individual abutter say that they are aggrieved and then tell someone they can't have a turbine. There has to be an ascertainable objective standard. Ms. Peterson stated that when she was working on the regulations she did find previous rulings that were made by the court and upheld on that verbiage. She wanted to make sure that there had been precedents set and there had been. Ms. Peterson asked if they could write that into the regulation about precedence and it being upheld. Mr. Wall stated he does not think you write that into the regulations. Mr. Wall stated that the BOH does have broad powers to regulate public health. There was a case from the Town of Bourne about 20 years ago for a local bylaw that imposed a setback that was much more stringent than State title V and it went up to the Court. The court said that the BOH has broad power to regulate and if the soil conditions in Bourne are different than the rest of the State you have every right to have a more stringent standard. Another case was the Moose Head Lodge in Yarmouth where second hand smoke became an issue. Mr. Wall stated that he believes it was the Yarmouth Board of Health in that was one of the first to say no more smoking in bars and restaurants. Mr. Wall stated that he thinks the Board has jurisdiction and authority to regulate in this area but they need to make findings that a turbine does create effects that are adverse to public health and then they need to say when and how they will regulate that. Mr. Wall stated that he thinks they should have a definitions section. They could use the zoning bylaw as guidance. Mr. Wall stated that he brought a copy of the warrant from the special town meeting which is set up in a very logical way. It talks about the purposes and when it will be applicable and then it defines what a wind turbine is and then it starts about how to regulate it. Mr. Wall stated that the Board should think about it in the terms that they have heard evidence, they think there are adverse effects by audible and sub audible sound and by flicker and are going to regulate them. Here's what a wind energy conversion system is. Anyone above a certain size or kilowatt or anyone, as you have written here, requires a permit and these are the standards they have to meet. Mr. Andrews stated that, just as they did with the site assignment they just completed, they had read through their facts and findings and worked list by list. That is the method he believes they should be operating with right through this. Mr. Wall stated that he does not believe that they have to make as many findings but that same process would be a good way to do it. Ms. Peterson stated that they have already completed 80% of that and the last part to do is to review what they

have and format it with counsel here. Mr. Wall agreed and stated that the Board needs a preamble that could say something like *after multiple public hearings and hearing testimony from people in the industry, experts, abutters, and members of the public the Board has made a determination that wind turbines may affect public health because they generate noise and they generate flicker. Those things can have effects on public health such as loss of sleep, depression, headaches and everything else the public has come in and told them. Accordingly, the board has determined that they may present a threat to public health and to make sure that they don't they are adopting some standards that, in Bourne, they must comply to.* Mr. Wall stated that in the event that the regulations are challenged in court you need to orient the court to say why did the Town adopt these regulations? Mr. Wall stated that the Town adopted them because the Board of Health sat through many night hearings involving multiple hours where they heard evidence from both sides and, although the evidence is conflicting, everyone makes up their own mind about these things. It was then decided that Mr. Andrews would take the draft and write the regulations. Mr. Andrews will send the final draft to Mr. Wall and Ms. Coffin. Mr. Andrews stated that he will format the regulations by starting with the purpose, the definition section, the statement of finding and from there he will break it down to the points that were brought out from the Board and insert blank spots for the standard values. Mr. Wall stated that the statement of finding can be led into the purpose. Mr. Wall told Mr. Andrews to call him if he had any questions. Mr. Andrews stated that he would get the draft to Mr. Wall by Monday. Mr. Wall stated that he would have time to look them over before Thursday but he may have a scheduling conflict for the meeting on May 25, 2011. Mr. Wall gave Mr. Andrews a copy of the standards that the Cape Cod Commission has adopted. There was general discussion regarding the timeline of the notice to the public and publishing the regs in the newspaper. Mr. Andrews stated that he would go over the regulations while Town Counsel was present. The first item is that *the Bourne Board of Health will require persons or businesses that want to operate a turbine that works or converts energy must obtain a permit from the BOH prior to construction. All of the permits must be obtained prior to a hearing before the BOH and a full vote of the Board is required for the permit. An application fee will be determined by the Board at the time of the application which will include, but not limited to, reasonable fees for the employment of outside consultants.* Mr. Wall suggested that the Board determining the fee is too much authority. A permit application fee has to be based upon the cost of the process and Mr. Wall believes that there should be a fee that is similar to other projects that they review or a schedule set ahead of time as to what is going to be involved. There is a state statute that enables Boards to require applicants to pay for peer review. Mr. Wall stated that he will work with Mr. Andrews to come up with some language. There is an application fee to start the hearing and in addition to that fee you can require the applicant to put money into a fund for peer review and that amount is based upon the type of review that is needed. Ms. Peterson stated that she was thinking that the fee could be similar to the site assignment they just did. Mr. Wall stated that the fee could be based on a formula with a standard that is going to be applied for. Mr. Andrews went on to read that *the permit will be nontransferable unless a*

vote of the BOH approves it. Under Mass General Law 111.122 the Bourne Board of Health has determined that a nuisance and/or an impairment of the public health and comfort would be created from the shadow flicker of a turbine and/or energy producing device. Mr. Wall stated that that will appear in the purpose and findings and that is exactly the kind of language that he was suggesting that would say there is a possible threat to public health. Mr. Wall stated that as far as an aggrieved person they will have to come up with a standard. *No variance shall be given to public ways, places of worship, schools, public buildings, playgrounds, hospitals, nursing or rest homes.* Mr. Wall stated that the sentence starts with no variances and you could say that variances from this regulation may be applied for under a certain section and then you could say however, no variances will be given to these special places. *Individual property owners that would be affected must grant approval with a legal binding document that must be recorded at the Registry of Deeds which the property sits. The deed must be marginally referenced.* Mr. Wall stated that they have to be careful here; if the project meets the Boards standards then presumably it would not adversely affect abutting property. If it is under the variance procedure they could say *if the project doesn't meet the standards a way that the project could proceed would be to get permission from the abutters.* Mr. Wall stated that he does not think they should make that an up front requirement that they have to have permission from the abutters because you are giving abutters veto power over a project. Mr. Andrews stated that he thought the intent was if it did not conform then it could achieve a variance but the variance would be property by property and it would have to be recorded. It would be binding so if that person sold the property it would stand. *At no time should the owner of the turbine or energy producing site whether by ownership or assignment allow vibration, sound, echo travel off their property.* Mr. Wall stated that if someone had an air conditioner in their window in a neighborhood someone could complain. You are holding a wind turbine to a standard greater than just a regular house. Ms. Peterson stated that, through her research, courts have granted wide discretion in the determination of what constitutes a nuisance and that is why she wrote it that way. Mr. Wall stated that what they are saying is that at the property line the sound has to be silent and there is a big difference between a nuisance which is a noise that is so offensive that it causes harm and then to nothing at all. Mr. Wall stated that he thinks the board has authority to regulate noise but it has to be at someone's standard. Mr. Andrews stated that the penalties would be put towards the end and would state *Owner or occupant is liable for a \$1000.00 penalty per day for every day he knowingly violates the order for the first offense. \$5,000 a day for the second offense and \$10,000 a day for the third and or possible revocation.* The fine for the violation would be instated from the day the order is issued. Ms. Coffin asked if the Board would have to give a certain time period for the violation to be corrected before the fines set in. Ms. Peterson stated that, like with everything else, they have an agreeable amount of time to fix something but if they don't you want the fines in place. Mr. Wall stated that there should be an order of procedure with an order to cease and desist and an order of correction. If the order to correct is then violated a fine would be issued. *Before issuance of a permit a catastrophic*

plan must be in place and a lien bond or insurance must be issued to the Town of Bourne for 2x the amount of monies required for installation. Ms. Peterson stated that it would have to be put into a special account but they do have the authority to ask for that. It would be for fund plan reviews but would be established under a special account which would be the same thing under Chapter 44 Section 53G that the policyholder would be the Town of Bourne should a catastrophic event take place. Mr. Wall asked why the Board wanted to regulate a catastrophic event of a wind turbine. Ms. Peterson stated that should a failure take place there should be a catastrophic plan in place with monies available. Mr. Andrews stated that there was an issue with the septic failure at Pocasset Mobile Home Park where there was no money set aside to clean anything up. The last license the Board issued to the Park included a condition that monies would be set aside for emergency pumping. Mr. Wall stated that that makes perfect sense and asked if the Board believes that a failed turbine is a threat to public health. The zoning board will have setbacks in place that are going to take into account this ice shedding and blade breaking issue. Mr. Andrews stated that they have talked about what affect a fire would have to public health. They are also concerned with the gear oil getting into the groundwater and the potential of a blade melting. Ms. Peterson stated that the problem she is having is all of it says it can't happen but it does happen. Mr. Wall stated that it has to be tied to the Board's jurisdiction. Mr. Andrews stated that the Board wants to have the ability to address an issue if the operator was unable to or refused to address it. Mr. Wall stated that he believes the Board should consider some language such as *before the issuance of a permit the catastrophic plan must be in place and a lien bond or insurance policy must be issued for 2x the amount of monies required for installation.* Mr. Wall stated that it should say *required to implement the plan.* The catastrophic plan should be part of the permit application. Mr. Wall stated that they should have a section for submittal requirements so the Board can review it appropriately. Mr. Wall stated that if the bond requirement is tied directly to whatever the specific catastrophic plan is it can then be tied to the threat of harm. Mr. Andrews stated that a removal plan must be in place if there was a failure through the catastrophic plan. Ms. Peterson stated that in nuclear power plants and oil drilling they now have to have removal plans in place before their licenses are issued and with wind turbines there are no other plans in place to follow so 25 years in the future, if they have been abandoned, there has to be a plan in place because you don't know what will happen in the future. Mr. Wall stated that if a turbine goes up and for some reason it is abandoned it may be unsightly but it is just standing there. Mr. Andrews stated that there could be potential of petroleum products leaking from the turbine. Ms. Peterson stated that the batteries could be hazardous. Mr. Wall stated that he understands and had been thinking of more of a removal plan so basically if the turbine stopped being operational the Board would want the hazardous materials such as the batteries and the petroleum products removed but they are not saying that the turbine itself would have to be removed. Mr. Andrews went on with the regulations stating *The Bourne Board of Health requires each and every turbine or energy producing device to be fenced with a Knox box so emergency personnel have access should an emergency arise in training of town personnel*

the emergency shutdown of the device. Mr. Wall agreed. Mr. Lipman asked if the material drafted would be brought back to the Board and voted on as a regulation or would it be voted on as a proposed regulation and then have subsequent hearings. Mr. Wall stated that the Board has some discretion on this but since they are regulating an industry it would not be a bad idea to have comment on the actual regulations. Mr. Wall stated that there is a quantum leap between determining there is a problem and deciding to do something about it and then when you pick the standard you may get additional comment on whether it should be this way or that way. There was general discussion regarding the date to hold public comment. Mr. Wall stated that at the next meeting the Board should try to come to what it feels is an appropriate draft and then schedule a public meeting. Mr. Andrews stated that once the Board got to a final document they would vote to schedule a hearing on adoption of that and take comment. Ms. Peterson wondered if they could take comment in two weeks. Mr. Andrews stated that they would still be discussing that draft. Mr. Wall stated that they will not have a decision from the Board that the draft is final until that night. Ms. Peterson stated that they will plan on the meeting on May 25, 2011 for final review of draft regulations and on June 1st they could hold a special meeting for public comment and would discuss any revisions at the meeting on June 8th 2011. The Board agreed. Mr. Wall stated that he agreed with those dates. Mr. Sloniecki asked if there would be enough time to properly advertise the public hearing. Ms. Peterson stated that it would be put in the paper after the meeting on the 25th and the special meeting would be on June 1. Mr. Ingersol asked when the Board would make the proposed regulations public. Ms. Peterson stated that by May 27th the office should have copies for anyone who would like one. Mr. Sloniecki asked if the structure were deemed abandoned for whatever reason would that then fall upon the building inspector to take care of. Mr. Andrews stated that the Board of Health would only be concerned with the removal of hazardous materials. Mr. Wall stated that under the new bylaw that was adopted there is an abandonment provision that says that if the energy device is not used for a period of two years it is deemed abandoned and then the owner is required within 90 days to remove it. Ms. Peterson stated that they have also discussed a timeline for when the hazardous materials will have to be removed. The Board thanked Mr. Wall for his help.

2. **787 County Rd.-Robinson & Elizabeth Whitaker-Continued-Requesting** waiver to use the existing septic system for proposed renovations-Don Uitti will step off for this discussion as he is an abutter to the Whitaker's. Ms. Peterson stated that the green card issue was what caused the continuance. Mr. Whitaker stated that he has all the green cards this time. Mr. Whitaker stated that he is planning to put a 16x16 kitchen with a mudroom/farmers porch on the side of the house. The existing kitchen will be removed and turned into the dining room. Ms. Coffin stated that the system there now is 25 years old. Ms. Coffin stated that she does not see any problems as it is only a kitchen renovation. Mr. Andrews asked when the last inspection had been done. Ms. Peterson stated that she would move on to agenda item 3 while they were looking in the office for the Title V report.

Ms. Peterson reopened this discussion once the report was brought down from the office. Ms. Coffin stated that the inspection was August 21, 2003. The system passed that inspection. It is a tank and two flow diffusers. **Mr. Andrews made a motion to APPROVE the waiver for the use of the existing septic system for the proposed renovations for 787 County Rd. The drawing was received April 12, 2011. Ms. Tinkham seconded the motion. All in favor and the motion PASSES.**

3. **5 Middle Way-Barbara Frappier for John Keaney-Requesting waiver to use the existing septic system for proposed renovations.** Jack Landers Cauley is representing John Keaney. Mr. Landers-Cauley handed the nitrogen loading calcs to the Board. This property had an upgrade to the Title V system in 2010 which was red stamped. There is a new owner to the property that would like to make some modifications to the house. They are not increasing the number of bedrooms. They are increasing the bedroom area below the 25% recommended to about 21%. The gross floor area will not change over the exceeded level of 50%. That is about 24%. They are both noted in the plans. Mr. Andrews stated that it looks like they are utilizing the space over the garage to move a bedroom upstairs, bump out on the back side on the first floor, and closing in the area behind the garage. Mr. Landers-Cauley stated that he believes this plan is consistent with the Board of Health guidelines and even though they are not 150ft from the coastal bank the system that is in place is 115ft away from the top of coastal bank by definition to the SAS and is 152ft from the upper beach grass to the SAS. Mr. Landers-Cauley stated that they are over 100ft from the coastal bank and are over 150 ft from the wetlands. Mr. Landers-Cauley stated that the Town of Bourne has very strict standards and this is not an eroding bank. Short of a catastrophic storm he does not see this retreating. Ms. Coffin stated that it looks like the project is mostly all window and doors. Mr. Andrews asked about the outdoor shower. Mr. Landers-Cauley stated that it was an outdoor rinsing station. Ms. Coffin stated that generally what they require is a drywell for the shower that is at least 50ft from any resource so that it meets the standards for Title V. Mr. Landers-Cauley stated that he would modify the plan to show the drywell. **Mr. Andrews made a motion to APPROVE the waiver at 5 Middle Way for John Keaney for the use of the existing septic system for the proposed renovations on the architectural drawings that were received on April 26, 2011. Drawn on February 9, 2011. The site plan dated November 12, 2010 received by the Bourne Board of Health on April 26, 2011. The addition of the drywell for the outside rinsing station must be shown on the plan to conform to Board of Health standards. Ms. Tinkham seconded the motion. All in favor and the motion PASSES.** Mr. Landers-Cauley stated that he would send over a new set of plans for the office.
4. **62 Old Plymouth Rd-Danielle Hernandez, Code Compliance-Appealing fine imposed for noncompliance of housing codes-Mr. Uitti stepped back on at this time.** Ms. Furtek stated that Ms. Hernandez could not attend the meeting as her office is in Texas. Mr. Andrews asked if they had a local representative. Ms.

Furtek stated that they did not have a specific representative locally. Ms. Furtek stated that everything is finished and the door looks amazing. Ms. Peterson stated that she is not happy with the tone that Ms. Hernandez took in the email she sent to Ms. Furtek. Ms. Peterson stated that they were given ample opportunity to correct the violations. Ms. Furtek stated that Ms. Hernandez did not know about the issue until January because the bank was first notified and after going through a law office in Boston and then the office in Texas she was put in touch with Ms. Hernandez. Mr. Andrews stated that they did not impose a fine until after multiple meetings were held. Ms. Furtek stated that they had already started repairs in January. The fines now are up to \$2400.00. Ms. Peterson stated that the amount of time the office has put into 62 Old Plymouth Rd. far outweighs \$2400. Mr. Andrews stated that the tenants were at every hearing and if the department had not been as active at pursuing the issue the violations would still be outstanding. Ms. Peterson suggested cutting the fine in half but not eliminate it. Ms. Coffin stated that at the time the fines were imposed the only things left to correct were the basement window and the door. The original inspection was October 29, 2010. Mr. Andrews stated that they never had any explanations as to why they were not making the repairs. Ms. Furtek stated that the door was on special order. The Board feels that someone should have come to the meetings to represent the bank. **Mr. Andrews made a motion to reduce the fine to \$1000.00. Mr. Uitti seconded the motion. All in favor and the motion is APPROVED.** Ms. Coffin asked what would happen if they do not pay the fine. Mr. Andrews stated that it should be turned over to Town Counsel. Ms. Coffin stated that she would rather just file a complaint in court so it would not cost anything. Mr. Andrews agreed. Ms. Peterson stated that a formal letter go out to the bank with the amount of the fine and what it was reduced from and that they have 30 days to pay it.

5. **Pocasset Auto Service-810 MacArthur Blvd-James Champani**-Appealing fine imposed for selling tobacco and retail items without required licensing-Ms. Peterson stated that the only time the Board hears about problems is when someone ignores the office. The Board feels that it is not their place to get involved in the everyday licensing. Ms. Furtek stated that Mr. Champani called to let her know that he had taken all tobacco and retail off the shelves on April 27, 2011. She inspected and all the items had been removed. Mr. Andrews asked when the fines had been imposed. Ms. Coffin stated that it was at the meeting of April 25, 2011. Ms. Peterson stated that it is frustrating that it took imposing a fine for Mr. Champani to take the items off the shelves. Other people have to follow the rules and obtain the proper licensing. Ms. Coffin stated that she is concerned that in 2009 the office was notified that he was no longer selling tobacco or retail and at some point that changed without him notifying anyone. Mr. Champani stated that he does not recall telling anyone that he was not selling tobacco. Ms. Coffin stated that there is a note in the file and she does not want to go by there and see that he is selling tobacco again. Mr. Champani stated that he will come in for a license before he does anything. Mr. Champani stated that he had applied for a DOR license but never received it. Ms. Peterson stated that if Mr. Champani gets caught selling tobacco without a license again it will be

double the fine. She is willing to waive this fine because he has taken everything off the shelves. **Mr. Andrews made a motion to waive the existing fine but this will be considered a first offense and the next offense will be his second offense. Mr. Uitti seconded the motion. All in favor and the motion is APPROVED.**

6. **Approval of Minutes dated April 6, 2011 & April 13, 2011-Ms. Peterson made a motion to APPROVE the minutes dated April 6, 2011. Mr. Uitti seconded the motion. All in favor and the motion PASSES. Mr. Andrews made a motion to APPROVE the minutes dated April 13, 2011. Mr. Uitti seconded the motion. All in favor and the motion PASSES.**

7. **New Business-Ms. Coffin stated that she wanted to congratulate Ms. Furtek on working with Rich Sylvestro and the Police Dept in organizing a drug take back day on April 30, 2011. They collected 80 lbs. of medications. Ms. Coffin asked if the Board wanted a final vote on the list they had given Ms. Furtek of what they would like to prepare at Deb's Veggie Depot. Ms. Peterson stated that she will leave it in Ms. Furtek's hands but no fish and no raw bar. She does not believe they are equipped to hold the fish right now. Ms. Coffin stated that the DPH has been looking into the fish markets and Ms. Furtek is checking to see where some of the places are getting their lobster meat to make sure it is coming from a licensed facility. Ms. Furtek and Mr. Hickey, DPH, will go out this week to inspect places they feel may not be following the proper procedures. Ms. Peterson asked if Deb's Veggie Depot had shown Ms. Furtek the invoices from the food she has purchased. Ms. Furtek stated that she looked at the bills to verify the items purchased. All labels with ingredients listed have to be shown on any packaging of sales. Mr. Andrews stated there is a link to the FDA which lists all the regulations on what you have to do in order to wholesale. Ms. Peterson asked if there had been any reports on measles. There has not been.**

Mr. Andrews made a motion to ADJOURN. Mr. Uitti seconded the motion. All in favor and the motion PASSES. The meeting was adjourned at 8:50 P.M. The next meeting is scheduled for May 25, 2011

Taped and Typed by Kathy M. Burgess for the Bourne Board of Health

Respectfully submitted by the Bourne Board of Health

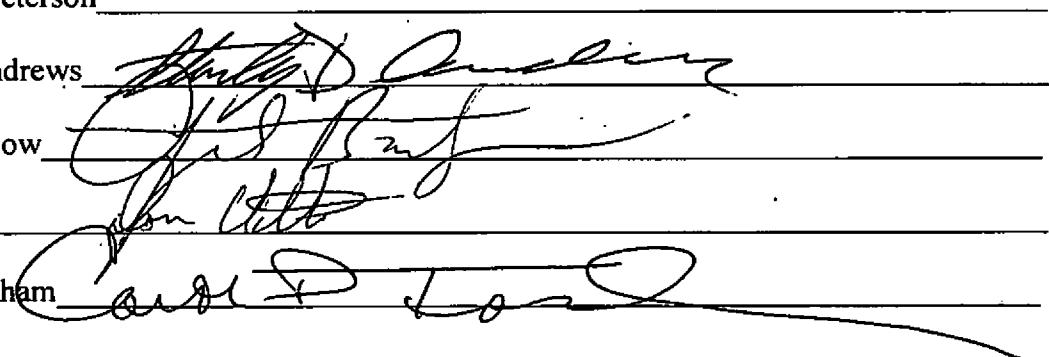
Kathleen Peterson _____

Stanley Andrews _____

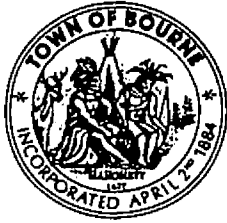
Galon Barlow _____

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:

May 25, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

1. 62 Old Plymouth Rd-Gail Spencer-Appealing Board's decision of May 11, 2011
2. 7 Cape Cod Lane-Randy Walsh-Appealing Board of Health decision issued December 8, 2010
3. 45 Hope Ave- Zachary Basinski for Kenneth Jeffries-Requesting extension of variance granted on May 26, 2010
4. Wind Turbine Regulations- Board of Health discussion on draft
5. Approval of Minutes dated April 27, 2011 & May 11, 2011
6. New Business

cc Board of Selectmen/Town Clerk

TOWN CLERK'S OFFICE

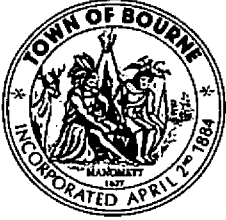
2011 MAY 19 PM 2 37

Signed:

Title: Secretary

Date: May 19, 2011

Katlyn M. Burgess



**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
May 25, 2011**

Members Present: Stanley Andrews, Vice Chairperson; Galon Barlow, Don Uitti and Carol Tinkham. Members Absent: Kathleen Peterson

Support Staff: Cynthia Coffin, Health Agent, Carrie Furtek, Health Inspector and Kathy Burgess, Secretary

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

- 1. 62 Old Plymouth Rd-Gail Spencer-Appealing Board's decision of May 11, 2011.** Ms. Furtek stated that Ms. Spencer called the office when she received the letter about the Board's decision to reduce the fines to the bank and that all the repairs had been made. Ms. Spencer does not believe that all the violations have been corrected. She was also concerned that she had not been notified of the meeting. Ms. Furtek stated that the issues Ms. Spencer has now are not part of the original order. Ms. Spencer and her family have been moved to the Quality Inn by the bank while they address the problem of mold and the other items Ms. Spencer is concerned with. Mr. Andrews asked if the original list of items had been corrected. Ms. Spencer stated that she understands what Ms. Furtek is saying but she respectfully disagrees. Ms. Spencer stated that on the original list dated October 29, 2011 there were plumbing issues in the basement that have not been addressed and now there is mold in the basement. The bulkhead and the cellar window are still not watertight and the sump pump is not working properly. They cannot live in the house because of the mold so have been moved to a hotel by the bank. Ms. Furtek stated that the top of the bulkhead opening was fixed. Ms. Spencer stated that she does not agree with that. There was general discussion regarding the leak and the fact that the sump pump is not working and will have to be fixed. Mr. Andrews asked Ms. Furtek if she still stands by the first letter stating everything has been repaired. Ms. Furtek answered yes but does agree that new issues have arisen and they need to be fixed. Ms. Coffin stated that the bank and Ms. Furtek have already discussed having the new items repaired. They have already trying to make the repairs. Ms. Tinkham stated that it is taking a long

time. Ms. Furtek stated that that is because new items keep arising. Ms. Spencer stated that they will start the work on the house next week which will mean that they will have already been out of the house for 8 days before he begins the work. The mold from the cellar has risen to the first floor bathroom so the wallpaper needs to be replaced. Mr. Barlow asked Ms. Furtek if she would go out to the house next Tues or Weds when the contractor is there and review the issues. Ms. Furtek stated that she would. They will also fix the tile that was broken when the door was replaced. Mr. Andrews asked the Board how they felt regarding the appeal of the decision. Mr. Barlow stated that he believed that the appeal should be denied because that decision was based on the information they had then. **Mr. Barlow made a motion to DENY the appeal of the Boards decision made on May 11, 2011. Mr. Uitti seconded the motion. All in favor and the motion is PASSES.**

2. **7 Cape Cod Lane-Randy Walsh-Appealing Board of Health decision issued December 8, 2011-**Ms. Coffin stated that the abutter had not been notified of this meeting. The abutter was originally concerned that there was a cesspool on his property and the Board voted that, as a condition of Mr. Walsh's approval, the cesspool be filled in. It is an old system that was disconnected when the new system was put in and no one is sure where it is located. Ms. Coffin stated that she met with Bousfield about a week ago and, based on their observations, the old cesspool, based on the direction of the pipe, is not in anyone's yard where anybody's house is. It's underneath a paved parking lot which rises at least 8ft up from the grade of Mr. Walsh's house. On the other side it drops down up on a coastal bank that goes down to Pocasset Heights on Circuit Ave. Ms. Coffin stated that in her estimation there is no way to easily get to the cesspool without causing runoff and breaking down the hill which would cause a problem for the parking lot. Ms. Coffin stated that the system was put in in 2001 and there have been no problems or caving and the system itself has to be at least 10 ft in the ground above grade where the parking lot is. Ms. Coffin stated that she is quite sure that the abutter is not going to be in favor of the appeal but she feels that it doesn't make sense to try and dig it up. Mr. Barlow asked why the abutter would have had to be notified. Ms. Coffin stated that it was an appeal of a condition that the abutter requested be done. Mr. Walsh stated that it is an interesting situation because all the properties were together so the cesspool apparently was built on his neighbor's yard. When Mr. Walsh bought the home the cesspool cover was off and thrown in the yard. When he bought the house he had to put a septic in and never knew where the cesspool was. Mr. Walsh stated that he thought it was where the cover was in the yard but the cesspool has been buried under the parking lot and now there is no way to get to it. Mr. Walsh showed the Board a drawing of where the parking lot is and the cesspool is. He also showed the property lines. Mr. Barlow asked if Ms. Coffin had been out to the site. Ms. Coffin stated that she had been out there and they cannot find where the cesspool is located. Ms. Coffin stated that it is probably 6 or 7 ft. in the bank but is not under the lid. Mr. Walsh stated that he cannot get his building permit until this is resolved and he has been waiting for three months. Mr. Walsh stated that his

neighbor, Mr. Cruise, is the only one who knows where the cesspool is and he built his parking lot over it. Ms. Coffin stated that she believes that the Board's condition to find it and fill it in will cause more damage. There is 8 ft of fill on top of it and trying to get to it will disturb the abutter's property more and will also cause a problem with the secondary bank that is there. Mr. Andrews asked if it was more of a detriment to try and locate it. Ms. Coffin answered yes. **Mr. Barlow made a motion to rescind a decision issued on December 8th 2010 regarding the filling of the septic cesspool associated with the project at 7 Cape Cod Lane. There is no evidence of where the cesspool is and it would cause more environmental damage to try and find it. Ms. Tinkham seconded the motion. All in favor and the motion PASSES.**

3. **45 Hope Ave-Zachary Basinski for Kenneth Jeffries-Requesting extension of variance granted on May 26, 2010-Ms. Coffin stated that the original variance was granted on May 26, 2010 and will expire. They have not done any work or pulled any building permits but they are hoping to do the work this fall. Ms. Coffin is recommending a six month extension. Ms. Tinkham made a motion to APPROVE a six month variance extension at 45 Hope Ave until November 26, 2011. Mr. Uitti seconded the motion. All in favor and the motion PASSES.**

4. **Wind Turbine Regulations-Board of Health discussion on draft-Mr. Andrews stated that he wanted to apologize to the Board. Mr. Andrews stated that this is a major undertaking which was given to him at the last meeting. He has had a virus on his computer and was not able to complete the draft. Mr. Andrews has a second draft which he would like the Board to look over and provide some input so he can continue on the draft regulations for the next meeting. Mr. Andrews read from the draft: *The Bourne Board of Health voted at its regular meeting June 8, 2011 after receiving public testimony that there are public risks associated with wind energy conversion devices (WECD). The Board has found that there are health effects associated with noise, shadow flicker, fluids and catastrophic failures of these systems. Pursuant to Chapter 111 Section 31 122-143 Mass General Laws the Board of Health has determined that reasonable regulations be adopted for the protection of the public health and safety of the residents of Bourne.* Ms. Coffin stated that Chapter 111 Section 31 is what gives the Board of Health the right to adopt regulations. Chapter 111 Section 122 is the nuisance section which gives the BOH the right to investigate a nuisance. Mr. Andrews stated that that was in the original draft that has gone off to counsel but he has not received a reply yet. Ms. Coffin stated that she believes it should say *Pursuant to Chapter 111 Section 31 the BOH hereby adopts the following regulation.* Ms. Coffin stated that that is the statute that gives them the right to adopt. Ms. Coffin stated that she would look into the wording for that. Mr. Andrews stated that she could address that right to Brian Wall to get his feedback. *Section 1 Definitions-WECD-* Mr. Andrews stated that he did not have a definition from the Board. There is a definition from the planning board regulations that they could use. The planning board uses WECS-Wind energy conversion system. Mr. Barlow stated**

their definition is: all equipment, machinery and structures utilized in the connection and conversion of wind to other forms of energy. Mr. Andrews asked the other members if they thought that was an acceptable definition. The Board members were in agreement. Ms. Coffin stated that she preferred the word system to devices. *Shadow Flicker-the effect of the sun being blocked by an object that is in motion casting a shadow that it intermittent.* Mr. Barlow stated that the word consistent should also be added. Mr. Barlow asked if Mr. Andrews had given any consideration to adopting the regulations right from the planning board turbine regs. Mr. Andrews stated that that was not the direction they were going and they have walked through this with Town Counsel and developed a format but they can change things if they find another format to be better. *Section 2-Permit-The Bourne Board of Health will require person/persons or businesses who want to construct a WECS to obtain a permit from the BOH prior to construction. All other town permits must be obtained prior to a hearing before the Board of Health. A vote of the Board is required for the permit.* Ms. Coffin stated that she is concerned that the last thing they have to do is to get a permit from the BOH. Ms. Coffin stated that she does not want them to have to go through a lot of applications and then be denied by the BOH. Mr. Andrews stated that he wants to write a set of regulations that are easy to understand. Mr. Andrews stated that they will know in advance what they need to do so there shouldn't be a surprise. *Section 3-Fees-*Ms. Coffin stated that a septic permit is \$100.00 but she does not know how much review there will have to be done with a WECS. The fee is associated with how much time and review from the BOH. Ms. Coffin suggested waiting to see what will be required in the regs before setting the fee. *The applicant will provide all technical fees that are determined by the BOH at the time of the application which will include, but not be limited to, reasonable fees for the employment of outside consultants chosen by the Board of Health.* Diana Barth asked if the fee would be determined at the time of the application. Mr. Andrews answered yes and he has been looking for something out there that would tell him what type of formula to use that could be applied as guidance to a fee. Mr. Barlow suggested the wording *responsible for all fees before the issuance of the permit.* The applicant would be responsible for all fees before the issuance of the permit. Mr. Barlow stated that questions could come up from residents that may need a consultant to come in and answer. Mr. Andrews stated that the Board Members are not experts in wind energy and an engineer may have to come in as a third party which the applicant would pay for. *Section 4-Noise-prior to construction part of the permitting process will be an ambient noise study to determine the base line for noise in mitigation.* Mr. Barlow stated that they may want to read the planning board article that went in front of Town Meeting and try to incorporate some of that. Mr. Andrews stated that he wants as much input from the Board members as possible because the only time they can discuss it is at the meetings. Mr. Barlow stated that he believes Mr. Andrews has done a very good job on the draft and they will be changing and adding to it. He believes the Board should look at the wind turbine law that was adopted at Town meeting, as amended, and get a copy from the Town Clerk and then come back and discuss it again. Mr. Andrews agreed. *Section 5-Threshold-Days-The noise level shall not*

exceed ____ value above ambient and a cap value of ____ measured in db and what scale to be used. Nights-A noise level shall not exceed ____ value above ambient and a cap value of ____ measured in db and what scale. Ms. Coffin stated that the DEP is currently trying to rewrite the noise sections of the State regs which right now is 10 db above background. Ms. Coffin asked if Mr. Andrews has literature he is using to determine this. Mr. Andrews stated that they have received different values in their hearings to be used from 0,3,6,10 and at one of the last hearings they heard what the difference of how many db is a doubling or quadrupling. From the information given each Board member will have to go through it and get their own interpretation of what the information meant to them. *Section 6-Modulation-Noise from the WECS shall not modulate more than ____ db at a frequency between ____ hertz and ____ hertz. Shadow flicker-Shadow flicker shall not extend beyond the lot lines of the property that it is located on. A variance can be obtained to allow shadow flicker to extend beyond the lot lines as stipulated in the section on variance.* Mr. Barlow stated that he did not know if that was reasonable. Mr. Uitti stated that it would be a problem if there was a small lot. Mr. Andrews stated that you have to weigh out the information that was given at the hearings as to the health effects of shadow flicker and from there make your own determination. Mr. Barlow stated that he is not disagreeing with him but he is not sure if a court would determine it reasonable and they may want Town Counsel's advice on that. Mr. Andrews stated that the meeting is for deliberation and to take all the Board's input on the sections. *Catastrophic failure*-Mr. Andrews stated that he would like the Board to come up with a definition and what they are looking for as far as the health effects of catastrophic failure. Ms. Coffin stated that she thought it was the requirement that they develop a plan to address certain futures of catastrophic failure. Mr. Andrews stated that they had talked about FMEA done as part of the process so that they understood what the failure mechanisms were and what mitigation was being done in the design and what items couldn't be mitigated under a Failure Modes Effects Analysis. Mr. Andrews stated that you go through and figure out what the failure is and what the mode that caused it was and can it be engineered out and if not what would you do to mitigate that. *Abandonment-WECS is considered abandoned when it is not operated for ____ days. At that time all fluids and harmful products shall be removed from the property within 30 days.* Mr. Barlow stated that they will have to be specific in determining what they feel is harmful. Ms. Coffin stated that by saying not operated is that saying not connected to a power source. There are a lot of reasons why it could not be operating for 30 days. Mr. Andrews stated that there could be some information to use in the bylaw. Ms. Coffin asked why they were automatically writing this regulation to mirror the planning board reg. Mr. Andrews stated that he does not believe they are and only wants the Board to review their regs to see if there might be some useful information. Mr. Barlow stated that they are looking to be consistent. *Variances-A variance can be obtained by a vote of the full Board with the following stipulations or a Board policy.* Mr. Andrews stated that if an applicant requested an extension of flicker onto an abutter's property they could do that with the abutter signing off but the Board would require a recording at the registry of

deeds. Mr. Barlow stated that he would add to that *with a majority vote of the full Board* only because if that is not in there then two people becomes a minority rule and that is not a good thing. Ms. Coffin stated that there are not many turbines that could operate without flicker going off the property. Mr. Andrews stated that the testimony they have received that some systems may cause 5-30 minutes of flicker per year but they do have software that can blank that period of time out. Ms. Coffin suggested that it might make sense under flicker to put a minimum flicker hours of operation. Mr. Barlow stated that the reason that they got involved in that is there were statements made that flicker could trigger epileptic issues. *Emergency Access-The Board of Health shall have a Knox Box available at the gate with an emergency shutdown switch to deactivate the WECS in case of an emergency. This device shall also be available for other safety personnel as required.* Mr. Andrews stated that he would like the rest of the Board to work on all the sections before the next meeting and to elaborate on each item. Mr. Andrews stated that he would like the June 1 special meeting to be converted to a workshop where they can sit with a white board and work through each of the sections. Ms. Coffin stated that she has paid for legal notices to be put in the paper for that date as a public hearing. Mr. Andrews stated that this process is a lot more involved and realizes that there is no way to notify the public at this point that there will not be a public hearing on that date. Mr. Barlow stated that he received an email that by an overwhelming margin of 132-6 the House of Representatives of the State of Conn today approved to declare a moratorium on wind turbine development until specific detailed regulations for such installations can be developed. Mr. Barlow asked if they might want to consider any moratoriums on commercial turbines. Mr. Andrews stated that that discussion may be out of line as they have to stick to the items on the agenda. Mr. Barlow stated that this is a discussion on wind turbines. Mr. Andrews stated that he would be willing to look at a moratorium as a future agenda item. There was general discussion regarding the open meeting law and what could be discussed. **Mr. Barlow made a motion that the June 1, 2011 public hearing meeting be changed to a workshop on wind turbine regulations to further their discussion and bring in more thoughts. Mr. Uitti seconded the motion. All in favor and the motion PASSES.**

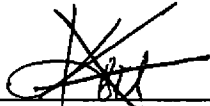
5. **Approval of Minutes dated April 27, 2011 & May 11, 2011-Mr. Barlow made a motion to APPROVE the minutes of April 27, 2011. Ms. Tinkham seconded the motion. Don Uitti abstained from the vote. All others in favor and the motion passes. Ms. Tinkham made a motion to APPROVE the minutes dated May 11, 2011. Mr. Uitti seconded the motion. Mr. Barlow abstained from the vote. All others in favor and the motion PASSES.**
6. **New Business-Mr. Andrews stated that this item is out of order according to the open meeting law. Ms. Coffin asked how she was going to be able to give them updates. Mr. Andrews stated that there is a ruling that has come down from Town Counsel. Ms. Coffin stated that she read the ruling and is asking him how she will be able to address the Board when issues come up. Mr. Andrews stated that they**

will have to identify a policy that is going to allow amended agendas and they will have to contact Town Counsel and ask him for his opinion as to how they can deal with items that are urgent for public health. Mr. Barlow stated that he would like to make a motion but he cannot do that because he cannot change or establish a policy right now because it is not on the agenda. Mr. Barlow stated that out of respect for Town Counsel he believes that until everyone has been notified that the policy has changed they should listen to what Ms. Coffin has to say. Mr. Andrews stated that he will have to stop them if they are out of order or he will be in violation of the State Ethics Board. Mr. Andrews stated that he signed for a copy of the ruling from Town Counsel today at the Town Clerk's office. Mr. Gately asked how far in advance they could amend an agenda. Mr. Andrews stated that it had to be posted 48 hours before the meeting which would be a Monday afternoon by 4:30. Mr. Gately stated that that was a long time to let a health related issue languish. Mr. Andrews agreed and stated that they would have to get some clarification on that from Town Counsel. Ms. Coffin asked what if she just wanted to tell the Board something but not ask them to discuss it. Mr. Barlow stated that he felt that she should just go ahead and tell them. Mr. Andrews stated that he would have to tell Ms. Coffin she was out of order because it is not on the agenda. Mr. Mulvey stated that Town Counsel has issued a memo on this subject in some detail that is being published and it will be given to each committee. Mr. Andrews stated that he has already received an electronic copy, and he was given a hard copy today by the Town Clerk's office and that is what he is basing the running of this meeting tonight on. Mr. Andrews stated that he does have a concern about there being a public health issue and Ms. Coffin not being able to update the Board about that. **Mr. Barlow made a motion to ADJOURN. Ms. Tinkham seconded the motion. All in favor and the meeting was adjourned at 8:10 P.M.**

Taped and Typed by Kathy Burgess for the Bourne Board of Health

Respectfully submitted by the Bourne Board of Health

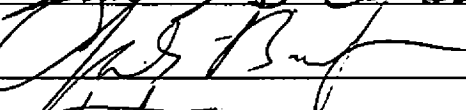
Kathleen Peterson



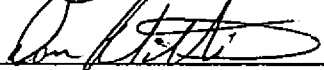
Stanley Andrews



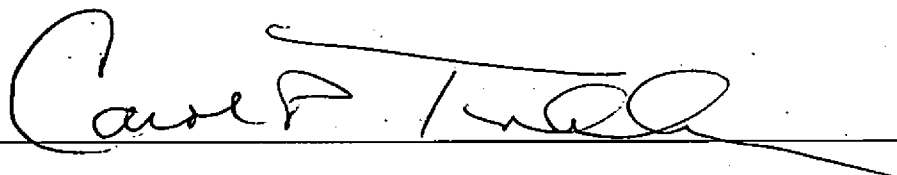
Galon Barlow



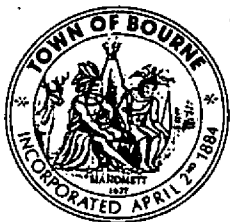
Don Uitti



Carol Tinkham

A handwritten signature in black ink, appearing to read "Carol Tinkham", written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

SPECIAL MEETING NOTICE

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

Schedule of Meeting

Date:

June 1, 2011

Time:

7:00 P.M.

Place:

Bourne Veterans Memorial
Community Center
239 Main St.
Buzzards Bay, MA 02532

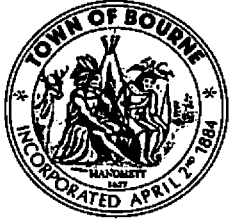
AGENDA ITEMS:

1. Working Session on draft wind turbine regulations

2011 MAY 26 AM 10 19
TOWN CLERK'S OFFICE

cc Board of Selectmen/Town Clerk

Signed: *Kathy M. Buzen*
Title: Secretary
Date: May 26, 2011



**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
June 1, 2011**

Members Present: Kathleen Peterson; Chairperson, Stanley Andrews, Vice Chairperson; Galon Barlow, Don Uitti and Carol Tinkham.

Support Staff: Cynthia Coffin, Health Agent

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

Working Session on draft wind turbine regulations-Ms. Peterson stated that the only topic of discussion that will take place tonight is the regulations on wind turbines that the BOH is adopting. Ms. Peterson stated that she met with Town Counsel today and Mr. Wall feels they are on track and they have held all the proper hearings. Ms. Peterson stated that, having never done this before, Mr. Andrews and herself are having a little problem getting the regulations on paper in the proper form. Mr. Wall has given Ms. Peterson a lot of ideas and they are going to meet again on Sunday and add what else he believes should be added. Ms. Peterson stated that they need to clarify exactly what the applicants need to know and what is expected up front. Mr. Wall would like them to consider certain submittal requirements such as basic information about the applicant and existing conditions, plans, distances to neighboring properties and residential homes, and plans depicting the proposed WECS. He would also like them to state what the filing fee will be. Mr. Wall would also like stated what would happen if the turbine was not running for five days and what is expected of the applicant. Ms. Peterson stated that other than that he thinks they are right on track. They have to come up with a time amount that a WECS would be considered abandoned and they have to come up with the noise level that should not exceed a value. Ms. Peterson stated that on June 8th, 2011 the actual regulations will be provided to the Board for any final additions. June 15th will be public comment. The text of the regs will be available June 8th for the public to review. June 22nd the regs will be adopted if all the members are in agreement. Ms. Peterson stated that there has been a lot of time and effort put in and Mr. Wall will be available to the Board June 15th and June 22nd. Ms. Peterson stated that she would like to go over any changes or concerns that the other Board members may have. Mr. Andrews stated that it was

suggested to use the definition from the zoning bylaw for Wind Energy Conversion System. Ms. Peterson stated that they will provide both and let Town Counsel determine which wording would be best. Ms. Peterson stated it would be very helpful if the other Board members had any concerns or anything to add tonight. Mr. Uitti stated that they should consider the fact that at one of the past meetings he asked one of the engineers what the nearest distance would be that there would be no possibility of the flicker or noise affecting any residents. Mr. Uitti was told by the engineer that that would be approximately 3000ft. Mr. Uitti stated that he believes 1800 ft is much too close. Mr. Andrews stated that the issue he has with setting that definitive setback is that this is a regulation for all turbines so if there was a 5 or 10 kilowatt turbine there is no affect out that distance compared to a larger one. Mr. Andrews stated that if you set it to a noise or flicker value then it is a measurable value that Ms. Coffin can actually check on. Mr. Uitti stated that there should be something in the regulations regarding the size of the turbine. Mr. Andrews stated that turbines change all the time. You could have two of the same size with totally different characteristics. Mr. Uitti stated that the distance could be brought down to 2000 ft. for a smaller turbine. Mr. Barlow stated that he does not have a problem with the setbacks but believes that Mr. Andrews thoughts about keeping the flicker on your own property so it is not a nuisance to the neighbors makes a lot of sense. Mr. Barlow stated that if you are going to put something up that you know is going to be a nuisance and you know that it could cause an epileptic seizure then you are responsible for it and it should be kept on your property. Ms. Peterson stated that she agrees with that but there will be a certain amount of nuisance or aggravation there. You can't expect your neighbor to not produce some sun and that is why they have to come up with an actual figure amount to put in the regulations. Ms. Peterson stated that there are a number of nuisance chapters under 111-31 that the BOH can fall under on something like that but you also want to make sure that they are not being unreasonable either. Mr. Barlow stated that he agrees and they have had evidence presented to them that the shadow flicker can trigger epileptic seizures and epilepsy is not uncommon. Knowing that the BOH is within their rights to say that if you are going to create a moving shadow that can trigger issues with people it should be kept on your own land. Ms. Peterson stated that people have to expect a little bit of nuisance. Just driving on the road can be a nuisance but it can't danger the health of people. Mr. Barlow stated that they have been given testimony that this has a definite health effect and can trigger epileptic seizures and that is a serious issue. Mr. Uitti stated that he suffers from migraines and that is another good reason to consider the regulations. Mr. Barlow stated that he does not feel that is unreasonable if someone wants to put up a small turbine on their property and keep the shadow on their property or do something to address the shadow flicker when it is off of their property. Mr. Andrews stated that the epilepsy foundation says between 5-30 hertz is the trigger point and they suggest no greater than 3 hertz. Some turbines work under that and some would be more than that. Ms. Peterson stated that one of the things they can say is a homeowner that wants a small turbine may not have to provide the same acoustic noise study by a qualified engineer that an industrial turbine has to. Mr. Andrews stated that a value is a value and it doesn't matter if it's a 500 watt turbine or a 5 megawatt turbine. You know if that value has a health effect. Ms. Peterson stated that people have to reasonably apply for the permit. You can't have those regulations so strict that nobody is going to meet the requirements. Mr. Andrews stated that what is a nuisance to one person

may not be to another and they have to find a reasonable value that is black and white so that an applicant can work through it. Ms. Peterson stated that noise level should not exceed a value above ambient. Mr. Barlow asked Mr. Andrews if he had developed any numbers. Mr. Andrews stated that he has taken numbers from information that was given to them and has looked at doubling of the noise but there is also a max limit that you can set. They would have to relate that back to noises that they know. If a car at 40mph at 100 meters is 55db, a drill at 7 meters is 95db which is too much. Ms. Peterson asked Mr. Barlow if he had a max value. Mr. Barlow stated that he did not and did not believe that he is in a position to determine a max value. Mr. Barlow stated that you can read all you want but he works in a restaurant under fans all day and his hearing is probably more sensitive but it really comes down to an individual. Ms. Peterson stated that one of the requirements will be that an acoustical engineer be hired for the Board of Health to determine what those are to be for that particular site. Ms. Peterson stated that she comes back to where it says a quiet bedroom. The fan she had on the other night was annoying because it is a constant sound. Ms. Peterson believes that that is what the Board keeps coming back to is the constant sound that will become a nuisance to people that live among the turbines. Mr. Barlow stated that he believes the noise is an issue but believes that the shadow flicker is an issue they can address because that is something physical that you can see. People that live near a highway can hear cars all night or near the canal can hear boats going through. Ms. Peterson stated there is a distinction under the nuisance law if you move into a place that has these nuisances already then you are reasonably informed that they are going to make noise but if you don't you can not aggrieve someone else's land after they have already bought it. There are allowances under the BOH law. If you buy a house near the train tracks you know a train is coming. Mr. Barlow stated that they have documentation that indicates that flicker can trigger a seizure and does not believe it is unreasonable if it is required that you keep the shadow on your property. Mr. Uitti asked if they should consider lot size. Ms. Peterson stated that they should leave that up to zoning. The Board members agreed. Mr. Barlow stated that he is looking at what they can actually get a handle on. They have heard so many different presentations as to what you can stand. Ms. Peterson stated that they are close to putting them on paper but right now it is just an outline on how to write the regs and what should be looked for in each regulation. Mr. Uitti asked if there was an outline that they could look at. Ms. Peterson stated that they will get the outline through email before the next meeting on Weds. Town Counsel will review it and then Ms. Coffin will pass it along to the Board Members. Ms. Peterson asked Mr. Barlow if he prefers the setback that flicker does not leave the property. Mr. Barlow stated that that seems most reasonable to him. Mr. Barlow stated that he questioned Mr. Andrews about it last week and then thought about it and looked over the epilepsy study and thought that where there is a known medical issue it is a reasonable requirement. Mr. Andrews stated that because they allow a variance he believes they should put a cap and that cap should be related to the numbers that the epilepsy foundation came up with that that frequency could not be greater than 3 hertz which is what they suggest as a trigger point of 5-30. They should window out an area from 3-50 and not be allowed. Ms. Peterson stated that that is reasonable because they can ask for a variance from that. Mr. Andrews stated that they can ask for a variance from zero off the property but they can't get a variance out of those values because you can't give a variance that can create a health issue. Mr. Barlow stated

that he agreed and if those are the numbers he wants to use and everyone is in agreement with it then throw it out there. All the Board members agreed. Mr. Andrews stated that shadow flicker cannot occur between 3 hertz and 60 hertz. Ms. Coffin asked if it could be more than 60 hertz. Mr. Andrews stated that it could be more than 60 because it's outside of the threshold that the epilepsy foundation has put out. They say the trigger point is 5-50. There was general discussion regarding how long someone can put up with the flicker coming through a window before it is a nuisance. Mr. Barlow suggested that that may be about 10 minutes. Ms. Coffin stated that she is a little confused by the variance. Mr. Andrews stated that if they went with a zero flicker value they could allow a variance to have flicker exceed off that property onto the next. They need to put guidelines in so that they know in advance when they apply for a variance that these are the values. Ms. Peterson stated that the applicant will be required to state the maximum projected noise level or shadow flicker from the proposed WECS. Ms. Peterson stated that it could be worded *shadow flicker shall not extend beyond the lot lines of the property upon which the WECS is located. A variance can be obtained to allow shadow flicker to extend beyond the lot lines as provided for in the section on variance.* Mr. Andrews added *the frequency shall not fall within the range of 3-60 and shall not exceed ___ amount of time in a day and ___ amount of time annually.* Mr. Barlow asked how much time a day. Mr. Andrews stated that this is a nuisance issue and asked what is reasonable before it becomes a nuisance. Mr. Andrews suggested five minutes. The Board agreed. Ms. Peterson stated that what she believes is reasonable is that the responsibility is going to be on the applicant to provide to the Board of Health reasonable expectations as to what the people who will be adjoining their property can expect. At that point then she believes the BOH can make a determination. You can't just say that every wind turbine is going to cause five minutes per day of flicker which, if you multiply by 365 days per year, you can't allow anymore than ___ amount. She does not agree with that but does agree with the fact that flicker is a nuisance and they have testimony that states that and no one should have to deal with more than five minutes a day of nuisance. It is up to an applicant to prove that it is not going to be anymore than five minutes per day. Ms. Peterson stated that you want to make sure, when you are saying that you don't want anything off of the property, that you are not being judge and jury too. Ms. Peterson stated that they have to allow people the opportunity, because they are elected to do it, to apply for a permit because they have determined that a permit from the Board of Health is necessary to operate a wind turbine in the Town of Bourne. It will be the last permit that they receive. They will get all other permits in place from all other entities before the BOH permit is issued. Ms. Peterson stated that, in speaking with Town Counsel, they have every right to do that. In the application they have to know what the variance is that they have to ask for. Mr. Andrews stated that by putting values in it allows the applicant to know that is what they will gain out of it and they can figure out if it is worth it or not. Ms. Peterson stated that they will also have the right to revoke or modify a permit issued after the proper notifications. The permits will have an ambient noise study with that because that will be part of the application process. To apply for your permit from the Board of Health you must provide an ambient noise study that determines the baseline levels. It's up to the applicant what they really want. If they are going to tell the Board that one particular neighbor will only suffer five minutes a day with shadow flicker but if they suffer six minutes a day it will be a violation. That's why you have to allow people to ask for a

variance. Mr. Barlow stated that Ms. Peterson feels that it's a nuisance but does she believe that it is a medical issue. Ms. Peterson stated that she believes it is but she is just stating how the regulations have to be written. Mr. Barlow stated that he understands that Ms. Peterson read over the outline of the regulations with the Board. Ms. Peterson stated that they are talking about wind turbines for the next 30-40 years and you still have to be reasonable but you don't have to have it be a nuisance on public health. Ms. Tinkham asked if they had to state flicker in terms of yearly. Mr. Andrews stated that they don't care what the annual is as long as they don't create a nuisance on a daily basis. Ms. Coffin asked how you would determine that flicker lasted for five minutes. Mr. Andrews stated that it will have to come down to what they require from the owner of the turbine keeping clear records. Ms. Peterson stated that they have testimony stating that they can predict when flicker will occur for the next 6 or more years. Ms. Coffin stated that there is a maximum based on sunny skies but what if there are clouds. Mr. Barlow stated that, just like the automatic switches that turn the street lights on, there will be a light level meter on there and when the light gets bright enough to cause a shadow it will shut off. Mr. Andrews stated that in the regulation they could state that they are required to dump that data down to them. Ms. Peterson stated that, according to everything that they have been told, the turbines can be programmed to shut off at any time. They can be turned off with a phone call. Ms. Peterson stated that, in answering Ms. Coffin's question further, under emergency access you can say three neighbors have to complain in the same day or the same time. You also can't have people saying there is a nuisance when there isn't one. Ms. Peterson stated that because the turbines are supposed to be computer operated it should be easy to tell if it was operating when it shouldn't have been. Ms. Peterson asked the Board what their thoughts on noise were. Ms. Tinkham stated that she keeps hearing that it is 10 decibels over ambient. Ms. Coffin stated that that is the existing State regs. Mr. Andrews stated that 10 is a doubling of the actual noise. Ms. Peterson asked if they should adopt somewhere in the middle and allow a variance to be asked for. Mr. Andrews stated if it wasn't a residential property and just a commercial property you might allow it to go up higher because it won't be a nuisance. Ms. Peterson stated that they will separate day and night and feels that they should stay somewhere in the middle of what the State allows which is 10 above background. Mr. Andrews stated that a value of 6 and the fact that they can request a variance would be reasonable. The variance would be up to 10. Mr. Andrews stated that he feels the cap should be about 65. Ms. Peterson suggested 50. Mr. Andrews felt that was too low and stated that a car at 40 mph 100 yards away is 60. Ms. Peterson stated that you can change that between residential areas and industrial. Mr. Barlow stated that any of the variance requests will be like any other variance and will require green cards and neighbor notification. Mr. Andrews stated that when someone applies for a variance now they know what the Board's policies are in advance. Mr. Barlow stated that to a point they do. Mr. Andrews suggested 65 as a cap and then allow a variance from there but they would determine it case by case. Ms. Peterson asked if that would be in all areas or just commercial. Mr. Barlow stated that they could put 65 in as a number and then that number could be changed as they write the regulations. Ms. Peterson stated that one on MacArthur Blvd would not be the same as one in Cataumet or Pocasset. Ms. Peterson wanted to clarify that you cannot put wind turbines at the landfill so they don't have to worry about that. Mr. Andrews stated that they should take the same logic that they used and use 60db as your increase at night as

well but a cap value, because you are dealing with a residential area, of about 40 which would be a rural nighttime background. A quiet bedroom is around 35. Ms. Tinkham stated that maybe somewhere that is noisy at night could go up to around 40-45. Mr. Andrews stated that if it was a commercial area they could request a variance. Mr. Barlow stated that 40 would be the maximum and they can go from there with variances. Ms. Coffin asked Mr. Andrews to explain what modulation was. Mr. Andrews stated that in this instance the noise level increasing and decreasing at a certain frequency so you would hear the louder and softer in that repetition becoming an annoyance even though it may still be within the constraints of the max value. Mr. Andrews stated that they have heard that you can get a fluctuation in the sound and that he stood over at Taylor's Point a few times at night and when the wind is coming parallel with the building he could hear that swoosh sound and he was over close to where the Army Corps building is. Mr. Andrews stated that that sound was a little annoying. Mr. Barlow stated that he understood it was from the flex of the blades. Mr. Andrews stated that it doesn't matter what causes it, the sound that is fluctuating becomes annoying. Mr. Barlow stated it becomes annoying just like a flicker. Ms. Peterson asked what Mr. Andrews figure on the modulation was since he has done such a good job on them. Mr. Andrews stated that he was hoping the Board would do a little more on it because it was on the list that everyone has had to work on. Mr. Andrews stated he was not sure yet. Ms. Peterson stated that once the regs start going in with the proper verbiage it may not come out right on that end but they now have what the Board thinks is reasonable. Mr. Barlow asked if they think the amount of modulation is an issue or just the fact that there is modulation. Mr. Andrews stated that if it modulates in a smaller range you can't detect it as much. It's when there is a big swing in it that it's noticeable to you. Ms. Coffin asked if modulation can change based on wind speed or wind direction and can a remote or device measure that. If not she is concerned that there is no way to investigate a complaint. Mr. Andrews stated that yes, there is. Ms. Peterson stated that it is up to the applicant to provide this information and if a complaint comes in they have to prove if it didn't happen and they will be given a reasonable amount of time to do that. Mr. Andrews stated that they will have to prove that it did happen as well. Ms. Coffin stated that it can be subjective and some people may be more affected than others so it may be difficult to enforce. Mr. Andrews stated that if you get enough complaints you are going to have to set out a device to record and measure it. It will have to be figured out whether you work with them through the mitigation process or the permitting process or whether it becomes something that you have someone you have to call. If it's proved right or wrong it could be part of the fine process. Mr. Barlow stated that it could be made part of the requirement that they have a machine to measure the modulation or a service that measures on a regular basis. Mr. Andrews stated that it would only need to be measured if there was an issue. Ms. Peterson stated that the applicant should be required to state the maximum projected noise level from the proposed WECS and the study should be prepared by a qualified engineer. It should certify that the ambient study and projects were calculated using accepted practices stated by the Board of Health. It has to be certified by an engineer. That will include modulation, ambient, night and day. Mr. Andrews stated that regarding catastrophic failure, they talked about requiring the applicant to provide an engineer supervised failure modes analysis and part of that should be the safety manuals from the manufacturer so that they can see if there is anything else.

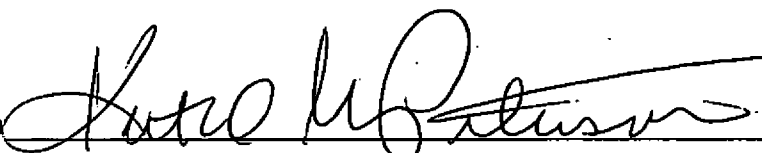

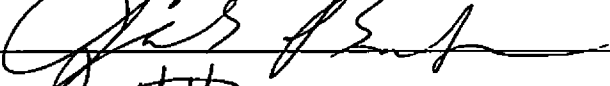
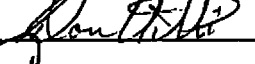
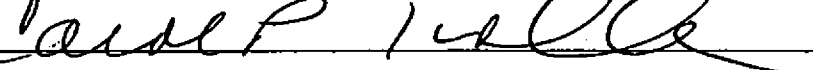
One manufacturer will have different issues than another manufacturer. The Board will want to see how they have engineered or mitigated out those potential hazards and show that those potential hazards or not going to create a hazard to public health and safety. Ms. Peterson suggested that they submit a model to scale that the Board can look at. Mr. Andrews stated that every turbine is different and you want to make sure that you are not allowing a manufacturer in that will cause an issue. Mr. Barlow stated that every one of them will have to be reviewed because there are so many manufacturers and so many different kinds and sizes and they all may have different issues. In order to discuss catastrophic failure Mr. Barlow believes that they need all the details of the device that will be put up. Mr. Andrews stated that by putting it in black and white the applicant will know what he is going to be required to bring forward and he can go to the manufacturer with that information. Ms. Peterson stated that she believes that the training of the emergency response team in Town at the applicant's expense is necessary. Ms. Coffin stated that going back to Section 5 they need a definition for catastrophic failure. Ms. Peterson stated that it is the worst possible thing that can happen to any particular turbine and that is not up to the Board to know. Ms. Peterson would like to know from the manufacturer the worst case scenario. Mr. Andrews stated that if they go through some of the engineering books they will find definitions for failure modes effects analysis. The Board wants to know what happens if certain things occur and what effects it will have and what the plan is to correct it. Ms. Peterson stated she would like to go back to the section on permits (2) and add that individual property owners that would be affected must grant approval with a legal document that is to be recorded at the Registry of Deeds should the Board allow a variance. Mr. Andrews stated that the next Section is section 6- Abandonment- Ms. Peterson asked after how many days would you consider it abandoned. Mr. Andrews stated that you have to give them an allotted amount of time to work on a system for repair and parts. He believes they should have a trigger date of nine months or a year. Ms. Peterson believes that if it is not operating for 30 days then they should come in front of the Board to explain why it is going to be shut down. Mr. Andrews believes it should be one repair at a time. Mr. Barlow stated that he does not understand why they should be concerned if it is not operating. Mr. Andrews stated that after it sits for so long if there are fluids stored at the time you want to make sure they are removed from the facility. Mr. Barlow stated they should notify the Board of Health that they are waiting for a part and how long it is going to be. Mr. Barlow stated that you have to be reasonable. Mr. Andrews stated that if they notify the Board that they will be down for 30 days but is not up and running in a year it should be considered abandoned. Mr. Barlow stated that something as simple as a blade breaking could take up to six months or longer to repair. Mr. Andrews stated that they can put a number in and adjust it from that number and agreed that parts can take a while sometimes. There was general discussion regarding how long a turbine be not operating before it is considered abandoned. Mr. Andrews stated that you could always have the hazardous materials removed which are what the Board is concerned about. Mr. Barlow stated that if it's just a mechanical part that needs to be replaced or a brake system that is not working properly he does not believe that it is necessary to make them drain all the fluids out which could actually be a bigger issue than letting it sit there. Mr. Barlow suggested that they also post bond in case after 12 months they have not done anything and the Town has to go in and take it down. Section 7- Variances- A variance can be obtained by a vote of the majority of the full

Board with the following stipulations: Permit is not transferable without a full vote by the sitting Board of Health. Mr. Andrews stated that that should be back under permits. Ms. Peterson stated that it should be under variances because if you issue the variance it is for one company. Ms. Peterson stated that she wants it known that they cannot go off and sell it two days later to somebody else saying they have the permit in hand. If they are putting up a wind turbine and they decide to sell their house the new people will have to come in front of the BOH and know what their requirements are. Ms. Coffin asked that if someone requests a variance will they have 45 days for it to be acted on. Ms. Peterson stated that the Board shall hold a hearing on the application within 21 days of receiving a completed permit application. *If the Board, after a public hearing determines that the WECS is likely to have adverse affect upon public health the Board within 21 days of the close of the hearing, shall issue or deny a permit. If the Board issues a permit the Board may impose conditions which the Board deems necessary and desirable to protect public health and the WECS shall be constructed and operated in accordance with these conditions. The Board may deny a permit for failure to meet the requirements set forth in these regulations, for failure to submit information and plans necessary to make a decision and for failure to avoid and prevent adverse affects upon public health. For good cause the Board may revoke or modify a permit issued hereunder after notice to the holder of the permit, notice to the public, abutters and pursuant to the applicable Board of Health procedures and policies.* Ms. Coffin stated that if someone requests a variance and there is a time frame upon which the Board has to act what if a member is away for two weeks. You don't want to have this approved by constructive relief by saying a majority vote of the full Board. Ms. Peterson stated that they will take the word **full** out and say *a majority vote of the sitting Board*. Mr. Andrews stated that there is an Emergency Access section and two other sections that Town Counsel has added which are a section on Notices and Meetings and another section on Information Requests. Ms. Peterson stated that they are not going to go over that again tonight as they have already added a lot of things to that. They will go over the Emergency Access section and discuss security. Mr. Andrews asked if they would discuss financial security or property security. Ms. Peterson stated that she wanted to discuss both. Ms. Peterson stated that she would like financial security to the Town should they have to take a turbine over and security to the people or businesses around the turbines. Mr. Barlow stated that that is why they have asked for a gate and a lock box with a 6ft chain link fence around it because you don't want people standing under it. Mr. Andrews stated that the turbine could be on top of someone's house. Mr. Barlow stated that they have not decided on what an industrial turbine is. Mr. Andrews stated that they do not have to because they have set the limits so they don't have to get in the nitty gritty of one type or another. Ms. Peterson stated that they will have the regs in Town Counsel form on Weds, June 8th which is the regular BOH meeting. Ms. Peterson stated that that should be put on the agenda as Board feedback on the wind turbine regulations and distribution to the public. Ms. Peterson stated that they will need to get a meeting room for the meeting on June 15th because that will be for public comment. Mr. Uitti stated that he would not be here for that meeting. Ms. Peterson stated that it is just a chance to let the public comment on the regulations and they do not have to publish them in the paper. Ms. Peterson stated that their regular meeting on June 22 will need the full board present. That is the night they will adopt the final version of the wind turbine regulations and make any changes from public comment

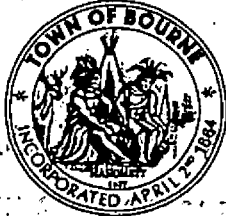
that they think may need changing. Mr. Wall will be at the meeting and they can make any changes right there and take a vote of the Board. Ms. Peterson asked the Board members if they had any other questions. There were none. There was general discussion regarding the regulations being posted on the Town Website. It was decided at this time to have copies available at Town Hall and at the upcoming meetings. Ms. Peterson stated that at the public comment meeting there will be a sign up sheet and they will limit the comments to 3 minutes per person. Ms. Peterson stated that if it is not something that has been frequently repeated and is pertinent she can allow longer but they do not want to get into the same information being repeated over and over again. Ms. Peterson stated that it will be kept to only the Board of Health regulations that are going to be adopted. It will not vary from that. The Board will not allow any other topics to be discussed. That public comment meeting will on June 15, 2011. Ms. Coffin asked if she should post the public hearing in the newspaper. Ms. Peterson answered yes. Ms. Peterson also asked any press that was there to please put it in the paper so people were aware of it. Ms. Tinkham asked if Town Counsel had made any suggestions as to how to conduct the other business topics at the end of the meeting. Ms. Peterson stated that they are going to break it down into topics and Ms. Coffin will be able to comment on the topics but the Board will not be able to vote on them. Ms. Peterson stated that they can have an emergency health item or health problems as a topic. Mr. Andrews stated that that is what they have submitted to Town Counsel but they have not gotten a response back yet. **Mr. Andrews made a motion to ADJOURN. Mr. Uitti seconded the motion. All in favor and the meeting is adjourned at 8:40 P.M.**

Taped by Cynthia Coffin for the Bourne Board of Health
Typed by Kathy Burgess for the Bourne Board of Health

Respectfully submitted by the Bourne Board of Health

Kathleen Peterson 
Stanley Andrews 
Galon Barlow 
Don Uitti 
Carol Tinkham 

cc Board of Selectmen/Town Clerk



2011

08

TOWN OF BOURNE OFFICE

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



MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

June 8, 2011

Time:

7:00 P.M.

Place:

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

2011 JUN 2 PM 7 08
TOWN OF BOURNE OFFICE

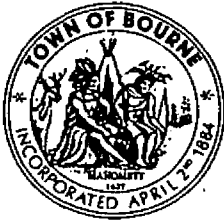
AGENDA ITEMS:

1. 105 Belavista Drive-Ingrid McCarty-Requesting reduction in alternative maintenance testing
2. Wind Turbine Regulations-Board feedback and distribution to public
3. Approval of Minutes dated May 27, 2011
4. Office Business
 - Pocasset Mobile Home Park-update and scheduling of Attorney Sabatt's report
 - Restaurant inspection update
 - Complaint update
 - Housing update
 - Quorum for June 15th meeting

cc Board of Selectmen/Town Clerk

Signed:
Title: Secretary
Date: June 2, 2011

Katym Burgess



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 8, 2011

Time:

7:00 P.M.

Place:

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

AMENDED AGENDA ITEMS:

1. 105 Bellavista Drive-Ingrid McCarty-Requesting reduction in alternative maintenance testing
2. Wind Turbine Regulations-Board feedback and distribution to public
3. Approval of Minutes dated May 25, 2011
4. Office Business
 - Pocasset Mobile Home Park-update and scheduling of Attorney Sabatt's report
 - Restaurant inspection update
 - Complaint update
 - Housing update
 - Quorum for June 15th meeting

cc Board of Selectmen/Town Clerk

TOWN CLERK'S OFFICE

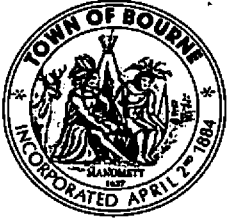
2011 JUN 3 PM 3 10

Signed:

Title: Secretary

Date: June 3, 2011

Ruby M. Bingen



**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
JUNE 8, 2011**

**Members present : Kathy Peterson, Stanley Andrews, Don Uitti, Carol Tinkham,
Galon Barlow-**

Meeting was called to order-7:00 pm

1. 105 Bellavista Drive – Ingrid McCarty – Requesting reduction in alternative maintenance testing. Ms. McCarty was present for the discussion. She stated that the residence is a seasonal home. Her full time residence is in Natick. She is only in the house on the Cape in the summer and maybe twice in the winter. Ms. Peterson asked Ms. McCarty if she had an electric bill and Ms. McCarty stated that she did not. Ms. Peterson stated that the last time the Board granted a reduction in the maintenance inspections, they did ask for an electric bill for the property. Ms. McCarty stated that she is changing wastewater operators and one suggested that she ask for a reduction in the maintenance inspections. Mr. Andrews asked what the State Policy was and Ms. Coffin said that the state allows a reduction but only if the system wasn't approved for nitrogen removal. This system, and most that the Board approves, are for nitrogen reduction. Ms. Tinkham stated that she looked at the water consumption records and they do show water usage thru the year. Ms. McCarty stated that off season the water heater had leaked in 2010 and that did add to the water use. Ms. Peterson stated that she still wants the electric bills. Ms. Tinkham agreed. Ms. Peterson said that she does not feel that the applicant's use would warrant a reduction. Ms. McCarty said that she does not understand what constitutes an allowable reduction. Mr. Barlow stated that the Board has been consistent with its policy and that Ms. McCarty's system was approved for the alternative system with the quarterly maintenance and the applicant knew that when the addition was asked for and allowed by the Board. Ms. McCarty stated that the maintenance is very expensive. Ms. Peterson stated that the Board makes every applicant aware that the testing would be expensive and that the applicant still went forward with the project. She understands why the applicant is asking but she does not feel that in this situation a reduction should take place. Mr. Andrews stated that he only has the water records to look at and it does not give him enough information. Ms. McCarty stated that perhaps the Board should have a limit of occupancy but Mr. Andrews and Ms. Peterson stated that it really has to be a case by case basis. **Mr. Barlow made a motion to continue this item to our next regular meeting on June 22 nd. Mr. Andrews seconded. It was unanimous to continue this item.**

2. Wind Turbine Regulations – Board feedback and distribution to public.

Ms. Peterson stated that Town counsel did not have time to add the legal terms to the draft. Mr. Wall said that the Board could still give the draft out to the public. Ms. Peterson stated that on page 4 of the draft it says that the noise level should not exceed 6db value above ambient and a cap value of 65 db. Ms. Peterson said that she had talked to Brian Wall and he stated that it should say that this level cannot leave property boundaries above this level without an easement by the abutter. Mr. Andrews stated that the same thing will apply to flicker. The measurement will be at the property boundary. The value, 6 db above ambient, will not be exceeded at the lot line and beyond and if it is then an easement needs to be obtained from all abutters. Ms. Tinkham asked whether the sound would then gradually taper off at the property line and Mr. Andrews replied that it should. Mr. Andrews stated that Counsel has also asked for a definition of modulate. Also Mr. Uitti stated that the date of the Board vote in the draft needs to be changed to reflect when the Board will vote. Ms. Peterson stated that the public comment period will be on June 15th at a special hearing. She is meeting with Brian Wall Monday or Tuesday of next week. Mr. Andrews asked if the Board members want any changes. He would like to have a few days to address any issues. Mr. Barlow said that he would have worded it more simply but that it says what he would want it to say. Mr. Barlow said there were discussions about a 3000 ft setback but he believes that the draft regulation covers this. Ms. Peterson asked if there were any questions on the draft regulation. She stated that it is a draft and more work will be done on them as to formatting and spelling corrections and additional legal wording will be added. She stated that they could be changed after the Board hears public comment and then on June 22 a vote on the regulation will be taken. On the 15th public comment will be taken and there will be a sign-up sheet for those who want to speak. David Desisto asked about shadow flicker and how it would be measured as to leaving the property. Ms. Peterson stated that the Board feels that shadow flicker should not come off the property. Mr. Desisto questioned how they will know where the shadow flicker will be. Ms. Peterson stated that based on modeling the applicant should be able to tell where the shadow flicker will fall at any given time. Mr. Barlow said that he wrote something simple that will state the regulation in simpler terms. He read, "any wind turbine or propeller on a pole or pedestal design proposed to be over 75 feet tall, or located within 3000 feet of any residence, business or other occupied structure shall be required to obtain a permit from the Board of Health prior to construction. The standard public hearing procedure will be scheduled upon application with the Board of Health. All engineering, consulting, and associated fees will be the responsibility of the applicant. Proponents must satisfy the concerns of the Board related to health effects caused by unusual yet consistent fluctuations of daylight caused by shadows produced by moving propellers on said devices; health effects caused by unusual and consistent noises known to be produced by these devices; handling, containment and catastrophic plans pertaining to hazardous materials and contaminants associated with the machines, particularly in water district resource and recovery areas; any other health, safety or environmental issues that may be brought forward thru the public hearing process related to the particular project or design of the machinery." Mr. Barlow stated that his version is the same but doesn't have the verbiage added by Town Counsel. Ms. Peterson stated that it isn't just that verbiage was added, it's that the Board had to follow the laws for writing regulations to the letter. When writing a regulation, the Board has to include the purpose, the applicability, the definitions, and why and how. The regulations have to allow people the opportunity to ask for a waiver. Chris Kapsambelis had a question about the noise level section. He questioned why the Board used 6 db above ambient. He says that normally others speak about dba versus decibels (db). The value decibel (db), itself, doesn't quite describe how it's measured. He also

stated that the regulation says 6 db value above ambient. In practice, sound engineers interpret that to mean 6 db "in" the ambient not above. He stated that if you had 6 db of ambient and one db of amplitude modulation as riding above that, ambient will not change but the peak value would end up being 7 db. The way he reads the regulation, if it is above 6 db it would be a violation. He feels that the word 'above' is extremely important. Ms. Peterson stated that she and the Board will look into this. Ms. Coffin mentioned that she had forwarded Mr. Kapsambelis' email to the rest of the Board. John Brennan asked if this draft is available online. Ms. Peterson stated that it will be available at office but not online. Mr. Brennan stated that he appreciated the gravity of what the Board is trying to do to look out for the safety of all the residents of Bourne.

3. Approve the Minutes of May 27, 2011-- Mr. Barlow said that the minutes do not reflect the meeting well. He stated that the minutes do not say that the Chair stated that he had picked up a draft of the new Open Meeting Laws that day or the day of the meeting. It doesn't mention that he imposed them but that it wasn't on the agenda. Ms. Coffin stated that the opinion had been in the Board's packet or that it was at least forwarded to them before the meeting. Mr. Barlow made a motion to accept the tape as the minutes of the meeting. Ms. Coffin stated that we have to have a hard copy of the minutes. Ms. Peterson agreed that we could not just accept the tape as minutes. Mr. Barlow stated that we could have a hard copy of the minutes later. Ms. Peterson asked that Ms. Burgess retype the minutes. There was no second. It was decided that that the minutes would be rewritten and no action was taken.

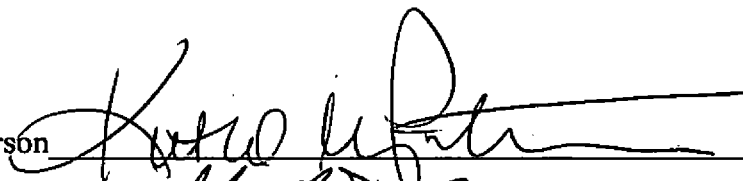
Ms. Coffin addressed the agenda item relative to the Pocasset Mobile Home Park and the update by Attorney Sabatt. She stated that she had heard from Mr. Sabatt today and that he would like to give the Board members an update at their meeting on June 22nd. Ms. Peterson stated that this would be added to the Board's agenda. She said to post it as "Pocasset Mobile Home Park- discuss and possible vote on previous conditions set for Pocasset Mobile Home Park license. She also asked that the meeting notice should also be posted at the Park.

Mr. Andrews made a motion to adjourn. Mr. Uitti seconded the motion. The meeting adjourned at 7:38 P.M.

**Typed and submitted by,
Cynthia Coffin, Health Agent**

Respectfully submitted by the Bourne Board of Health

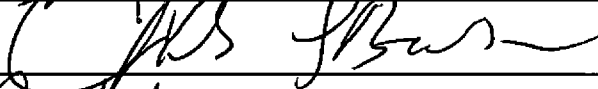
Kathleen Peterson



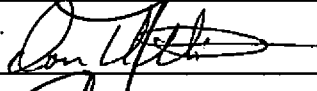
Stanley Andrews



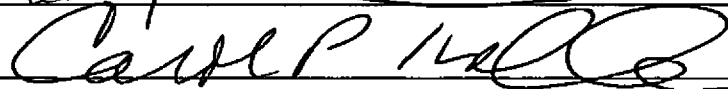
Galon Barlow



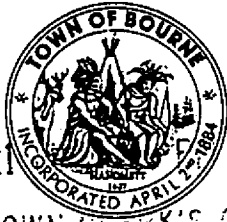
Don Uitti



Carol Tinkham



cc Board of Selectmen/Town Clerk



2011

2 04

TOWN CLERK'S OFFICE

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

SPECIAL MEETING NOTICE

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

Schedule of Meeting

Date:

June 15, 2011

Time:

7:00 P.M.

Place:

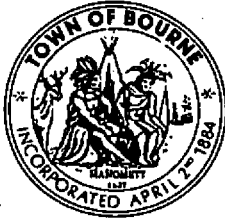
Bourne Veterans Memorial
Community Center
239 Main St.
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. Public Comment on Draft Wind Turbine Regulations

cc Board of Selectmen/Town Clerk

Signed: *Kathy M. Burgess*
Title: Secretary
Date: June 7, 2011



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 22, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

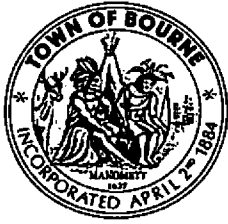
1. Wind Turbine Regulations-Discuss & Possible Vote
2. 105 Bellavista Drive-Ingrid McCarty-Continued-Requesting reduction in alternative maintenance testing
3. 35 Ward Swift Rd.-Erin Healy & John Noyes-Request waiver to use existing septic system for proposed renovations
4. Pocasset Mobile Home Park-Update and comment on Board of Health permit conditions by Attorney Sabatt
5. Approval of Minutes dated May 25, 2011, June 1, 2011 and June 8, 2011

cc Board of Selectmen/Town Clerk

Signed: *Kathy M. Burgess*
Title: Secretary
Date: June 15, 2011

TOWN CLERK'S OFFICE

2011 JUN 15 PM 2 50



**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

AMENDED MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

June 22, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

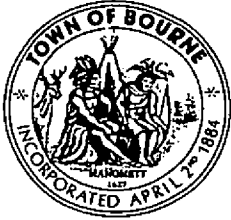
1. **Wind Turbine Regulations-Discuss & Possible Vote**
2. **ISWM Update- Dan Barrett -**
 - **Update the Board on the progress toward issuing the RFP for the Land Lease on the southern 25 acre parcel**
 - **Update the Board on the progress toward issuing the RFP for Landfill Gas Utilization**
 - **Update the Board on the progress toward issuing the RFP for Leachate Evaporation Equipment**
 - **Progress report on Phase 2A/3A North Slope Cap Project**
3. **105 Bellavista Drive-Ingrid McCarty-Continued-Requesting reduction in alternative maintenance testing**
4. **35 Ward Swift Rd.-Erin Healy & John Noyes-Request waiver to use existing septic system for proposed renovations**
5. **Pocasset Mobile Home Park-Update and comment on Board of Health permit conditions by Attorney Sabatt**
6. **Approval of Minutes dated May 25, 2011, June 1, 2011 and June 8, 2011**

TOWN CLERK'S OFFICE

2011 JUN 17 PM 12 38

cc Board of Selectmen/Town Clerk

Signed: *Cynthia A. Coffin*
Title: Secretary Agent
Date: June 15, 2011



**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
JUNE 22, 2011**

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

Meeting was called to order-7:00 pm

Ms. Peterson opened the meeting by stating that copies of the revised wind regulation draft were available at this meeting. There have been new additions to the regulation since the last meeting, particularly under Performance Standards. Per Attorney Wall, via Attorney Troy, New Generation Wind, from their attorney's perspective doesn't feel that they have had the proper time for public comment. Attorney Wall has given them 2 weeks to add comment. Performance standards weren't in last regulation, so they will be given more time to comment. There will be a meeting July 13th for a vote on Wind Turbine Regulations. Anything in writing will be accepted by the office but it must be received by July 7th. Ms. Coffin suggested putting the vote off until the July 27th meeting to give the Board more time too to address the comments. Ms. Peterson stated that the Board will not have the July 27th meeting or the August 10th meeting. The meeting on July 13th will be a regularly scheduled meeting. Next meeting after that will be August 24th. Attorney Troy stated that this extra time is needed. Ms. Peterson stated that there would be no public comment taken at tonight's meeting. Ms. Peterson reminded everyone that the comments had to be in to the office by July 7th to go out to Board in their packets. Brian Wall will make changes up to that time. Board has tried to be very articulate with Mr. Wall's help. No vote will be taken tonight. Mr. Barlow made a motion to continue the vote on the Wind Turbine Regulation to July 13th. Mr. Uitti seconded the motion. It was unanimous.

ISWM update: Ms. Peterson stated that following items would be discussed at tonight's meeting:

Update the Board on the progress toward issuing the RFP for the Land Lease on the southern 25 acre parcel

Update the Board on the progress toward issuing the RFP for Landfill Gas Utilization

**TOWN CLERK'S OFFICE
BOURNE MASS
JUN 20 08 10 49**

Update the Board on the progress toward issuing the RFP for Leachate Evaporation Equipment

Progress report on Phase 2A/3A North Slope Cap Project

Mr. Goddard, ISWM Environmental Manager, was present for the updates. Mr. Goddard stated that he was filling in for Dan Barrett, the General Manager. He stated that ISWM is contemplating three requests for proposal (RFP's). ISWM has been working on these proposals in concert with ISWM's consultant George Aranson of Commonwealth Resource Management Corporation and the Landfill Business Model Working Group. This group consists of Chairman Pickard for the BOS, Stanley Andrews for the Board of Health, John Redmond from the Finance Committee, Bob Schofield from the Energy Advisory Committee, and Bill Ware, who is a member at large and is also on the Capital Outlay Committee. The Committee has been working for a year and has looked at a variety of ways to use the full 100 acre parcel. The facility is 75 acres for landfill, and 25 acres for the extra 2005 site-assigned land. The Committee has been focusing on that 25 acre parcel to look at sections that could be leased to address solid waste management challenges. There can be no items that would be contrary to the site assignment or the State's moratorium on combustion. There is a parcel of 6 acres within the 25 acres. It is at the southern end of parcel, abutting land not owned by the Town, conveniently located next to a water supply, fire suppression system, and has accessible power and will be accessible to the scales. As part of a diversification plan for the Town for that facility, ISWM wants something that makes money for the Town in perpetuity. Last summer, some technologies vendors came in and made presentation. Some were on digesting food waste and organic matter to make biogas to burn and make electricity from. Others were talking about using gasification which is high temp/ low oxygen to convert solids to a gas called syngas, which is carbon monoxide, hydrogen, and then make liquids or waxes out of it or use it to process biosolids. ISWM is in the final stages of the text on that RFP. Town Counsel is looking at it with Town Administrator. ISWM is close to issuing the RFP. There is a draft site lease in the RFP with terms that the vendor can propose and add. The main methods of compensation envisioned for the town would be through a site lease that would begin payments at certain milestones, i.e. signing the lease, construction, and then operation. There would be certain payments along the way. Then there would be the yearly lease payments or if tonnage is brought it then they would pay a host tax per ton to the Town. The RFP is not issued yet and ISWM will keep the Board informed.

Close behind this there is another RFP for Landfill Gas generated at landfill. As waste decomposes in the absence of oxygen it creates biogas. There is methane along with other constituents. This gas is cleaned, removing H₂S with a wet scrubber, and then it is flared. This is essentially wasted energy. The landfill is now producing a good quality methane. ISWM is at the point where they feel they have a moderate project to take gas and put it into a building with converted diesel engines where the gas would be used as a fuel to drive a generator and produce electricity. Right now they are looking at two engines to produce 1.6 - 2 megawatts. ISWM is in the midst of air permitting for this. ISWM is throwing out to vendors to utilize our gas --- landfill gas to energy. The RFP is not limited to this though. There may be other ideas such as a fuel cell and make electricity that way. National Grid was interested

at one time. They have since withdrawn their interest. Some other vendors may put in a proposal. This summer ISWM hopes to issue the RFP and not limit it to one technology. Town has to be clear to the vendors what the future of waste stream will be and what gas will be generated. Mr. Goddard stated that one company might generate the biogas but not want to create a separate power plant but wants to sell the gas to a vendor that has a power plant for the landfill gas. Then they would pipe it from 25 acre parcel to the proposed location for the landfill gas to energy plant which is on the landfill parcel. There could be synergies between the two RFP's. The vendors could take landfill gas and use in their own process or could sell the gas to a company to use elsewhere. ISWM did not want to exclude anyone.

The third RFP is for Leachate Evaporation equipment that ISWM would lease to own. The landfill gas would be used as an energy source to evaporate the water in our own leachate. Mr. Goddard described leachate collection process. ISWM is hauling 15 million gallons of leachate out each year. As sections are closed there should be reduced to 6-8 million gallons. There is equipment that will take landfill gas and use heat from that to evaporate the water. Then it would be managed on site. One option is to look at a million BTU basis and consider what is the return on the investment to the town. Compare if the million BTU is given to a vendor to make electricity what is the payment back to the Town, or should the Town put it into an evaporator that we own and we avoid the cost of getting rid of the leachate. The two processes need to be compared. ISWM has thought about all the possibilities. ISWM felt that the three RFP's would give them more clarity. It is all speculative right now. Right now the Town needs vendors with firm numbers. This summer, Federal Gov. thru tax rebates has sections for renewable energy projects. There would be a 30% rebate in calendar FY12. This is an effort to stimulate the economy but this has to be done by the end of the calendar year. This is not the only reason but it is a positive. It makes the economics that much more viable to the vendor and the Town should benefit from that as well.

Mr. Barlow commented that Waste Management has large landfill in Rochester NH. Mr. Goddard stated that it is the biggest in New England. One company with the type of technologies discussed is Heartland. They take waste heat from a landfill gas to energy power plant. Waste Management takes up to 4000 tons per day. The company actually heats the UNH College. Heartland arranged to invite the working group and Dan Barrett to attend a meeting at the facility in NH. Mr. Andrews also went on that trip. The members looked at the dynamics of a real gas plant. The Town wants to understand how it all applies to the law of thermal dynamics. The group is trying to decide what the return investment for the Town would be. Ms. Peterson asked if the Board members would be interested in looking at something like this as well. Mr. Barlow stated that if ISWM is going for an RFP the Board should have knowledge right up front. There may be odor issues or other issues. Mr. Barlow continued to say that if all the leachate were removed it would be hurting the local economy. Ms. Peterson stated that nothing will be signed until the Board of Health has reviewed and ISWM will not commit to anything. Mr. Barlow stated that the Town doesn't need any odor issues. Mr. Goddard reiterated that any proposals that came in would be reviewed and brought before the Board of Health for consideration. Mr. Barlow stated that he is still concerned about heat inversions and odor issues and he really wants to look at it. Mr. Goddard stated that there are

other facilities in nation. Mr. Andrews stated that the unit at Turnkey was the first of its kind to use waste heat from a generator. There are other systems that are actually direct fired units. There is a lot to learn about the technology. In the RFP, the vendors are required to send in technical data and background information and it all has to come before BOH before any approval. Ms. Peterson stated that when the Board had originally voted to allow ISWM to go forward with the RFP's it was stated that Town Counsel did not believe that the RFP's fell under the current site assignment, therefore the site assignment will have to be reopened if something doesn't come under what's been approved under the site assignment. Mr. Barlow stated that he doesn't care if the RFP is issued but that the Board of Health has to know right up front what is associated with each type of equipment. Mr. Goddard stated that by putting out the RFP the Town and the Board will get that information to make a better decision. No steps will be taken to implement anything before the proposal comes back to the BOH. Mr. Barlow stated that the Town doesn't need another nuisance. Jim Mulvey asked about gas production and whether it was consistent. Ms. Peterson stated that she doesn't think that this question can be answered the way the agenda is written. Mr. Mulvey then asked about other dissolved gases that might be in the leachate once it's heated to steam. Mr. Goddard said they are looking into whether another flare would be required for additional gases. It's all part of the review. Landfill gas is being combusted and in that process all the gases have to be handled. Mr. Mulvey asked about using gas for 2 generators and would the use of the gas allow constant use of those generators. Mr. Goddard says modeling is done. You have to look at a gas curve. A gas curve is an engineering exercise that's done based on the volume of and composition of the waste that's in place. Then there is a standard calculation rate for the decay of typical trash, with an organic fraction, and then they can predict how much landfill gas will be created based on the type of waste over a period of time. The gas curve is typically over a 20 year period. The curve can change depending on the waste stream. If mostly ash is in the waste stream, then gas won't be produced and vice versa with trash. The two engine model should have enough gas of quality and quantity to justify investment. It should generate 1.6-2 megawatts. Mr. Mulvey asked if there would be an excess of gas that could be used for evaporation. Mr. Goddard stated that a smaller scale evaporation might be able to be done, or it would have to be flared.

Report on Progress on Phase 2A/3A – Mr. Goddard stated that 'corrective action design' is the term for the work done this spring on the closure to 2A/3A north. The first area seen is a giant berm with new grass. The section then wraps around on the north boundary, parallel to Mo Beach Sportsmen Club, about half way up the road to where it meets Phase 2 and then up on top of the slope is an area where final grade has been hit. The outside slopes are at the final 3 : 1 slope. No more waste is planned for that area so it is capped. The capping consists of final grading, sand, 60 mil plastic high density polyethylene cap that is welded, a foot more of sand, and then 9 inches of material for supporting vegetation. ISWM screens its own sand for the proper porosity for drainage, and all the compost is screened for the vendor to use. Project came in ahead of schedule and on budget. The vendor put down hydroseed and grass is growing. Next season they will patch bare spots. ISWM also had installed a network of new gas wells to pull vacuum off the north slope. There

are now 61 wells for gas collection. This will go even further to control odors. Also when you seal the landfill it reduces leachate volume and keeps down odors as well. The company, ET and L, has demobilized. DEP was happy with the work done. They were on site in May. There were no significant odor or operational issues. A third party engineer oversaw all their work.

3. 105 Bellavista Dr. - Ms. Coffin stated that Ms. McCarty did not feel that the Board would grant her reduction in inspections, so she decided to go forward with obtaining the O & M for her alternative system, therefore this item will not be discussed. Mr. Andrews made a motion to deny the request as originally submitted. Mr. Uitti seconded the motion. It was a unanimous vote to deny.

4. 35 Ward Swift Road – Eric Healy & John Noyes - Request waiver for proposed renovation. Ms. Healy stated that she lives on cranberry bog in Cataumet. She has about a 500 square foot house. They have plans to change the crawl space to a full basement with future plans for renovations to add space to the bedroom. There is presently no closet space. The plan is to move the house over and also do three additions. The result is that there will be two existing bedrooms larger. Ms. Healy stated that the current septic system is a three bedroom system. The proposed addition will crowd the septic tank and therefore the tank will need to be moved. Ms. Peterson asked the applicant for the green cards and they were submitted. The relocation of the house is shown on the plan. The system has not been inspected since 1999. Ms. Coffin asked about the septic plans and said that she only saw one bedroom in the new architectural. It appears that the dining room is open to kitchen and office is also open. Ms. Healy stated that one of the bedrooms is now being called an office. Ms. Coffin stated that if the office is open it is not considered a bedroom and therefore the renovations would only be a 10% increase in bedroom space, not the 120% increase as is on plan. With the office being open, the work will actually reduce the 2 bedrooms to one bedroom. There will, however, be an increase in non-bedroom space of 72 % but there is a reduction of bedrooms. Mr. Andrews sees the reduction of one bedroom as a benefit. There was some discussion as to how the dressing room would be considered, but it was decided that this would be non-bedroom space. The applicants amended the calculations regarding the bedroom space percentages. Mr. Barlow motion to approve the request for 35 Ward Swift for proposed renovations as amended. Mr. Uitti seconded the motion. The motion was amended to add a 1 bedroom deed restriction recorded at the Registry and to require the Health Agent to conduct an inspection of the existing septic system. Mr. Uitti seconded the motion. It was unanimous to approve the request for the waiver. Ms. Coffin will write the letter to be recorded at the Registry.

5. Pocasset Mobile Home Park – Update and comment on Board of Health permit conditions by Attorney Sabatt. Ms. Peterson stated that Mr. Sabatt had a family medical emergency and would not be able to attend tonight's meeting. This item will be scheduled for a future meeting.

6. Approval of minutes dated May 25, 2011, June 1, 2011 and June 8, 2011. Mr. Barlow made a motion to approve the minutes of May 25th. Mr. Andrews seconded the motion. It was a unanimous vote to approve with an abstention from Ms. Peterson as she was not present at the May 25th meeting. Mr. Barlow made a motion to approve the minutes of June 1st. Ms. Tinkham seconded the motion. It was a

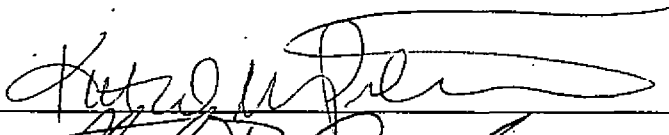
unanimous vote to approve. Mr. Barlow made a motion to approve the minutes of June 8th. Mr. Andrews seconded the motion. It was a unanimous vote to approve the minutes.

Mr. Andrews made a motion to adjourn. Mr. Uitti seconded the motion. It was a unanimous vote to adjourn. Meeting adjourned at 7:55 PM.

Taped and typed by

Cynthia A. Coffin
Health Agent

Kathleen Peterson



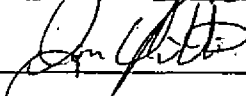
Stanley Andrews



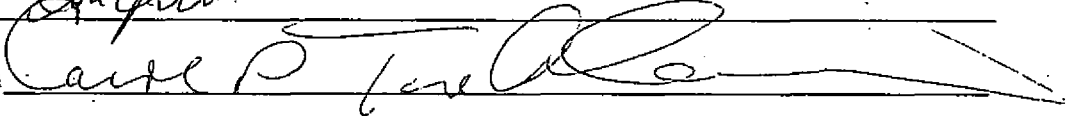
Galon Barlow



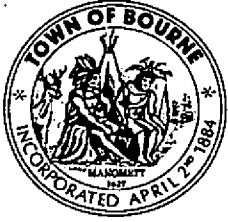
Don Uitti



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:

July 13, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

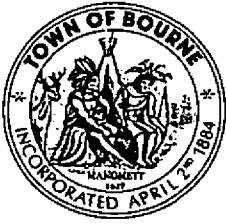
1. **Wind Turbine Regulations-Discuss & Possible Vote**
2. **9 Canal Drive – Stephen Doyle for Anne Garefino-** Request to amend previous approvals to allow demo and rebuild of three bedroom dwelling and amend existing three bedroom deed restriction to reference new architectural
3. **485 Circuit Avenue- Don Bracken for Mr. & Mrs. Kenneth Cheitlin –** Request for reissuance of expired waiver
4. **118 Wings Neck Rd –** Update by Health Agent regarding bedroom issue
5. **9 Scraggy Neck Rd –horse license for Carolyn Neal-** report by Health Agent regarding complaints regarding manure and possible discuss and vote regarding license revocation
6. **17 Holly Circle – Request of Health Inspector- Charles Lowney owner-Failure to respond to housing violation order**
7. **Pocasset Mobile Home Park-Update on Park by Health agent and possible update by Attorney Chuck Sabatt regarding permit conditions**
8. **Approval of Minutes dated June 22, 2011**

TOWN CLERK'S OFFICE
BOURNE, MASSACHUSETTS

2011 JUL 7 AM 11 58

cc Board of Selectmen/Town Clerk

Signed: *Cynthia A. Coffin*
Title: Health Agent
Date: July 7, 2011



**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:

July 13, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

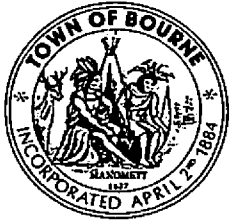
1. **Wind Turbine Regulations-Discuss & Possible Vote**
2. **9 Canal Drive – Stephen Doyle for Anne Garefino-** Request to amend previous approvals to allow demo and rebuild of three bedroom dwelling and amend existing three bedroom deed restriction to reference new architectural
3. **485 Circuit Avenue- Don Bracken for Mr. & Mrs. Kenneth Cheitlin –** Request for reissuance of expired waiver
4. **118 Wings Neck Rd –** Update by Health Agent regarding bedroom issue
5. **9 Scraggy Neck Rd ext. –horse license for Carolyn Neal-** report by Health Agent regarding complaints regarding manure and possible discuss and vote regarding license revocation
6. **17 Holly Circle – Request of Health Inspector- Charles Lowney owner-Failure to respond to housing violation order**
7. **Pocasset Mobile Home Park-**Update on Park by Health agent and possible update by Attorney Chuck Sabatt regarding permit conditions
8. **Approval of Minutes dated June 22, 2011**

TOWN CLERK'S OFFICE
BOURNE, MASS.

2011 JUL 11 PM 3 45

cc Board of Selectmen/Town Clerk

Signed: *Cynthia A. Coffin*
Title: Health Agent
Date: July 7, 2011



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
TOWN CLERK'S OFFICE
BOURNE, MASS



MINUTES
JULY 13, 2011

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 7:10 pm by Vice-Chairman Stanley Andrews.

Mr. Andrews stated that Chairman Peterson had left the room for a short time and that item one (wind turbine regulations) would be pushed back on the agenda.

2) 9 Canal Drive: Steven Doyle representing applicant Anne Garefino

The involved property is at 9 Canal Drive, on the western-most tip of Wings Neck. Mr. Doyle stated that they had been before the Board in 2006 for repair of the site so that remodeling could be done. A new septic system was put in the back yard. The system approved by the Board at that time was a Microfast system with a UV treatment and pressure dosing. That system was installed within a year or so. The garage is part of the site. Mr. Doyle stated that since that time, they have come up with a new set of plans to raze per FEMA guidelines. They recently went before the Conservation Commission to get approval to go forward with the project, and the project has been before the Zoning Board of Appeals for approval of the modified house plans. Mr. Doyle stated that he was before the Board asking for a waiver allowing them to continue to use the system as installed in 2006-2007 with the new floor plan. The problem is the existing deed restriction with the '06 approval was specific to the original set of floor plans. That also was a 3- bedroom plan. Mr. Doyle pointed out that they in fact went from 5 bedrooms to a 3 bedroom as part of the design. On the new house plan, there are 3 moderately sized bedrooms: 2 bedrooms are between 150-200 sq. ft. each, with the master bedroom being a little larger. He stated they would be essentially raising up leaving the same footprint on the lower level, and that it is actually about 100 sq. ft. smaller footprint than what is there today. He also stated that the garage is to be removed and nothing will be added in its place. He felt it was a "pretty simple" open floor plan with the living, dining and kitchen

area to the front of the dwelling, with 2 bathrooms, 1 master bath in the master bedroom and the 2 additional bedrooms.

Mr. Andrews asked Ms. Coffin for the date of installation of the original system; Ms. Coffin stated it was installed in 2007. Mr. Andrews found reference in minutes from December 2007 pertaining to the issue. Ms. Coffin stated that the system was already in the ground, then they came back to do additions with a new owner who apparently didn't end up purchasing the property. All of the approvals were for the renovations for the property with the existing alternative system. She stated that it is now just a new proposal, so the deed restriction would have to be re-recorded. Mr. Andrews stated that, according to the 2007 minutes, there was a question as to whether the system was up and running because there was not electricity to the facility. Ms. Coffin stated that one round of testing by the wastewater contractor was fine, and then there were two or three reports. She stated that Carmody had them as compliant; however, she felt they were not compliant with the Board of Health's testing. Mr. Andrews expressed that his concern was that the system was installed and never run, so the two years of testing and inspections were never done. Ms. Coffin stated that she had told Mr. Doyle that he would probably need a whole new two years of testing with the new house. Mr. Andrews asked if it was an alternative system that had an indicator light for alarm that is inside. Ms. Coffin was unsure. The installer, Mark McNally, was present and confirmed that the system has an alarm inside. Mr. Andrews asked if the system is currently operational; again, Mr. McNally was able to confirm that it was. Mr. Andrews asked if it had no further testing because it had fulfilled its 2-year requirement. Ms. Coffin stated that it had not fulfilled testing requirements because she could not find all the quarterly testing on Carmody. She was only able to find 1 sample recorded by Brian from the County. Mr. Doyle stated that he felt that the interruption in the test results has to do with the power being shut off. Mr. McNally agreed, saying that it is a seasonal home and the owner turned the power off the first winter, thus the blowers were not on, so testing could not be done. Since that first season, the power has been kept on year round, even though the house is unoccupied in the winter. Mr. Andrews stated that the new procedure being done with these alternative systems is putting the indicator lights for the alarm and the operation of the system visible from the street so that it is known that the system is up and running and they are not being shut down. He stated that the system is to be on all year. Ms. Tinkham asked if, without 2 years of testing, the Board was unable to approve the request. Ms. Coffin stated that it could be approved, with the understanding that 2 years of testing with the current occupancy would be required. Ms. Coffin's other concern with the property is the presence of a well and if it was still potable water. Mr. McNally had a copy of the well testing, and Ms. Coffin indicated that the result looked good. Mr. Barlow asked Mr. Andrews to open up discussion to the audience. When Mr. Andrews opened up the discussion to the public, one neighbor stepped forward: Tim Cronin of 7 West View. He stated that he had no problem with this particular plan, but that the previous plan was too high for abutting neighbors. Mr. Andrews pointed out that this discussion was in regards to the septic system only. Mr. Cronin said that after talking with the installers, he felt that the system seemed to be working, but pointed out that the outside light is not visible from the front of the property because it is on the back of the garage that is going to be torn down. Mr. Andrews asked if the engineer would be agreeable to 2 more years of testing with the occupancy of the new residents, as well as to

installing an alarm light that is visible from the road; Mr. Doyle agreed on both counts. Mr. Barlow moved to approve the request for the raze and rebuild of the house at 9 Canal Drive; to continue the 3 bedroom deed restriction; to require 2 more years of testing on the alternative system; to allow them to keep the current system under the new occupancy with the requirement that they have a 2 year contract for wastewater operation to test and maintain; and the installation of the alarm/operation light visible from the street. Mr. Uitti seconded the motion. The motion passed unanimously.

Mr. Andrews turned the meeting back over to Ms. Peterson, stating the item 2 had been taken out of turn.

1) Wind Turbine Regulations

Ms Peterson thanked everyone who sent in information over the past 2 weeks, stating that it had been very helpful and quite a bit had been used. She stated that Brian Wall, attorney for the Town and Board of Health was in attendance and had helped through the long and arduous process. She expressly thanked Diane Tillotson, who had sent a letter and red lined the original regulations. Many of her comments have been written into Bourne's regulations. Ms. Peterson also thanked Attorney Suny and Dr. McCuney for their contributions as well. Ms. Peterson read the updated regulations (see attached document with highlighted sections for changed areas—changes and discussion will be noted in the minutes)

changes under the definition section “abandonment”: There has been recommendation by Ms. Tillotson, with the agreement of Ms. Peterson, that the definition of abandonment shall include: *A WECS shall be considered abandoned if not operated for 365 consecutive days.*

changes under section “ambient noise study”: The addition of the last sentence: *The Board may allow previous studies submitted under a special permit and/or concurrent application.*

Ms. Peterson stated that the addition of this change will prevent undue expense and duplication for the applicant.

changes under section “fees”: the addition of the last sentence: *To avoid duplicative expense and burden on the applicant the Board may allow previously submitted studies after a public hearing and a vote by the Board.*

Ms. Peterson stated that, again, this change would prevent undue expense and duplication for the applicant, provided that the Board votes the studies acceptable.

changes under section “notices and hearings” : the addition of the last sentence: *The Board will allow a concurrent application to the Town of Bourne with final action by the Board of Health after a special permit has been authorized and/or issued as many projects change in nature and stature before finish. The Board will work with any applicant to refrain from duplicity of requirements.*

changes under section “performances standards” : under both the day and night standard, the addition of the last sentence : *The board may allow a greater db(A) where the applicant has proven at a public hearing that there are not any inhabitants that would be affected.*

Mr. Andrews asked if this would be by a variance. Ms. Peterson said yes. She also stated that you cannot deny persons the process of a permit and thanked Ms. Tillotson for pointing that out.

changes under section “variances”: the addition of the phrase *in conjunction with other town regulating authorities* (in regards to sufficient funding for the decommissioning of a WECS).

Ms. Peterson stated this wording would prevent the duplication of monies from the applicant.

changes under section “emergency access”: addition of the phrase *or provide the board with sufficient facts that the WECS cannot be accessed by personnel not authorized.*

Ms. Peterson stated that it had been pointed out in a letter that there is sufficient security at the base of all turbines. The addition of this phrase will require proof of that security.

Mr. Barlow pointed out a discrepancy from the draft version in the current wording (under variances): it should read *radius of 2x the height* rather than *2x radius of the height*. After members debated the definition and scope of abutter notification for a variance application, the final agreement of scope for notification under the section “variances” is to *provide notification to abutters within a radius of 3x the height of the WECS.*

Ms. Coffin pointed out that the section “**modulation**” should have the phrase *shall not exceed* put in to read *The amplitude modulated noise measurable in overall a-weighted sound pressure level peak to trough separations SHALL NOT EXCEED 4db or greater at the closest property line.* Ms. Peterson stated that it should also have *The Board may allow a greater db(a) where the applicant has proven at a public hearing that there are not any inhabitants that would be affected.*

Mr. Andrews stated that he felt that the security/bond requirement under the “variances” section needed to have an addendum that would allow the Board direct access to the funds, even if those funds were part of a requirement of another town authority. Attorney Wall pointed out that the section from the previous draft on “security” was mistakenly left off the current draft and needs to be put back in. Mr. Barlow felt the section under “permits & conditions” that allows for the Board to impose conditions it deems necessary to protect public health would cover asking for a separate bond/security accessible to the Board.

(There was a short recess at this time to remedy a recording issue; the meeting was called back to order at 8:05 pm)

Ms. Peterson stated that there would now be some additions and corrections added to the draft:

Addition to the end of the draft:

Section G: Severability

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

Reinsert with current accepted wording (as read by Mr. Andrews):

Section F: Security

The Board may require the posting of security in the form of a bond, a deposit of monies or other security sufficient in the opinion of the Board to secure the decommissioning (of the WECS) or to remedy health concerns. Said security may be required by other town boards and shall satisfy the requirement if it is listed for the Board of Health's discretion.

Attorney Wall asked to work with the Chair to "clean up" the current draft for spelling and formatting errors so that the corrected draft could be approved by the Board at a special meeting.

Mr. Barlow made a motion to continue the discussion and vote on the Wind Turbine regulations until Wednesday, July 20 at 5pm to give the Chair and Town Council time to put the regulations together in a legal and acceptable fashion. Ms. Peterson amended the motion to say: to give the Chair and Council time to fix grammatical and formatting errors before the regulations are accepted by the Board. The motion was seconded by Mr. Uitti. The motion to continue passed unanimously.

Ms. Peterson thanked Attorney Wall for his hard work with the Board on this matter. When the discussion was opened up for brief public discussion, John Lipman pointed out that Wednesday July 20 at 5pm is the Cape Cod Commission's hearing on the New Generation Wind Project and asked that the meeting to approve the regulations might be held at a better time.

Mr. Barlow amended his motion to be: to continue the possible vote of the new wind turbine regulations until Tuesday July 19 at 6 pm. The motion was seconded. The motion to continue the wind turbine regulation vote until Tuesday July 19 at 6pm passed unanimously.

Again, Ms. Peterson opened up for brief public discussion. Lydia Manter expressed her concern about the notification of abutters in regards to shadow flicker. The Board unanimously expressed a comfortable acceptance of the set radius of 3x the height of the WECS, and the discussion was closed.

2) 485 Circuit Ave—Don Bracken for Mr. & Mrs. Kenneth Cheitlin

There were no audience members present representing this item. Ms. Coffin explained that the variance had expired in January without a permit being pulled. The architectural drawings are still the same. She stated that they basically need a waiver to continue building the system.

Mr. Andrews moved to extend the waiver for 485 Circuit Ave for 6 months from July 13, 2011. Mr. Uitti seconded the motion. The motion to extend the waiver for 485 Circuit Ave for 6 months passed unanimously.

4) 118 Wings Neck Road

There were no audience members present representing this item. Ms. Coffin stated that when the property was recently inspected, she discovered a 3rd story that had not been discussed. There were 2 rooms on this floor that, despite not currently being used as bedrooms, meet the definition of bedroom (a room that offers minimal seclusion). The property owner has spoken with the Health Agent, and expressed that he never intended to use the 3rd floor as bedrooms and was agreeable to opening up the 3rd floor with 4 ft. cased openings. Ms. Coffin will be inspecting the property to ensure that the changes have taken place. She has put the permit on hold until that time. Mr. Andrews questioned how the builder missed the 3rd floor on the architectural drawings. Ms. Coffin stated that full architectural drawings were never received, but feels that the changes to the configuration will rectify the situation. She has put the permit on hold until the inspection is complete. **No action by the Board was required; Ms Coffin was just updating the Board on the situation.**

5) 9 Scraggy Neck Rd.—horse license for Carolyn Neal

There were no audience members present representing this item. Ms. Coffin passed around pictures showing the condition of the pasture area, taken July 1 and July 12. She stated that Ms. Neal was told on July 1 that the issue would be brought before the Board. There have been complaints against this property for 5-7 years. Three years ago the MSPCA took her horses away. She now has 2 new horses on the property. The neighbors have complained of a downed fence, which has been rectified. There have been many complaints about the manure smell. The last inspection by the Health Agent revealed more than 50 piles of manure, indicating that it had not been cleaned up in over a week. Ms. Neal repeatedly claims that she is having help come over to clean up, but it appears that the manure is just being spread around and sand put on top of it. The MSPCA has been called, but no action has been taken by them because the horses are being fed and watered. It was the opinion of Ms. Peterson that, after more than 5 years of dealing with this situation, it was time to pull her license and give her a respectable amount of time to place the horses. **Mr. Andrews moved for a certified notification to 9 Scraggy Neck Road--Carolyn Neal of a revocation hearing to be scheduled for the August 10 meeting. Mr. Uitti seconded the motion. The motion passed unanimously.**

6) 17 Holly Circle –request of Health Inspector—Charles Lowney owner

Audience members in attendance regarding this item were Forrest Barton and his wife Joanne. Mr. Barton stated that they have been renting the dwelling at 17 Holly Circle since June 2010. Once the property was emptied of the previous tenant's debris/furniture,

it was discovered that the garage attached to the dwelling was rotted and in disrepair. They have redone the interior of the home, as well as some of the exterior (which was not their responsibility). Rain water from the garage leaks into their daughter's bedroom through a shared wall. Mr. Barton claims that the owner, Mr. Lowney, has refused to address the situation with the garage. The tenants have correspondence with the landlord back through September 2010. However, the Board of Health did not get involved until May 2011. Ms. Peterson asked for copies of the correspondence from May 2011 forward to be given to the Board of Health. Ms. Furtek stated that she had done an inspection of the property on May 27 and wrote a letter with the concerns to Mr. Lowney mailed on June 1st. She also called him, mailed a certified letter, and another non-certified letter on June 21st, as well as a fax and another phone call, all with no response. Because of this complete lack of response to her concerns, Ms. Furtek asked that the issue be added to the July 13 agenda. Four days after it was added to the agenda, Mr. Lowney sent an email saying that he had taken out a building permit. Ms. Furtek confirmed with Roger in the building department that a permit had been pulled, but had not yet been issued. Ms. Furtek stated that the repairs included totally redoing the deck and the ceiling of the garage. There is water damage from the garage into the bedroom with the shared wall. Ms. Furtek felt the house portion where the tenants had done work was "wonderful". Ms. Peterson stated that by the next regularly scheduled meeting, she wanted a signed work order. Mr. Andrews disagreed, stating that he wanted a certificate of completion, that there was plenty of evidence in the email trail showing that the owner had a contractor, had applied for a permit and on July 10th the condo association gave the approval for exterior work to be done. He requested that a certificate of completion be shown by the Aug 10 meeting, or for Mr. Lowney to be in front of the Board with an explanation. **Mr. Uitti made a motion to continue the issue to August 10. Mr. Andrews seconded the motion. The motion to continue the issue surrounding 17 Holly Circle until August 10 passed unanimously.**

7) Pocasset Mobile Home Park

Audience member in attendance regarding the Pocasset Mobile Home Park (PMHP) was Attorney Chuck Sabatt. Attorney Sabatt stated that there have been 6 leaching trenches installed on site in hopes of alleviating issues of septic overflow at the park. So far, the system is holding. It is checked regularly for overflow by Bill Gilpin from CapeWay. There was recent trouble with a line on 4th Ave. Maintenance worker Mr. Hutchings cleared the line and found quite a bit of debris in the line. Peter Valeri then excavated the line, and recommends that approximately 1200 linear feet be replaced due to occlusion with tree roots. This has been communicated to the DEP. The DEP has requested a more substantial solution with a significantly larger tank. The matter is somewhat on hold because of the plans to put in a wastewater treatment facility, for which the engineering firm employed by the PMHP has already filed with the DEP. The feasibility study for the project will be part of Attorney Sabatt's report to the Superior Court. Attorney Sabatt stated that there have been a few minor issues over the July 4th holiday weekend with a water line break on Sat, July 2. The residents of the 5 units affected by the break were told that they would be reimbursed for any potable water they purchased, and that they could also find alternative accommodations for which they would be reimbursed. The morning of Tuesday July 5, the water line was repaired and by

Wednesday afternoon all units had potable water with sufficient pressure. There was another report on July 13 of a backup on a specific line on 1st St. Mr. Valeri responded; Attorney Sabatt stated that the Health Agent and site manager were there. Mr. Valeri found that the septic cap on a vacant pad had been removed and is missing. In the pipe there were rocks and debris. It appears that someone had been tampering with the line. Mr. Valeri is going to excavate and repair the line.

Attorney Sabatt stated that, as far as the park goes, there is a manager on site; there is routine maintenance being done; these issues are all somewhat under control. He did express the desire to revisit, at some point, 3 licensing issues: 1) the escrow account requirement, 2) twice monthly inspections by certified septic inspector and 3) requirement of a chain link fence. Ms. Peterson stated that no action could be taken because those items were not on the agenda as a "discuss and vote". Mr. Andrews asked Attorney Sabatt to formally apply to have these items added to the agenda so that it can be properly posted. Ms. Peterson pointed out that the license is coming up for renewal soon, and asked for an agenda item be added to the August 10 meeting agenda to discuss and possible vote on modification for the PMHP license and extension of said license under the present circumstances with Attorney Charles Sabatt as receiver.

Mr. Andrews asked Attorney Sabatt when the feasibility report on the wastewater treatment facility that is going to the Superior Court would be available, as it would be pertinent to the Board of Health as well. Attorney Sabatt stated that there was a motion pending at the Suffolk Superior Court in regards to whether or not the PMHP and its management entity are liable under the complaint, requiring that the park construct a new wastewater treatment system, including a new collection system. Attorney Sabatt is required to report within 60 days of the issuance of that finding. The hearing is scheduled for July 26; the Court will likely issue its decision at the end of September, meaning that his report will be due around the end of November/beginning of December. Attorney Sabatt intends to enlist professional assistance for the analysis of the financial feasibility of the project, but assures the Board that he will keep them apprised of any information as it becomes available. Ms. Peterson asked for Attorney Sabatt to give a date to which he would like the license extension to go to when he files for inclusion on the Aug 10 agenda that would keep him from needing to continually ask for extensions, suggesting perhaps the end of January would be acceptable. Attorney Sabatt concluded his update on the PMHP to the Board.

No Board action was required at this time.

8) Approval of the Minutes dated June 22, 2011

Mr. Uitti motioned to accept the Minutes as written. Mr. Andrews seconded the motion. The motion to accept the minutes dated June 22, 2011 passed unanimously.

The meeting was adjourned at 8:57 pm.

Next regularly scheduled meeting will be Wednesday, August 10, 2011

TOWN OF BOURNE
BOARD OF HEALTH
BOURNE, MASS.

Section 1: Authority

These regulations are adopted by the Bourne Board of Health pursuant to its authority under Chapter 111, Sections 31, 122 and 143 of the Massachusetts General Laws as reasonable and necessary for the protection of the health and welfare of the citizens of the Town of Bourne.

Section 2: Purpose

2.1 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 it being an annoyance, it can 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.

2.2 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.

3.3 Present state and local regulations are in the opinion of this 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 adopt the following regulations.

Section 3: Definitions:

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.)

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

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

Noise Pollution: The presence of that amount of acoustic energy for that amount of time necessary to cause one (1) or more of the following effects:

- a. Temporary or permanent hearing loss in persons exposed
- b. Injury to or tendency to injure on the basis of current information the public health or welfare.
- c. Nuisance: Something not allowed because it may cause harm to the health and safety of the residents of Bourne.
- d. Interference with the comfortable and reasonable enjoyment of life and property, or the interference with the conduct of business.
- e. Exceeding the limits or restrictions established herein or in any permit issued by the town.
- f. Sleep disturbance
- g. Other adverse health effects.

Wind Energy Conversion System (WECS): All equipment, machinery and structures utilized in the 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.

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

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

consecutive days.]

windwindwindwindwindwindwind[2]

Permit:

written application shall be filed with the Board of Health to obtain permission to construct or install any WECS. The permit application shall include such information and plans to describe the proposed WECS and determine its potential effects on public health. No construction or installation shall commence without receiving and complying with a permit issued with these regulations. A permit shall be required for all WECS.

Submittals:

with the application the following information shall be submitted:

Name, Address and History of Applicant with relations to wind turbines.
Existing conditions plan
Distances to neighboring properties and residential homes, plans depicting the proposed WECS,

Manufactures safety manuals and data,
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 shall certify same. This is not required for systems with the capacity of 10KW or less and up to 75 feet. (The Board may allow previous studies submitted under a special permit and or concurrent application.)

Fees:

At the time that a permit application is filed, the applicant shall pay a filling fee of \$100.00.

Upon receipt of a permit application, the BOH is authorized to require an applicant to pay reasonable costs and expenses incurred by the board of health for specific expert engineering and other consultants services deemed necessary by the board for review of information submitted by the applicant. This fee is called the "consultant fee". The specific consultant services may include, but not limited to, acoustic and sound evaluations, structural analysis and flicker analysis. The Board may require the payment of consultant fee at any point in its deliberations prior to a final decision. The applicant shall pay the fee to the Town to be put into a consultant services account of the Board which may be drawn upon by the Board of specific consultant services approved by the Board at one of its public meetings. The exercise of discretion by the Board in making its determination to require the payment of a consultant fee shall be based upon its reasonable finding that additional information acquirable only through outside consultants would be necessary for making an objective decision. The Board shall return any unused portion of the consultant fee to the applicant. To avoid duplicative expense and burden on the applicant the Board may allow previously submitted studies after a public hearing and vote by the board.

Notice and Hearings:

The board shall hold a hearing on the application within twenty one days from the receipt of a completed permit application.

The applicant shall same provide written notice of the date and time for hearing by certified mail, return receipt requested to any property owner within a radius of 2x the height of proposed WECS at their mailing addresses shown on the most recent applicable tax list of the assessors.

The board will allow a concurrent application to the Town of Bourne with final action by the Board of Health after a special permit has been authorized and or issued as many projects change in nature and stature before finish. The Board will work with any applicant to refrain from duplicity of requirements.

Permits & Conditions:

If the Board after a public hearing determines that the WECS is likely to have an adverse effect upon public health the board within twenty one days of the close of the hearing shall issue or deny a permit for the wecs requested. If the Board

RECEIVED
JUL 13 2011
BOURNE BOARD OF HEALTH

windwindwindwindwindwindwind[2]

issues a permit the Board may impose conditions which the Board deems necessary or desirable to protect public health and the WECS shall be constructed and operated in accordance with these conditions.

The board may deny a permit for failure to meet the requirements set forth in these regulations for failure to submit information and plans necessary to make a decision and for failure to avoid or prevent adverse effects upon public health.

For good cause the Board may revoke or modify a permit issued after a public hearing after notice to the holder of the permit, notice to the public, abutters and pursuant to applicable Board of health procedures and policies.

Noise

Performance Standards:

Days: 7:00 am to 7:00 pm

The noise level is not to exceed a 6 db(A) above ambient and a cap value of 65 db(A) at the closest property line. ~~The board may allow a greater db(A) where the applicant has proven at a public hearing that there are not any inhabitants that would be affected.~~

Nights: 7:00 pm to 7:00 am

The noise level is not to exceed 6db (A) above ambient and a cap value of 40 db (A) at the closest property line. ~~The Board may allow a greater db(A) where the applicant has proven at a public hearing that there are not any inhabitants that would be affected.~~

Modulation:

The amplitude modulated noise measurable in overall A-weighted sound pressure level peak to trough separations of 4dB or greater at the closest property line.

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 will not be allowed to create a nuisance.

Abandonment:

Whenever a WECS is determined to be abandoned all fluids and hazardous materials shall be removed within 30 days. WECS that are shut down for maintenance or mechanical failure for more than 30 days must appear before the Board of Health.

Variances:

A variance may be granted at a public meeting if the applicant demonstrates to the boards' reasonable satisfaction that there will be no nuisance created that will affect any property within 2x the radius of the height of the WECS. A variance may be granted with the proper bond, deposit of monies or other security sufficient ~~in conjunction with other town regulating authorities,~~ with the opinion of the board at a public hearing to secure the decommissioning of the WECS device.

Emergency access:

The BOH shall have a NOX box available 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 10 (foot) chain link fence with barbed wire around base of turbine ~~or provide the board with sufficient facts that the WECS cannot be accessed by personnel not authorized~~

Respectfully submitted

Melissa A Chase

Melissa A. Chase
Secretary

Kathleen Peterson

Kathleen Peterson

Stanley Andrews

Stanley Andrews

Galon Barlow

Galon Barlow

Don Uitti

Carol Tinkham

cc Board of Selectmen/Town Clerk



2011 JUL 11 11 33

TOWN CLERK'S OFFICE
Health Agency
BOURNE, MASSACHUSETTS

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



SPECIAL MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

July 19, 2011

Time:

6:00 P.M.

Place:

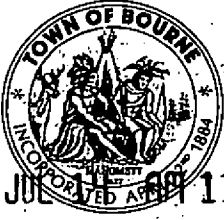
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. Wind Turbine Regulations- Discuss and Vote by Board

cc Board of Selectmen/Town Clerk

Signed: *Melissa Chase*
Title: Secretary
Date: July 14, 2011



2011 JUL 11 11 33

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



SPECIAL MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

July 19, 2011

Time:

6:00 P.M.

Place:

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

Cancelled
acc. 7/19/11

AGENDA ITEMS:

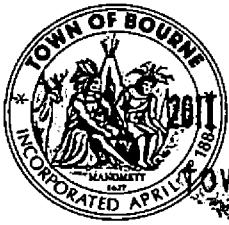
- 1. Wind Turbine Regulations- Discuss and Vote by Board

cc Board of Selectmen/Town Clerk

TOWN CLERK'S OFFICE
BOURNE, MASS.

2011 JUL 19 AM 10 20

Signed: *Melissa Chase*
Title: Secretary
Date: July 14, 2011



JUL 26 AM 9:03
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

SPECIAL MEETING NOTICE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Meeting

Date:

August 3, 2011

Time:

7:00 P.M.

Place:

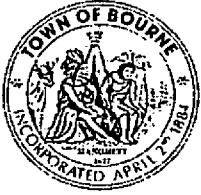
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. **62 Old Plymouth Rd-** request by tenant Gail Spencer for special hearing before the Board regarding housing issues at 62 Old Plymouth Rd

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: July 25, 2011



**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 01913
Phone (508) 759-0615 x1
Fax (508) 759-0679
TOWN CLERK'S OFFICE
BOURNE, MASS



Cynthia A. Coffin,
Health Agent

**MINUTES
SPECIAL MEETING
August 3, 2011**

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

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) 62 Old Plymouth Road: request by tenant Gail Spencer for special hearing before the Board regarding housing issues at 62 Old Plymouth Road**

Ms. Peterson opened the meeting expressing her unhappiness with Ms. Spencer's attitude taken toward the Board of Health. Ms. Peterson felt she could honestly say that the Board of Health (BOH) has bent over backwards for this tenant and other renters. She again expressed her dissatisfaction with the tone taken towards the office when it was known that the Agent and Inspector had put many hours into the case. Ms. Peterson wanted it known upfront that she felt the accusations made toward the Board of Health were erroneous and uncalled for. Ms. Peterson stated she could understand the tenants' frustration with their home situation, but took exception to the accusations against the Agent and Inspector. Ms. Peterson asked for Health Inspector Carrie Furtek to bring the Board up to date on the housing issues at 62 Old Plymouth. She also addressed the legal representative of the Bank, asking for an explanation as to why the Bank had not yet fixed this house and the issue was once again in front of the Board. The tenant would then be allowed to express what she believes to be incomplete. Ms. Spencer asked to respond to Ms. Peterson. She stated that under State Sanitary Code under rule 14850, she has a right to a hearing. Ms. Peterson agreed, saying that was why this meeting was being held. Ms. Spencer said if she felt aggrieved by the failure of any inspector or any other personnel of the Board of Health upon an inspection to not find violations where they exist, or to not cite them, or to clear them when they still clearly exist; that is why she asked for this hearing. Ms. Peterson agreed, saying again that was why this hearing was being held and that Ms. Spencer would be satisfied this evening. Ms. Peterson also wanted to add that, as the hearing progresses, there would be shown many instances in the minutes from past BOH meetings that Ms. Spencer was personally asked by the Chairman, as well as other members of the Board, if she (Ms. Spencer) was satisfied and she had stated on record that she was. Ms. Peterson realizes that the tenant is not satisfied now; but, she questioned how Ms. Spencer can say that the Board did not take the issues seriously, when she stated that she was satisfied with the work that was

completed. Ms. Peterson addressed Ms. Furtek, asking for a complete update, from the first violations and the date of correction after the Board heard it. Ms. Furtek stated that she first received a call of complaint on October 22, 2010, and made an appointment at 3pm for an inspection. She inspected the property and sent a letter on October 29, 2010. There were several issues (which are on record as well as in the Aug 3 Board agenda packets). Another letter was sent on November 1, 2010 to Ablitt/Scofield, and again on November 16 with confirmation of delivery (Nov 18, 11 am). There was no response. December 7 a letter was sent to Mr. Scofield stating that the tenant had not received any notification of intent to correct the violations, and that if the violations were not corrected (or at least started) by December 31, 2010, there would be no choice but to put them on the agenda. Ms. Furtek stated that she believed at that point that Ms. Spencer sent a letter to the BOH that was received January 7, 2011, stating that she was writing regarding violations from the acquisition of the property. Right after receiving this letter, Ms. Furtek's had her first contact with TenantAccess (Rachel), who put her in contact with Senior Code Compliance Officer Danielle Hernandez from Field Asset Services--Code Compliance, Fines and Liens. Some issues were fixed; Ms. Furtek did a re-inspection and a letter was written on January 25, stating that many of the issues were fixed. Ms. Peterson interjected, stating that on January 19, the BOH had a meeting in which Ms. Spencer was asked if she was comfortable with living in the home while the rest of the repairs were done; the minutes reflect that Ms. Spencer stated yes. One of the things agreed upon with the contractor was the issue of peeling paint on the front of the home, which was to be remedied by power washing and repainting. Ms. Peterson asked Ms. Furtek if that issue was on the first report. Ms. Furtek said it was, and had originally had concerns of lead paint, but, after ascertaining that there was not a child under 6 residing in the home, felt that the peeling paint was no longer a health issue. Ms. Furtek has subsequently had recent contact with the State Department of Public Health (DPH) and was told that while lead paint may not be a concern, excessive peeling paint can be construed as a housing violation. Ms. Furtek stated that she originally did not follow through on the peeling paint because she didn't feel it was an issue because there was no child under 6 residing in the home. With the recent information from the DPH, she has since sent a letter to rectify the situation. Ms. Peterson stated again that according to record, Ms. Spencer was comfortable living there. Ms. Peterson asked for confirmation of the following needed repairs as noted in a letter on January 25: front door threshold was rotting; second window pane in the basement has an opening; and the screens for the living room and the second bedroom were ripped; and that was all that was in need at that point. Ms. Furtek confirmed. At the February 2, 2011 BOH meeting, where it was discussed that some of the items (door and threshold) had been ordered by Ms. Hernandez at Code Compliance, which took about 2 months to arrive due to special order issues. Ms Peterson stated (according to the minutes) that Ms. Spencer was asked again at this time if the house was habitable and she stated yes. Ms. Peterson stated that she was trying to point out that the Board of Health office and Board members has taken everything that the tenant has said very seriously and that it was believed that all parties were working together on the same page. On Feb 2, a motion to continue for 3 weeks was made, and this is the time frame where it "all went bad." Ms. Furtek stated that at this point she was emailing Ms. Hernandez, asking for her to send a work order for the door and window, which could not be supplied. There was some miscommunication between

all parties, which Ms Furtek stated was unfortunate. However, when an item was fixed, she would re-inspect the property. Ms. Peterson asked what kind of rodent was in the house; Ms. Spencer stated it was a squirrel in the attic that has been there since April. Ms. Furtek stated that she was told that the squirrel was taken out of the attic. Ms. Spencer stated that this was the day that she arrived at the property when Ms. Furtek and Mr. Larry Maynard (contractor at the property) were conducting an inspection without her present. Ms. Furtek stated that the tenants were not, at this point, living at the property, and Mr. Maynard was authorized to be on the property; he was the one that requested the inspection. Ms Furtek stated under inspection code 410.820: *all interior inspections shall be done in the company of the occupant or the occupant's representative.* She felt that Mr. Maynard, since he was authorized to enter the property and had access keys, fit that requirement. Ms. Spencer argued that he in no way represents them as occupants since he is hired by and paid by the owner of the property. Health Agent Coffin stated that she had spoken with Paul Hunter from the State DPH, and was told by him that because the tenant was, at that time, not residing at the property, the contractor had the right to let the BOH in to do an inspection. Ms. Spencer says she should have been notified of the inspection. Ms. Furtek stated that the Mr. Maynard wanted an inspection before he left the property, and she was able to quickly stop by to ensure that everything was done properly. Ms. Spencer believes that Ms. Furtek did not follow that code parameters. Ms Furtek did another inspection on the property regarding a hole in the roof; at this inspection, she found a new violation. She wrote up a letter about the roof on March 9 and sent it out. On March 24, Ms. Furtek send out a fine letter, stating that because the Board had determined at its March 23 meeting to impose a \$100/day from that date until the date that the issues of the original violations notice were fixed. Another inspection was done by Ms Furtek on April 29, with electrical and basement issues believed by her to have been resolved (fixed lighting fixtures, window well covers to prevent leakage of water into the basement, sealing of exterior of bulkhead area to prevent leakage of water into the basement). She told tenants if there were more issues of water leakage to contact her so she could witness and document for repair. Mr. Storer (tenant) stated that he had pictures from the rain the night before showing the water coming into the basement from the bulkhead and the walls and around the sump pump. Ms. Spencer claims that every time the BOH agent/inspector have been in the cellar, it has been moist or wet. Ms. Peterson asked for the pictures to be printed and brought to the BOH office as new issues, and these would not be regarded for the issues already present to the Board. Ms. Furtek felt that at that point, the fines against the owner should be stopped. There is a letter dated May 19 from Ms. Spencer saying that she felt excluded from the meeting regarding the fines. Ms. Coffin said that the office accepts responsibility for the oversight; it was unintentional. Ms. Peterson stated that the Board was within its rights to issue the fine. Ms. Peterson stated that, at that point, the property owner had fixed everything they were originally asked to repair. Ms. Spencer stated that there was still a window and a screen that she was waiting on for repair/replacement since January. Ms. Furtek asked if Ms Spencer was referring to the storm window. Ms Spencer said yes. Ms. Furtek asked if the windows had been repaired, and pointed out that storm windows are for older windows that are not double paned glass. There was unresolved debate between Ms. Spencer and Ms Furtek as to whether or not the Inspector had actually seen and cited the missing storm window. Ms Peterson then addressed the other audience member who stated her

name and occupation as Rachelle D. Willard, attorney with Ablitt/Scofield, representing Deutsch Bank, the owner of the property. Ms. Peterson asked why it has been so difficult to resolve the issues at hand and getting a representative here. Ms. Willard responded that her office conducted the foreclosure process on the property for her client, Deutsch Bank. In November of 2009 when the foreclosure sale was completed, at that point, her representation of Deutsch Bank was completed as well. Ms. Willard stated that her office became re-involved in the case in early July 2011. There was other representation before that, and she could not speak for the actions of previous counsel. Ms. Peterson asked what Ms. Willard was authorized to do. Ms. Willard is authorized to find out what is going on at this point. Her office was notified in July that repairs were completed as previously cited. The Bank had the occupants residing outside the home paid for by a stipend. On July 14, the tenant moved back into the dwelling, as all of the violations had been cleared. After she moved back into the home, there were new violations cited. After some miscommunication and timing issues someone came out to the property to inspect and bid, and that brings us to today. Ms. Peterson asked Ms. Willard if there was now a contractor ready to work on the house. Ms. Willard stated that she believed her client was currently evaluating bids at this point. Ms. Peterson asked Ms. Furtek what current health violations on the property were still outstanding right now. Ms. Furtek stated that a letter by Agent Coffin was written on July 22 stating that issues still in violation were 1) non-secured sump pump: needs to be secured so float does not get stuck; 2) additional crack in the bulkhead area needs to be sealed; 3) paint on the exterior. Ms. Peterson addressed the tenants asking what additions to that list they felt were necessary. There was again debate on the issue of the screen in the second bedroom and the quality of its repair. It was pointed out by Mr. Barlow that the quality of the repair was not a reflection on the Inspector, but the contractor who repaired it. Ms. Willard stated that her client, since they became involved and are actively working on this case, they are there; they are doing work; they get reports of completed work; they get new reports and they do the new work and get completed work reports. Ms. Peterson stated that because this has been going on so long she was not inclined to feel sorry for the Bank. There was again lengthy debate on the issue of the screen in bedroom 2. Ms. Peterson again asked the tenants for other issues they were concerned with; they stated water in the basement. Ms. Peterson said that it had to be documented, and requested a site visit to the property with other members of the Board. Mr. Barlow and Mr. Uitti both expressed interest in accompanying her. Another tenant concern is the squirrels in the attic. Ms. Furtek spoke with the contractor Mr. Maynard, and it was her belief that there were no squirrels in the attic. Ms. Spencer felt that, although one access point was repaired, the rodents were getting into the attic via another points. Ms. Peterson asked if there was an exterminator on site. Ms. Willard stated that there had previously been an exterminator on site, but would have to bring the information back to her client expressing the concerns of the Board and express what need to be done, and on that list she has written that any dead squirrels need to be removed from the property and re-exterminate the property of remaining squirrels.

Ms. Peterson asked the tenant if she was dissatisfied with the contractor doing the painting on the outside. Ms. Furtek corrected her, saying it was the painting of the bathroom. Ms. Spencer cited standards of protocol for lead paint remediation. Ms. Furtek stated that the issue revolved around the removal of wallpaper, and that she talked to Mr.

Lasky at the State DPH, and lead was not an issue with wallpaper removal but it should be disposed of properly. It was disposed of in the trash, and would go to the dumpster. The issue would be with exterior fugitive dust. On the outside when they are doing the door repair and repainting, they will have to follow certain protocol. The contractor in question is Lead Paint certified (his license number was found online by Ms. Furtek). Ms. Spencer stated that under MA regulations, he needs to be onsite at all times, and she claims that the contractor's wife did the work without certification or supervision. (There was no proof provided that the wife was doing the work). Mr. Barlow stated that the BOH doesn't license the contractor, and she needs to have reported that to the agency that does that permitting. The job was completed and cleared by the BOH.

The Chair moved on to the next issue of water in the basement. Ms. Coffin stated that she took offense to the accusation that the BOH has not dealt with the chronic dampness issue. It is an old house (c1885) and has a large stone foundation. Ms. Furtek stated that she documents every leak that she sees and notifies the owner to seal it. Ms. Coffin stated the sump pump was installed, and there was an issue at first with the pump and piping, which has since been corrected with the installation of a dedicated dry well. Ms. Peterson asked if the tenants were provided with a dehumidifier; they stated yes. Ms. Coffin stated that after a recent heavy rain, the sump was overflowing, causing an inch of water around the pump and the surrounding floor was wet, but she could not determine if the water was from the sump pump overflow or from the rain. She told the tenants that if they could actually see rain coming in the foundation crack, she would need to document it as leakage, but without visually being able to document the source of the water, she would not document it as leakage. Mr. Barlow pointed out that with the age of the house, they may have to go to the historic commission to do any major repairs to the property. Mr. Uitti asked if the landscape grade was a problem; the tenants stated no. He asked if the house has gutters leading rain water away from the foundation; the tenants stated yes, extending about 3 feet. The tenant attempted to show pictures on his camera from the previous night's rain storm. Ms. Peterson would not accept them as evidence unless they were printed out. Ms. Spencer addressed Ms. Furtek, asking why, when they had been notified of all other house visits, they were not notified of the June 8 inspection with Mr. Maynard. Ms. Furtek and Ms. Peterson both reiterated that Mr. Maynard was authorized to ask for the inspection as the contractor in charge had the key and the tenant was not residing at the property. Ms. Spencer stated that issues that were cleared that day were the sump pump and dehumidifier, both of which need electricity to work and there was no power to the house at that point. Ms. Furtek stated that she inspected the pump and dehumidifier, which were new. She also stated that she told the tenants at a subsequent inspection that if they had any problems with them not working to call the office, leaving the door open for the tenants to communicate with the Inspector directly, at any time. Ms. Furtek stated that she had no problem with the tenants calling her at any time for another inspection when she can document issues that need fixing, rather than requesting a special hearing in front of the Board and adding more issues that haven't been documented. Mr. Uitti and Mr. Barlow planned to make a site visit Friday, August 5 to the property, with the tenant present. Ms. Peterson asked for all communication regarding Health issues only to come into the office to be stamped with date and time of receipt. If

the tenant calls the Bank with issues that directly relate to BOH matters, Ms. Peterson requested that Ms. Willard forward that information to the BOH so that it stays on record. Ms. Peterson addressed Ms. Willard with the following requests to be done by the September 14 BOH meeting: 1) fix the screen in bedroom 2; 2) get an exterminator to give a written report and take care of the squirrel issue as well as repairing any visible access holes; 3) get a storm window; 4) outside chipping paint; 5) re-secure the sump pump. Ms. Peterson said as far as the cellar goes, pictures needed to be printed with a time/date stamp and submitted to the BOH, showing the current issues in the cellar. The matter would be continued again to the September 14 meeting agenda. Ms. Willard agreed that she would take the above concerns to her client, and explain to them their obligations. Mr. Uitti asked about the access points for the rodents in the attic, but Ms. Peterson reminded him that this was the BOH, and could only deal with the health issues, not issues that may fall under the Building inspector's code.

Ms. Peterson and Ms. Willard both expressed interest in a property walk-through before the September 14 meeting.

Ms. Coffm wanted to clarify that storm windows are not required by housing code, but rather that the window be weather tight. She cited *code 410.501: weathertight elements: a window shall be considered weathertight only if :... (4) one of the following conditions is met: a) a storm window is affixed to the prime window frame...; b) weatherstripping is applied such that the space between the window and the sash and the prime window frame is no larger than 1/16 inch...; c) the window sash is sufficiently well-fitted such that, without weatherstripping, the space between the window sash and the prime window frame is no larger than 1/16th inch....*

Ms Peterson stated that there seems to be an issue with appointment making, so she said that, when the contractor was ready, she wanted the office informed of the day and time; there must be a minimum of 24 hours notice. In that 24 hours notice, if the tenant is not available to the contractor, the BOH will fine the tenant. Ms. Willard assured the Board that since she and her office have become re-involved, appointment scheduling issues and most of the miscommunication have, in her opinion, been fairly well resolved.

Ms. Spencer stated that the hired contractor was currently in Afghanistan. Ms. Peterson dismissed the statement as hearsay, and not an issue to be brought to the BOH.

Ms. Peterson asked the tenants if there was anything else from previous demand letters and requests to the office. Ms. Spencer stated that, when she was allowed to speak to the property management company, she sent pictures twice of the entrance through the side door (off the driveway) June 13, July 3. She says there is mold on either side of the door and the header behind the threshold is soaking wet. She claims that she pointed this out to Ms. Furtek and that nothing was cited or done about it. The second issue that she brought up was an electrical wiring issue in the basement. Ms Coffin stated that she didn't cite the issue because she is not an electrical inspector and it was a type of wire that she wasn't familiar with, and wasn't sure if it was in violation. Ms. Furtek said it was recommended to have an electrical inspector go out and check it.

Ms. Willard stated that she and her client have been in contact with the Board of Health, and they have done work that has been asked of them. It is their position that they have done a lot of work on the property; they have been cleared on work they do. The contractors go looking only for those citations, and those are the only issues they are authorized to fix. If an issue hasn't been cited, the contractor will not look for extra issues, and her client must be afforded the opportunity to address them properly. Ms. Peterson requested that the tenants get a letter to the BOH office this week requesting an inspection so issues can be cited.

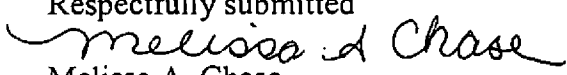
Mr. Barlow and Mr. Uitti agreed to a 9am Friday, August 05 walk-through of the property. Ms. Peterson stated to the tenant that the BOH members were not allowed to ask questions of the tenants, nor were they allowed to answer any questions. There will be no discussion of findings with the tenants, and the BOH members do not need to be accompanied by BOH agent or inspector. Ms. Peterson said the other Board members and a Bank representative would do another walk-through before the September 14 meeting.

Ms. Spencer agreed to get a letter to the office with the issues she'd like looked at. Ms. Peterson stated that the proper handling of it would be to get the letter to Ms. Furtek, allow her time to do the inspection and draft a letter of citation of any new issues to the Bank, which would be mailed by the BOH.

Mr. Uitti made a motion to continue to September 14. Mr. Barlow seconded the motion. The motion passed unanimously.

Mr. Barlow made a motion to end the meeting. Mr. Uitti seconded the motion. The meeting ended at 8:05 pm.

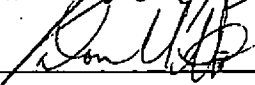
Respectfully submitted


Melissa A. Chase
Secretary

Kathleen Peterson 

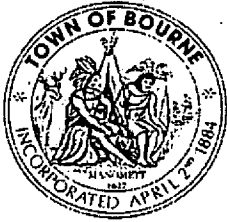
Stanley Andrews _____

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

11 AUG 3 AM 10 04
TOWN CLERK'S OFFICE
BOURNE, MASS

Date:

August 10, 2011

Time:

7:00 P.M.

Place:

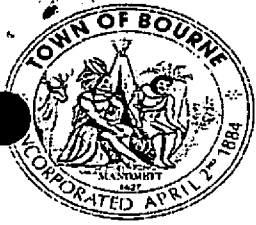
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

1. **Wind Turbine** Discuss and vote on draft wind turbine regulations
2. **9 Scraggy Neck Road Ext – continued** Discuss and vote on possible revocation of horse license
3. **17 Holly Circle—continued** Failure of owner Charles Lowney to respond to housing violation order
4. **Pocasset Mobile Home Park** Attorney Chuck Sabatt request for modification of conditions of, and extension of, existing permit for the Park
5. **2 Wabash Ave –Don Bracken for Carl Turgeon/Sandra Bender** Discuss and vote on request for variance to upgrade septic to convert existing 1 bedroom house to 2 bedroom dwelling
6. **290 Barlows Landing Road-Don Bracken for R. Hunter Scott** Discuss and vote on request for variance to install new Title V system for proposed 5 bedroom dwelling
7. **48 Bayhead Shores- Derek Hurd** Discuss and vote regarding issuance of fines or any other action by the Board for failure to correct violations as cited on enforcement order dated June 1, 2011
8. **485 Williston Rd-Anne & Robert Anderson, Sr** Discuss and vote regarding the issuance of fines or any other action by the Board for continued violation of the BOH pool regulations as cited in enforcement order dated June 8, 2011
9. **5 Maritime Way-MaryAnne Duross** Discuss and vote regarding the issuance of fines or any other action by the Board for continued violation of the BOH pool regulations as cited in enforcement order dated June 13, 2011
10. **Discussion--Town Council's draft policy on public comment**
11. **Approval of Minutes dated July 13, 2011**

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: August 3, 2011



Cynthia A. Coffin,
Health Agent

**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Avenue
Buzzards Bay, MA 02532 AM 11 22
Phone (508) 759-0615 x1
Fax (508) 759-0619
TOWN CLERK'S OFFICE
BOURNE, MASS



MINUTES
August 10, 2011

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

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

Meeting was called to order at 7 pm.

1) Wind Turbine: Discuss and vote on draft wind turbine regulations

Ms. Peterson stated "After many hours of public meeting and public input regarding health effects of wind energy convergence systems (WECS), we the Bourne Board of Health will take a vote to pass on our regulations. We want to thank everyone who spent time during all of the public discussions that we had. We hope that we were fair in listening to everyone. We tried not to curtail anyone too much. At the end of July (the 19th) we were supposed to pass these regulations but DEP stepped in. They felt we hadn't publicized them in the newspaper correctly." Town Counsel felt the BOH had, but didn't want to rush. They were put in the paper for another 2 weeks because that is what DEP wanted. There have been no discussions with DEP; Ms. Peterson stated that neither she nor any Board members have had any discussions with DEP. There have been no unpublicized meetings that have taken place. Every single discussion has been full and open to the Town and allowed for public comment. Some may think the Board isn't strict enough; some will think the Board is too strict with public health. We (the Board) feel confident that these regulations will stand scrutiny. We have followed to the letter our requirements and then some for regulations. We have worked very closely with Attorney Brian Wall, who is Associate Town Counsel; he has been a great help with this. All through the process he has been invaluable; the Office has been great. Every single person who has spoken and talked with us for hours upon hours of public comment, which is all on record, we thank you because this has been a long and arduous process. With that said, Ms. Peterson asked for comments from the Board. There was no request for discussion or comment by the other Board members. Ms. Peterson added that there was an addition of an enforcement section to the regulations (item 7). That has been put in by Town Counsel. The only other change will be on the date of adoption in paragraph 2; it will read August 10, 2011.

Mr. Andrews made a motion for the Board to adopt the regulations for the Town of Bourne regarding WECS. Mr. Barlow seconded the motion. The motion passed unanimously.

Ms. Peterson asked for a 5 minute recess to allow the public in attendance for this agenda item to disperse. Mr. Andrews motioned for a 5 minute recess; Mr. Barlow seconded the motion. There was a 5 minute recess.

(Agenda items 2, 3, 4 were taken out of order to allow for arrival of involved parties)

5) 2 Wabash Ave—Don Bracken for Carl Turgeon/Sandra Bender: Discuss and vote on request for variance to upgrade septic to convert existing 1 bedroom house to a 2 bedroom dwelling

In attendance regarding this matter were Don Bracken from Bracken Engineering and home owner Carl Turgeon. Mr. Bracken stated that he had brought this project before the Board about a year ago for an informal discussion. The current house is a single story ranch. It has a new septic system installed in 1993, which is designed for a 2 bedroom. The house, when it was rebuilt, removed the second bedroom and replaced it with a closet. There is a 2 bedroom septic system on site. The owner would like to add a second story, adding a second bedroom back into the floor plan. The total square footage is just over 1200 sq/ft. When Mr. Bracken came before the Board previously, the Board was agreeable to allowing a 2 bedroom deed restriction provided that the system was relocated, allowing a 150 ft. setback from the salt marsh located to the North of the property, and a pressure dosing system added. They have come before the Board now with an engineering plan doing just that. Mr. Bracken stated that he and the Agent were at the site in the time frame of last year's informal meeting, the system was inspected. The system was functioning 4 feet above groundwater table. A monitoring well was installed and readings were taken over a couple of months with an automatic reader so the exact fluctuations were able to be obtained. The new design has a 5 foot separation from ground water, relocating it to be 150 ft. from the salt marsh. Coastal geologist Stan Humphreys from LEC Consultants delineated the coastal dune bordering the property (this was a concern during the previous informal hearing). The proposed system has been moved to be 50 feet from this coastal dune. The coastal dune is not a direct water resource area, but is part of the reason for the pressure dosing because of the proximity to the dunes. The project has received approval from the Conservation Commission. They have also gone through the Board of Appeals for the reconstruction of the house, and it has been approved. Mr. Bracken stated that it is a modest sized house for the size of the lot in comparison to other homes in the neighborhood. The net result will be the same amount of people residing in the home, the same amount of bedrooms as the home originally had which the Board had already approved for the site, and a much better treatment of the effluent for the benefit of the groundwater in the area. Ms. Coffin stated that she felt it is a better system and a better separation, and she doesn't really have a problem with it. It is far enough away from both of the resources that are areas of concern. Mr. Barlow pointed out that it is not a system that is designed to have a garbage disposal. The engineer and home owner both agreed to that.

Mr. Andrews made a motion to allow a 100 ft waiver from the coastal dune for the soil absorption system for 2 Wabash Ave, that it have a 2 bedroom deed restriction,

and with the stipulation that there is to be no garbage disposal on site. (Plans are dated received July 14, dated 6/30/2011; architectural drawings are dated received July 14, date drawn October 18, 2010.). Mr. Barlow seconded the motion. The motion passed unanimously.

6)290 Barlows Landing Road—Don Bracken for R. Hunter Scott: Discuss and vote on request for variance to install a new Title V system for a proposed 5 bedroom dwelling

The Board allowed Mr. Bracken to withdraw the application and resubmit the application due to a missing abutter notification.

3)17 Holly Circle—continued: Failure of owner Charles Lowney to respond to housing violation order

There were no audience members present in regards to this matter. Health Agent Cindy Coffin had an update for the Board. Ms. Coffin related that Inspector Furtek had gone to the property earlier in the day. Most of the work had been done, but all the work had yet to be completed. Ms. Furtek emailed Mr. Lowney, saying that there was a misunderstanding with the contractor. He apparently stopped working because of weather related issues. The contractor is supposed to be out to the property and have exterior work completed by the end of the week. Ms. Furtek also received a letter signed by the tenant Mr. Barton certifying that he was in agreement with the builder to finish the interior work. It does appear that the contractor, the tenant and the owner are all on the same page, and the work should be done by the end of the week. Ms. Peterson requested that 17 Holly Circle back on the agenda for the September 14th meeting for final closure, with the stipulation that if the work isn't done, the Board will go back and fine them from today's date (August 10) forward.

Mr. Andrews motioned to continue 17 Holly Circle to September 14 with the provision that fines can be assessed as of this date (Aug 10) if work is not completed to the satisfaction of all parties for the items listed on the housing complaint. Mr. Barlow seconded the motion. The motion passed unanimously.

4) Pocasset Mobile Home Park (PMHP)—Attorney Chuck Sabatt request for modification of, and extension of, existing permit for the PMHP

Attorney Sabatt stated, in respect to the conditions, when he was last in front of the Board, he broached the possibility of modifying some of the conditions of the current permit. The conditions in question are:

Condition 7: This requires a licensed inspector (currently using Bill Gilpin) to give a written report to the Board or its Agent 2 times a month. Attorney Sabatt stated that they have not been in complete compliance with the request, but feels that there has been good communication with the Agent, with keeping her informed of any complaints and staying in contact regarding any complaints or problems at the Park.

Condition 9: Requires a \$20,000 escrow account intended to pay for pumping and repairs. Attorney Sabatt stated that they are not currently maintaining an escrow account; he said he could do that, but that he has funds he has been using to repair the system, and he has obtained a loan through Barnstable County to undertake the most recent major repair done in March. He feels that particular condition was put in place because there

was not compliance by Mr. Austin. With Attorney Sabatt as court appointed receiver of the Park, he has a different mission and a different outlook. He feels that they are trying to maintain the system as best they can. He felt that the escrow requirement could be deleted as a requirement.

Condition 10: Requires a 6 ft. chain link fence around the leaching area. Attorney Sabatt felt that this was no long needed.

Conditions 7, 9 and 10 are the items Attorney Sabatt wishes to have modified or deleted.

One minor point that Attorney Sabatt wished to make was in regards to vacant units at the Park that the Park owns. There are several "problem units" that he is moving as quickly as the system permits to correct the issues by way of evictions. It is his intention to remove the unit from the site ASAP after an eviction to prevent unauthorized habitation. He claims that there are several "squatters" – people that move in without his knowledge or his authorization. He is in the process of identifying them and removing them through legal means. He has, however, been contacted by a woman he believes to be credible who wishes to occupy a vacant unit. He is asking the Board for leniency on *Condition 1* (disallows occupancy of vacant Park owned units). He would like some allowance for discretion if he finds a credit worthy tenant.

Mr. Andrews addressed condition 7. He asked Attorney Sabatt what his issue with the requirement of the inspections was, whether it was the bi-monthly inspection or providing a written report. Attorney Sabatt stated that he has been having the system checked out on a regular basis; these are not a formal inspection with technical measurements, but the covers are lifted and the inspector does check the function. Mr. Barlow stated that he felt the Board didn't need the formal measurements. Ms. Coffin stated that she did recently check the main d-boxes to make sure the pits were still doing the job. The d-box was still working and was not full like it used to be. She stated that she would hate to lose total contact. She would like to go out with Mr. Gilpin once a month so she can take a look and head things off at the pass. Mr. Andrews stated that he would like to keep the lines of communication open. Attorney Sabatt agreed, saying that his concern was that he may not have been adhering to the letter of the law. Mr. Andrews says the Board is more just looking for a quick form letter dated and signed. Mr. Barlow stated that he was more concerned with maintaining the communication with Agent Coffin with Mr. Gilpin. Mr. Andrews addressed Ms. Coffin, asking if she would be satisfied with once a month report from Mr. Gilpin. She said she would be, as long as she was informed immediately of any problems that arise. Ms. Peterson stated that it could be added that the reports could be written or verbal. Ms. Peterson is also in favor of maintaining bi-monthly verbal reports. Attorney Sabatt was agreeable to this. Ms. Coffin asked Attorney Sabatt if the reports that he provides to Tracy Triplett at the Attorney General's Office include the status of the septic. He stated that it does include some non-technical information, i.e.: any repairs that have been undertaken, but not the type of information the Board may be looking for. Ms. Peterson stated that she just didn't want any surprises. She did seem satisfied with the current communication between the Agent and Mr. Gilpin. Ms. Peterson stated that on condition 9 in regards to the escrow account, she didn't have a problem with not requiring it. Mr. Barlow felt that, come the fall and winter, the situation at the Park may change drastically, and he recommends making sure

the receiver has money for those repairs. Attorney Sabatt suggested suspending the requirement until further order of the Board or until termination of the receivership, which would give the Board the option of reinstating the requirement. Mr. Barlow wanted to make sure that Attorney Sabatt was aware that in mobile home parks, pipes often freeze in cold weather and water might run more than before, and more water may come into the system. Ms Peterson addressed condition 10 (fencing around leach field). She felt that they were doing a good job keeping people out of the leaching areas. Attorney Sabatt stated that they did recently remove a bicycle jump ramp from the area, and people are asked to leave if they are seen in the area. Ms. Peterson stated that the concern had been the puddles of raw sewage, and that isn't an issue at this point. Mr. Andrews stated that the current leach pits are a temporary solution to alleviating the sewage issue. This temporary solution has the life expectancy of about 1 year, which would bring us to early spring; when the spring rains come in the potential for system failure is high. Ms. Peterson asked about the summary judgment due in at the Suffolk Superior Court. Attorney Sabatt said the judgment had come down (finding is attached at the end of the minutes). The Court decided in favor of the Commonwealth on count 1 (clean waters act). She (the judge) found against all the defendants on count 1; the parties have been ordered to attempt a resolution. He did not believe that there was a deadline for the resolution. He now has 60 days (until October 10) to issue his report to the court regarding the feasibility of an onsite wastewater treatment plant. Ms. Peterson asked what Attorney Sabatt was hoping to get for the extension date on the temporary license. Mr. Andrews had no problem with extending the temporary license to December 31, 2011 for regular filing, to get the licensing back on cycle, with the modifications discussed previously. Attorney Sabatt felt that needing to apply in December for January 1, 2012 would be reasonable. Before opening up to audience questions, Attorney Sabatt asked for clarification on condition 1 (no new tenancy in Park owned trailers). He did not want the condition waived, but rather the addition of language allowing the discretion of the Board of Health agent to adding a new tenant. Attorney Sabatt stated that he is not anxious to rent anything out, but wanted the ability to rent if there was a viable tenant. Ms. Coffin stated it could be stipulated that no Park owned trailers could be rented out without formal approval by the Health Agent. The floor was opened up to public comment at this point.

Steve Marconi of 5 Third Ave: He was concerned about the ability of an owner who wanted to sell their mobile home. Ms. Peterson assured him that the "no new occupancy" order applies only to trailers owned by the Park/ Mr. Austin. Personal owners may sell or do whatever they need to do with their own trailers. Mr. Marconi asked Attorney Sabatt if there were plans to do something with the main road coming into the Park. Attorney Sabatt stated that he had relied on advice given that the road could be sufficiently repaired with crushed stone. He is aware that the repair is not working. He has been further advised that cold patching might be a better solution, and he is waiting for the cost estimate on that. He is aware of the problem; he is still working on a more permanent solution. Mr. Marconi also expressed concern about the ability of residents in the rear of the Park being able to evacuate the Park in case of a fire in the front of the Park; there is one road in. He claims there used to be an old fire road which is now blocked off; currently the only secondary way out for many residents, including those that are handicapped, is into the woods. Ms. Peterson stated that this seems like an issue for the

Fire Department to be made aware of. The Board will not speak for other departments, but she asked for the Office to write a letter to the Fire Department (cc: Attorney Sabatt) expressing the concerns.

Meg Berg of 2nd Ave: Ms. Berg stated her opinion that a hot patch is a better solution for the roads than cold patch. It is how highways are patched. She and her husband are both disabled, and the roads are a major safety concern for them. Her other concern was that there are no fire hydrants in the Park. Ms. Peterson asked Ms. Coffin to add the hydrant concern to the letter being written to the Fire Department.

Joanne Sundlock of 4th Ave: Ms. Sundlock asked if the information regarding the summary judgment was available to the public. Attorney Sabatt stated that is public record through Suffolk Superior Court. Ms. Coffin stated that she had received a copy as well. *(Copies of the judgment have been made available at the BOH for interested individuals and also attached at the end of the Minutes)*

Mr. Marconi questioned whether or not he should continue to put money into his home if there is a possibility that the Park is going to be shut down. Attorney Sabatt stated that the next 60 days will be crucial. By mid October there should be a better idea as to the future of the Park. If the decision is made to shut down the Park, there would be an orderly plan in place for that to occur. Attorney Sabatt felt that they were far away from that point, but that they are at a critical crossroads over the next 60 days with the feasibility plan for the onsite treatment plant. Ms. Sundlock asked what was being taken into consideration over the next 60 days. Attorney Sabatt stated that he was in the process of getting an engineer to give cost estimates as to the construction and maintenance of an onsite treatment center. They are also trying to get a handle on the potential income of the Park. It is questionable whether the Park can generate sufficient income to build, pay the debt service on, and maintain an onsite treatment facility. Other issues are the roads, which will have to be torn up and replaced if a facility goes in, which is a substantial cost. The final issue is the water delivery system, which is, in his non-professional opinion, inadequate and is in danger of failure.

Dennis Carter of 9 3rd Ave: He questioned Attorney Sabatt about evictions from the Park, and asked if they were renting vacant trailers out. Attorney Sabatt stated that there are 11-15 complaints that have been drawn up and filed to be served on some of the occupants. Some are residents in Park owned units; some are privately owned units that are delinquent on their rent. There have also been notices issued for behavioral issues and non-compliance to Park rules/regulations. Attorney Sabatt reiterated that he is not renting out trailers in the Park. Mr. Carter asked who all the new faces in the Park are. Attorney Sabatt again stated that there have been issues with squatters who are unauthorized by the receiver to be living there. He is trying to identify and remove them through legal means. Although it can be a lengthy process, it is best and safest in the long run to comply with regulatory requirements about notices in a Park.

Mr. Andrews motioned to approve the following amendments to the current license:
Condition 1: No new trailers will be allowed on site, nor will the occupancy of vacant trailers owned by the Park owner unless approved under the discretion of the Board of Health Agent.

Condition 7: report may be a written or verbal report to the Board of Health

Condition 9 & 10: suspended until further order of the Board or until termination of the receivership

Extend the temporary license until December 31, 2011

Mr. Barlow seconded the motion. The motion passed unanimously.

7) 48 Bayhead Shores-Derek Hurd—Discuss and vote on the issuance of fines or any other action by the Board for failure to correct violations as cited on enforcement order dated June 1, 2011

No audience members were in attendance in regards to this matter. Agent Coffin stated that there had been a complaint from a neighbor at the end of May. There were open trash bags, open containers, a mattress and open receptacles of hay and straw. Ms. Furtek reinspected recently; the trash had been removed, but the mattress was still there. Ms. Coffin felt the Board could vote a fine today or she could do something under the 21D ticketing bylaw.

Mr. Andrews made a motion to impose a \$100/day fine starting August 12 until such time as they have contacted the office for a reinspection to show that they have satisfied all the violations stipulated in the letter.

Mr. Barlow seconded the motion. The motion passed unanimously.

8)485 Williston Rd—Anne & Robert Anderson ,Sr—Discuss and vote regarding the issuance of fines or other action by the Board for continued violation of the BOH pool regulations as cited in enforcement order dated June 8, 2011

In attendance regarding this matter was Richard Anderson. Ms. Coffin received a complaint from a neighbor regarding an unfenced pool. After no response to the June 8 letter, she did go back out on July 12. Some water had been drained from the pool with at least 6 inches remaining and the access ladder was still in place, so it was still an attractive nuisance. Mr. Anderson thought that draining it would be sufficient, and didn't realize more was required of him. He stated that he would not financially be able to fence in the pool until next year, but agreed to finish draining the pool, remove the access ladder and tightly cover the pool within 1 week. He is to call the office for an inspection when the work is complete, and was given a maximum deadline of the September 14 meeting to do so. His attendance at the Sept 14 meeting will not be required if the Agent has signed off that the work is complete.

9)5 Maritime Way—MaryAnne Duross- Discuss and vote regarding the issuance of fines or other action by the Board for continued violation of the BOH pool regulations as cited in enforcement order dated June 13, 2011

No audience members were in attendance regarding this matter. Agent Coffin received an anonymous complaint, and went out for an inspection. After the first letter, Ms. Duross left a message after hours saying that it was too expensive to put up a fence. Ms. Coffin returned her call saying that was not an answer, and had not heard anything back since. Reinspections were done on July 14, and just recently; the pool is still there, still full, and still unfenced. Ms. Duross did call the office on Aug 8 saying that she would not be at the hearing because she had to work. Ms. Chase told her that she would be informed of the Board decision if she or a representative for her were not in attendance at the meeting. Mr. Barlow asked for clarification on what kind of fine was requested. Ms. Coffin stated that the fine regulation is a minimum of \$100/day. After debating a time frame, it was decided that the fine would begin immediately.

Mr. Andrews moved to adjourn the Meeting. Ms. Peterson seconded the motion.
Motion passed unanimously.

The meeting was adjourned at 8:40 pm

Respectfully submitted

Melissa A. Chase

Melissa A. Chase
Secretary

Kathleen Peterson

Kathleen Peterson

Stanley Andrews

Stanley Andrews

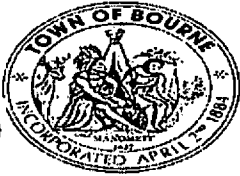
Galon Barlow

Galon Barlow

Don Uitti

Carol Tinkham

cc-Board of Selectmen/Town Clerk



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

2011 SEP 8 AM 11 15 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:

September 14, 2011

Time:

7:00 P.M.

Place:

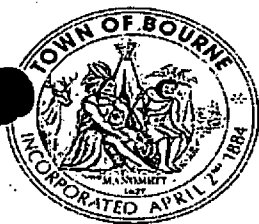
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) **ISWM Update—Daniel Barrett**
 - a) RFP update regarding leasing of land and bailing building on 25 acre parcel, including Special Town Meeting Article language
 - b) RFP update regarding leasing of land on landfill parcel for landfill gas utilization, including Special Town Meeting Article language
 - c) RFP for lease/purchase of leachate evaporation equipment
 - d) Update regarding Phase 2A/3A north slope cape closure project
 - e) Update regarding Phase 1D mining project
 - f) Update on impact of temporary tonnage increase
 - g) Update of current operations
 - h) Description of plan to install 8 vertical gas extraction wells on Phase 2A/3A Stage 2, this winter
- 2) **Otis Update: Doug Karson**
- 3) **Update on Alternative systems: George Heufelder & Brian Baumgaertel from the County**
- 4) **62 Old Plymouth Road: Gail Spencer—update on progress: continued from August 3 special meeting**
- 5) **290 Barlow's Landing: Don Bracken for R. Hunter Scott: Discuss and vote on request for variance to install new Title V system for proposed 5 bedroom dwelling (application resubmitted from Aug 10 meeting)**
- 6) **50 Rip Van Winkle: Collins Engineering for Kathryn Hanson: Discuss and vote on request for variance to install new septic system for proposed renovations/additions**
- 7) **17 Holly Circle continued from August 10—housing violations**
- 8) **Health agent update/follow-up on items from August 10 :**
 - 9 Scraggy Neck Rd. Extension—Carolyn Neal (manure complaints)
 - 5 Maritime Way (unfenced pool)
 - 485 Williston (unfenced pool)
 - 48 Bay Head Shores (trash complaint)
- 9) **Approval of Minutes dated August 3 and August 10**

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: September 8, 2011



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
September 14, 2011

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 7:03 PM.

1) ISWM update- Daniel Barrett

Mr. Barrett presented the Board members with a written update of the agenda items (*attached at the end of the Minutes*). He began by stating that Landfill Working Group (WG) would be having a group meeting on Tuesday, Sept 20 to go over the final phases and take a look at what it is that wants to be accomplished. There will be 2 articles on Special Town Meeting in October referring to the Requests For Proposal (RFP). Two require Town Meeting approval; one does not.

A) Land Lease RFP update : There are 2 parcels outlined on the map. These were both thrown on there to see what they could get after talking to the vendors that had interest in some of the buildings. It does not mean that there will be no recycling; it means the bailing operation may be relocated. The RFP is being looked at by the WG, the ISWM staff, Mr. Aronson (outside consultant) and Town Counsel Robert Troy's office. They are tedious, somewhat long documents; they are not 100% complete yet but very close. Included is a lease, which is also very specific and needs to be vetted out very well before it is issued. The time table for issuing was the end of this year, but hasn't been presented yet to the WG. Mr. Goddard (*ISWM Environmental Manager*) and Mr. Barrett recently went into Boston and met with Massachusetts Environmental Policy Act (MEPA) unit that regulates the tonnage; they are one level above the Department of Environmental Protection (DEP). Phase 4 that is being built this year is the last MEPA approved phase. If there is a phase 5 and the development of a phase 6, MEPA will need to review. Mr. Barrett and Mr. Goddard went to MEPA before submitting anything to them to ensure that they were going to submit everything that would be asked for. The meeting went well; as far as the other development phases go, MEPA wants them to "check in", ensuring that they will keep in touch with MEPA regarding new development. While there, the "road map" needed to achieve the goals intended was figured out, and there

was comment on the potential for the alternative technologies, and whether or not there would need to be another environmental impact report. It does not, at this point, appear that that will be necessary. Everything that is proposed seems to be within the bounds of solid waste. Mr. Barrett and Mr. Goddard will have to go back to MEPA with a notice of project change to address phase 6 and any other potential things being done on the landfill, merely a check in to see how things are going. That will give MEPA a chance to review where the project is; MEPA is happy with progress thus far. There have been 3 notice of project change issued through MEPA, but has not been a full review of the facility, which is what they want to do now. The notice of project change will be issued to MEPA by the end of the year; time will be taken to review that. When the alternative technologies are chosen, they will again review the specifics of those technologies. They didn't want ambiguous reviews, similar to the Bourne Board of Health's request for specific vendors. This review should speed up the process overall, but may postpone the issuance of the RFPs a little bit. One of the things that the WG wanted to do is to make sure that when the vendors are approached, regulatory agencies have already been met with and have given verbal approval for the technologies. When a vendor comes in and invests time and money into a plan for the process; they want to make sure everything has been fully vetted out and are on the right track. This review will go a long way in achieving that with the vendors.

B) Land lease RFP for Landfill Gas Utilization: The approx. .42 acre parcel is not located out on the map handed out by Mr. Barrett, but is located behind the building labeled "garage" (maintenance garage) which is on the border of the Mass Military Reservation. This is the basic area where the parcel for the proposed landfill gas utilization technology is located. It is on the landfill side, on site assigned parcel and that is where the gas utilization will need to go.

C) RFP for Leachate Evaporation: The WG is looking to a vendor to supply the technology for lease/purchase equipment. The best thing about this technology is that it will be a "money saver". The leachate will no longer need to be taken off site for treatment, and it utilizes energy already there. It can be hooked up to a flare or to an exhaust stack on an engine or turbine or whatever the power generating mechanism chosen to go in there is. Mr. Barrett states that they are basically trying to utilize every ounce of the MMBTU value of the gas that they can. There are interesting technologies being developed out there; Mr. Barrett spoke in particular about a hydrofracking (hydrolic fracturing) facilities in Western New York and Pennsylvania. They are coming up with a lot of water and are able to do the evaporation process there. The WG has visited these units and seen the success and put it in their appeal as well. There is still a ways to go to refine the details, but the WG has put in a tremendous amount of time, and is pretty close to something they are "happy to be putting out on the street." The goal is to simply give the vendors something that they can work with, something definite, try to eliminate as many vagaries as possible, and make sure that there is a regulatory pathway that is achievable so that the vendors have the confidence to move forward. The RFPs will be ready to go out either by the end of the year or possibly a bit later if the WG decides to allow MEPA a chance to catch up on their review of the facility. When Mr. Barrett asked for any questions/comments, Mr. Andrews commented that the meeting on Tuesday, September 20 would be a bit more in depth into the RFPs. The goal of the meeting on the 20th will be to allow the Boards to see where the project stands and

answer any questions that have come up since the last meeting, and push the project forward. Ms Peterson questioned why the meetings are being held without concrete things to show. Mr. Barrett said that the WG would be showing what will be brought to Town Meeting as a 15-20 minute presentation explaining what it is that is being done. Mr. Barrett felt that, in his experience, something like this being presented in a Town forum is the first time some people have seen it and they get nervous. The WG is going to try to do their best to disseminate the information through a media campaign before Town meeting, and part of this process is the joint meeting on the 20th, making sure that the Boards are all up to date. The members of the WG have updated their Committees and Boards, but they want to make sure that there are no questions that need to be answered. Ms. Peterson expressed that her biggest concern is the amount of time that it will take once the RFPs go out for the various Boards to look at the different technologies that are being proposed for use. The BOH will not be rushed looking at the technologies that are being brought on. She was hoping that information on those particulars would be made available sooner rather than later. Mr. Barrett assured her that, while the joint meeting may seem a bit redundant, the intent is to maintain contact and allow for any questions to be brought forth, albeit limited questions until the specific technologies are finalized. Mr. Barrett acknowledged that the BOH in particular is "antsy" to see the information on the proposed technologies, as those are the issues they are most concerned with. Mr. Andrews suggested that the timeline that shows issuance of the RFP, how long before they respond, and the amount of time that the group will look at those responses, all the way out through the construction and permitting and all that be brought to the joint meeting. That will show all the groups what the actual timeline is. He said it's not a 6 month timeline, but rather 12-14 months easily. Mr. Barrett apologized for not bringing it to the BOH meeting, but he had things to add to it specific to the information found out at MEPA. The WG needs to discuss what MEPA had to say, which was positive, but it may be beneficial to hold off a little bit until the first of the year to issue the RFPs. Mr. Andrews suggested again that the base timeline from the WG to be brought out, and reflect that MEPA may push the timeline out 3months, 4 months, etc., but it would at least show the whole process including the regulatory. Mr. Barrett said he was very aware of not dragging things out in the infant stages and tiring everyone out before the meat of the work needs to get done. Mr. Barrett stated that, during the process where the BOH will be examining the technologies, the WG would be happy to assist by bringing the vendors in so that they can help make people comfortable with what is being proposed. Ms. Peterson suggested that perhaps in November that the BOH can sit down with Mr. Barrett to let him know basically what will be wanted, between meeting the companies, reviewing their overall business plan, what they are/are not bringing to the table, where we can go to see examples of what they are proposing for our landfill well before the time that we do business with them. When the time comes that the Selectmen and the Finance Committee and the other committees say they want to do business with the vendors, the BOH will be informed and ready to concur. The BOH wants to know ahead of time what is being looked at and deciding what they are comfortable with before the other committees are feeling that the BOH is holding things up. Mr. Barrett said that the BOH is in a precarious position because they are the ones who will be determining the differences between the actual technologies. Ms. Peterson asked for him to inform the Board of places that the Board could go see technologies that he thinks may be down the

line. It doesn't mean that we are ever going to be doing business with those people, but it would at least give the Board an idea of what it is that they are bring to the table. Mr. Barrett agreed, saying that it would help the WG as well because if there's something in there that the BOH doesn't like, there's no sense wasting a lot of time on it. Mr. Andrews asked if, as part of the RFP, there is certain information that the proposers are required to present as part of the proposal. He felt this information would answer a lot of Ms. Peterson's questions, and wanted to know if that would be the time that the information would be brought to the Board of Health for review. Mr. Barrett stated that it had not yet been established how that was going to work because they haven't really seen what they are going to get yet, but that the BOH would most certainly be the first to "get a shot at it." Ms. Peterson said that, while new technologies are certainly exciting to look at, the BOH does not want to look at a new technology and have to make a decision in 30 days. Mr. Barrett noted that sentiment, and said that would be brought up at the next joint meeting. Mr. Andrews believed that the process showed several months of selecting of technologies, then through the review process they come back a second time for Board review. Mr. Barlow said he felt that the WG was "doing good stuff", but agreed with Ms. Peterson that the information needs to come forward in a timely fashion so that it can be dealt with as best as possible.

D)Phase 2A/3A North Slope Cap Project: Mr. Barrett stated that this project was completed in late May/early June. Vegetation has grown very well. Erosion is very limited. There are already positive effects from it; the gas collection system is much better. There are 9 new wells that were covered with plastic, so there is good gas capture on the north end. There is a little bit of expected erosion which is normal when a cap is built. Mr. Barrett stated that built into the contract of the installer is the provision that they must come back to repair damage until the vegetation is established to the satisfaction of the consulting engineer. He felt that ET& L did a great job and that the job went very smoothly. They adhered to schedules and watched the drilling to make sure nothing was happening that was not within the boundaries set by the BOH. There were no odor complaints during the construction period. The repairs from the recent heavy rainfall are expected to take less than 2 days, and the installer will probably be signed off late in the fall as complete. Ms. Peterson pointed out to Mr. Barrett that the onset of colder night weather tends to be when odor complaints begin, and asked his thoughts. Mr. Barrett said that 8 new permanent vertical wells are being installed in the stage 2 section of the 2A/3A area. Stage 2 will be at finished grade in November. They are planning on going to special Town meeting to ask for funds to be transferred from the closure account into an article so that the wells can be drilled. He hopes to have those wells in by January. Section 2 is the last section of the landfill that does not have permanent wells, and it is time for them. Mr. Barrett stated that there were a couple of minor incidents associated with equipment failures, but overall, there haven't been any official odor complaints on the odor hotline. Mr. Barlow mentioned that it was appreciated that the wells were going to be dug in the winter when the residents find the odor less difficult to deal with, but realized that it has to be done. Mr. Barrett said that they would follow the same procedure: come back before the Board for review of the protocol and then proceed. This is the last spot where there is active collection. Ms. Peterson asked for all the neighbors along MacArthur Blvd (Brookside, the nursing home, etc) to get personal notification that the drilling is going to happen and give them the number for the odor hotline. Mr. Barrett

assured her that they would do that. The engineering cost estimate is done; the design is being done now; they are going to Town meeting to ask for the funding transfer from the closure account. When they get through that process, they will return to the BOH with a finalized timeline.

E)Phase 1D Mining Project: Mr. Barrett stated that this was an arduous task, but the staff is working 14-16 hours a day, 7 days a week to get the project done to accommodate the Phase 4 expansion, as well as running up against the 11th amendment to the ACO to excavate the area. Mr. Barrett said Mr. Ellis is getting impatient and wants the project done, although he is happy with the way things are progressing. Ellis is happy with the drop off area, the odor situation. DEP is supportive of the RFP process, but Mr. Ellis would like Phase 1D project complete. As stated in the update, the project is about 85% complete, and the estimated time for completion is mid to late October. They have encountered a couple of oily soil spots. The protocol for dealing with it was in place and it was quickly dealt with. At all times there is at least 1 individual on the job site that is HazMat trained. They go in, clean it out and do confirmatory sampling to make sure it has all been captured. It gets put on top of the landfill, and samples are submitted to a lab for analysis. The LSP then instructs the team what to do with it.

F)Temporary Tonnage Increase: In preparation for Hurricane/Tropical Storm Irene, in an effort to avoid the problems in March 2010 (trucks were lined up out the gate and people had to be turned away because the landfill was at its daily tonnage limit), the local DEP office was called to ask for a temporary tonnage increase which was ok'd. The MEPA office also ok'd the forms. The Cape Cod Commission reviewed and approved as well. The temporary increase will be valid through September 28, 2011. The CC Commission will be reviewing whether it needs to be adjusted. Mr. Barrett feels that the process of requesting a temporary tonnage increase is now smooth, that they know who to go to for the approvals. Currently there has not been a large increase in tonnage due to Irene; to date the highest tonnage is 875 on September 13 (Mr. Andrews corrected this amount to 856). Mr. Barrett stated that at the beginning of the summer there were 5 days of overage. There were certain materials that were not counted as disposal when they came in, and had to be added to the total afterward, thus putting the total tonnage over. Part of the Phase 4 project is the construction of a new scale, along with new software that will allow the landfill to manage the tonnage better. Ms. Peterson asked if the temporary increase in tonnage would make up for it, if it would all wash at the end of the year: Mr. Barrett stated that it would smooth out; it wasn't an operational issue but a permitting issue that was mistakenly exceeded. Mr. Barlow felt it was not a big concern to the Board at the time, and felt that the landfill did an excellent job with the whole situation. Ms. Peterson asked if there were any other questions from the Board or the audience for Mr. Barrett. Mr. Barrett concluded his presentation to the Board.

Ms. Peterson moved Agenda item 5 up because it was a revisit from an earlier meeting due to a technical error.

5) 290 Barlows Landing Road: Don Bracken for R. Hunter Scott : resubmitted from Aug 10: Discuss and vote on request for variance to install new septic system for proposed renovations/additions

Attending for this item were Don Bracken (engineer); Zack Pazinski (from Bracken engineering); R Hunter Scott (owner).

Mr. Andrews made a motion to impose a fine of \$100/day until such time as the pool is drained and covered , is fenced in, or is otherwise in compliance with the BOH regulation. Mr. Barlow seconded the motion. The motion passed unanimously.

2) 9 Scraggy Neck Road, Ext.- Carolyn Neal- continued- Discuss and vote on possible revocation of horse license

No audience members were in attendance in regards to this matter. Agent Coffin contacted the homeowner after the last meeting. The owner was indecisive about whether she was going to give up the horses, board them elsewhere, and has now had a container for manure placed on the property. Ms. Furtek did inspect the property before this hearing. The container is there; Ms. Coffin confirmed with Cavossa that they have done this type of thing before. Ms. Furtek felt, however, that there was still the same condition in the pasture, with a significant amount of manure covered with sand. Ms. Neal called the office on Monday Aug 8 and said the horses would be gone, but they are still there. Ms. Coffin felt it was a losing battle. She also felt that fining would not be productive because the owner has no money. Mr. Andrews stated that it was discussed at the last meeting that the Board wanted her notified by certified mail that this meeting was a hearing to revoke her permit, and that she needed to be here. She was given every opportunity to comply. Mr. Andrews felt he did not hear confidence from Ms. Coffin that a plan was in place to address the issues. He felt the Board no longer had a choice. **Mr. Andrews moved to revoke her license as of August 10 and order her to remove the horses from the property by September 14. Mr. Barlow seconded the motion. The motion passed unanimously.**

10) Discussion—Town Counsel's draft policy on public comment

Mr. Andrews stated that he believed this was on a "public topic" agenda item. The BOH never has an open public comment topic on the agenda. Audience comment is always allowed on the agenda items. He feels that because this Board will not foreseeably enter into an open public comment on the agenda, he does not see why the Board would need to enter into a policy to deal with it. Mr. Barlow feels that the Board follows the open meeting law, and that the Board, of course, would follow the policy of Town Counsel should we ever have an open public comment item on the agenda. Audience member Jim Mulvey stated that Mr. Andrews touched on public comment in two categories: public comment on non-agenda items and the other on agenda items. Ms. Peterson pointed out that the Board does not have anything that is non-agenda, and Town Counsel will no longer allow the Board to have a generic "other business" on the agenda, so this is kind of a moot point. Ms. Coffin felt that the "public topic" may allow the Board to discuss items that would have formerly been brought up under "other business". Ms. Peterson felt that she needed to speak with Town Counsel more about the policy, bringing up her thoughts and the thoughts of the Agent and other Board members, but at least the discussion has now been started.

11) Approval of Minutes dated July 13, 2011

Ms. Peterson moved to accept the Minutes of July 13, 2011 as written.

Mr. Barlow seconded the motion. The motion to accept the July 13 Minutes was unanimously accepted.

Mr. Bracken stated that Mr. Scott would like to construct a new 5 bedroom dwelling on an existing lot that he owns, about 3 acres in size. Right now there is a single family dwelling, shop/garage. The main project is a 5 bedroom structure that has already gone through the Conservation process for approval, as well as a septic location, most of which is outside the ConCom's jurisdiction. There are 3 resource areas applicable to the septic system; the first is the salt marsh to the north of the property, abutting Pocasset River; there are also wetlands along the westerly property line; there is a coastal bank in association with the salt marsh in the flood zone at the slope at the northern end. The coastal bank is delineated on the plan as per the DEP definition of a coastal bank. That line, as well as the salt marsh and the flag limit of the isolated wetland, has been reviewed by ConCom. Mr. Bracken said that what is being proposed is install a septic tank and pump chamber in the front of the existing house, and pump the effluent up to the central southern portion of the property, which happens to be the highest point on the lot. This area was chosen because it is outside the ACEC area, far away from the marsh, outside the River area, outside all the buffer zones for the resource areas. Mr. Bracken stated that this location puts the system at 110' from the closest point to the coastal bank, and that is where the 40' variance is being sought. It will be over 200' from the salt marsh, and about 175' from the isolated vegetated wetland. Because of those distances, and because of the location at the high point of the lot, Bracken didn't feel it would be necessary to do pressure dosing or an IA system. Mr. Bracken stated that the Health Agent had brought it to his attention that the Assessor has the shop/garage listed as a 1 bedroom structure. It was approved through the Conservation Commission at the time; the building permit was issued with it having a bathroom equipped with an ejector pump that connects to the existing septic system utilized by the existing single family dwelling. The front house is a 3 bedroom house. It was never intended for the shop space to be utilized as living space. Mr. Scott is a cabinet maker, and the second floor is used as office space, which has expanded to a "man cave" with a sofa and pool table. Bracken feels that from a zoning standpoint, it cannot be considered a bedroom, but rather as an accessory used by any of the single family structures. Mr. Bracken also pointed out that it is allowable to have 2 dwellings on one lot in a situation with this much land area. Mr. Scott is willing to put on a deed restriction that the shop will not be used as a bedroom; he is also willing to remove a bedroom in the front dwelling, adding a deed restriction on that house, making it a 2 bedroom. He will convert one of the small bedrooms to a closet or combine it with one of the other bedrooms, which he feels will fix that issue. The Health Agent found this acceptable. The other issue is that the floor plan shows a bonus room proposed over the garage. Mr. Scott is not sure if he is going to build that room now or in the future or at all, but that is why the system is being designed as a 5 bedroom, to accommodate that possibility. There was some discussion regarding what Mr. Scott/Mr. Bracken refer to as a "storage room" on the second floor, and whether it falls under the definition of "bedroom". The intent of the room is a closed storage room; it has no windows, and doesn't meet the building code of habitable living space. Ms. Peterson felt that it was reasonable to allow this room to remain as "storage" since they are willing to remove a bedroom from the other dwelling. The system is to be designed as a 5 bedroom and Mr. Bracken pointed out that the room count for 5 bedrooms is 11 rooms total in the house; right now there is only 9, including the bonus room. Ms. Peterson address Mr. Scott, asking if he was willing to case the door in the front dwelling to ensure that it is not

a bedroom, which he was willing to do. Mr. Andrew expressed being comfortable with the proposal, particularly in regards to the addition of the deed restrictions. He did ask for a renewed architectural for the modifications in the front house to be recorded with the office.

Mr. Andrews moved to allow the variance request for 290 Barlow's Landing Road, a variance of 40' of the 150' setback for the soil absorption system to a wetlands recess area/coastal bank. As part of the motion he asked for the permit not be granted until the deed restriction of 5 bedrooms on the proposed new dwelling and 2 bedrooms on the existing dwelling are filed, and the architectural update eliminating the bedroom from the existing house are presented to the office. (The architectural date received July 14, 2011; plan date July 14, 2011; done by Bracken engineering dated June 27, 2011)

Mr. Utti seconded the motion. The motion passed unanimously.

2) Otis Update

Attending for this item were Doug Karson, representing the Air Force Environmental Cleanup Program (AFCEE) and Dave Hall, representing the Impact Area Ground Water Study Program (LAG?)

Mr. Karson began the presentation by giving the Board members each a packet of information. He stated that they are still operating treatment systems. There are 10 plumes that are undergoing groundwater treatment at a rate of 4.3 million gallons per day. There are numerous extraction wells, and he stated he would be speaking specifically about landfill 1 plume. Most of the work of the AFCEE right now focuses on operating the systems, maintaining them, and optimizing them. They are looking at the most efficient way of running the systems to get the most "bang for the taxpayer's buck." There are 3 color maps provided in the packet that depict the research that has been done over the last few years. Basically, Mr. Karson's job has been to go out and contact the owners of the 482 parcels within the footprint of the Landfill 1 plume. Through multiple mailings, knocking on doors, phone calls the status of the property was established: whether or not there was a private well, if it was operational, and the use of the water (drinking, outdoor watering, etc). It was found that 2 properties that had private well that were used as drinking water and indoor use. The wells were tested back in July and they are clean. A technical evaluation called "project note" that was provided to the BOH back in late May. Ms. Peterson asked Mr. Karson when the wells would be re-tested. Mr. Karson stated that the well is not currently schedule for any future testing. In the project notes, there is an explanation for that conclusion. Many factors were taken into account: the depth of the well, depth of the plume, extensive computer modeling that looked at "worse case scenario". The location was determined to have more than 75' of clean water between the top of the plume and the shallow well screen, so there is virtually no possibility of interaction based on the data. Ms. Peterson asked how, if one of the homes is sold, the new home owner would know that all of this testing was done, if it is recorded at the registry of deeds or if it is recorded with the county, etc. Karson stated that the agreement that they have with the Federal EPA and the State DEP is that all the information would be shared with them, as well as with all the local Boards of Health. There is nothing in the game plan to formally record some sort of legal instrument that says that they did the research. All the properties in the first three categories will go

through another analysis that is commensurate with that 5 year review. The data will be reviewed for changes and the property owner will be notified. If the property owner has changed, the new property owner will receive the information. Ms. Peterson stated that she wasn't comfortable with that, but the issue would be revisited another day. Mr. Karson stated that the 2nd well in question is used as a seasonal home; the water source itself is a hand pump in the basement pumped into buckets for use. This well tested clean in July, and it is remaining in the sampling because there is a possibility that a portion of the plume may, in the future, be drawn up into that pump even though it is a low volume well. Mr. Karson did want to raise for consideration to the Board to revisit the wording in the regulation for private wells. In section 5.0, line item 2 there is wording about not approving wells in the footprint of a plume or in the path of plumes. He felt that might want to be revisited because the technical evaluations show that the wells that are identified are safe to use. He also wanted to make sure the Board knows that the AFCEE is available as a resource. Should anyone come to the Board with a well application in a plume area, they would be able to provide available data of the safety of the area. Ms. Peterson felt that the Board puts people through so much when they are putting in new septic systems and all of the notifications and testing that are required, and the County and the Board has to be notified, they have to enter into agreements. It just seems that there should be something that people can go and see. She felt that someone just moving to Bourne, a real estate isn't going to be immediately forthcoming with the fact that there are plumes in the area. Mr. Karson said that all upper cape realtors were invited to a meeting, and one thing that came out of that was a "Plume disclosure statement" that all the realtors are supposed to be providing. Any realtor that contacts him about a property can get the plume information for that area. Ms. Coffin commented that the section in the well regulations that Mr. Karson referred to was not initially put in because of Otis but rather because of the Town's own landfill plume, so it is not something that would be taken out. There could be possibly be a rewording or a variance procedure added, but it was required by DEP that it be put into the well regulations. Mr. Karson stated that it could perhaps be put under variances to the effect of: "in areas within plume boundaries associated with the base that consideration would be given after consultation with AFCEE." Mr. Karson's next topic was CS-19, a plume containing RDX (an explosive related compound) on the northern part of the base, with its flow path going from the base towards the Bourne Landfill. The most recent computer modeling shows that it will not reach the base/landfill boundary, and will continue to degrade and dilute on its own. It is currently being monitored. LF-1, the landfill plume is still being pumped and treated. The main base landfill has been capped since 1995. The results of harbor and local pond sampling were provided by Mr. Karson. He stated that, basically, harbor sampling is done every year. RedBrook Harbor has a seep location that tested just below the detect limit for TC, up a little from the non-detect from last year. Squeteague Harbor surface water tested at non-detect or below recording limit. PC & TC were detected at one of the seep sampling locations (where groundwater bubbles up from the aquifer) at a level less than last year, which is a good sign. Ms. Coffin asked his opinion as to why there is a variation in the levels; he stated that it is because of the nature of the source. This particular plume is because of the landfill, where stuff was dumped here and there, and so it's kind of a cyclical thing as things decompose. Mr. Barlow asked, in regards to the capped landfill, if there is a lot of rain what happens at the edge of the cap and seep, could that be the

reason for a different concentration. Mr. Karson said that could be a possibility. Mr. Karson wanted to point out that, as you come over the Sagamore Bridge, you will see 2 wind turbines to the right. Those are Air Force constructed turbines, and will be operational by mid to late October. They are 390' from base to the tip of the blade. They estimate that the turbines, when spinning, will generate about 1.5 million dollars a year in savings. Mr. Karson turned the floor over to Dave Hall from the Groundwater Study Program at Camp Edwards. He stated that the program he represents is very similar to the AFCEE, but their area of interest is the northern 15000 acres of Camp Edwards where most of the historic military training occurred. The program has progressed from an investigation stage that began in 1997; 11 plumes have been found. The constituents tracked are perchlorate (solid rocket fuel) and RDX (explosive). The plumes are of various sizes. There are 5 active treatment systems. The decisions have been handed down by EP on several sites, 3 of which are in the Bourne section of the base. The northwest corner has a shallow plume of perchlorate. There are very low levels of perchlorate in the ground water there which is expected to attenuate through natural processes over the next year or two. There is also a deeper needle plume of RDX contamination which is expected to naturally attenuate over the next 10 years or so. The decision for that northwest corner is groundwater monitoring and land use control monitoring. The western boundary area had low level detections of perchlorate. That sampling was "robust" back in 2002-2003, but since state drinking water standard was established at 2 ppb, the water in that area is considered to be of drinkable quality. The decision on the western boundary is to do groundwater monitoring and land use control monitoring. He stated that 2 other areas are the central impact area plume (2200 acre of which 330 acre portion at the center is where artillery targets were concentrated and a lot of ordinance were fired in that area). He stated that there is a fairly low level of RDX contamination, but it is spread over a large area. They are still pending an EP decision on what to do there, but it is expected that they will be installing 3 extraction wells (decision is expected to be handed down next year). The demolition area 1 plume has been being pumped since 2004, at about 500 gal/minute. There is currently an active investigation at the base boundary because of perchlorate contamination detected there. They are actively drilling out on Williams Ave. They have drilled profile borings at 3 locations, preparing to install monitoring wells. Ms. Peterson asked if there was a chance of odor when the extraction wells are dug. Mr. Hall claims that it is more of a noise issue with it being a small neighborhood and rather large equipment. The plumes are 70 feet below the ground, 50 feet below the water table, so there is no real risk of exposure. The houses in the area are all on Town Water. They will continue to monitor the State and Local permitting authorities for any new permits that may be issued. Based on the modeling trend, they expect the plume near Williams Ave to trend to the north-west under Lily Pond; Lily Pond doesn't seem to be well connected to the water table, so they expect the plume to pass beneath it. Mr. Hall says he has been in touch with the receiver at Pocasset Mobile Home Park and is awaiting documentation that will allow them to drill in there to see if the plume has extended that far. He expects the investigation to continue on into early next year. Ms. Coffin asked what the source of the perchlorate off to the west was. Mr. Hall felt that it was from the demolition area 1 site on the base. The contaminate load of most of the base plumes is from open detonation and other demolition operations. When the contaminate was found at the base boundary a year ago, they installed an

extraction well that started pumping in June at the rate of 30 gal/min to cut it off at the base boundary. He says it was a long drawn out process because of the limited access to the areas they need to investigate, so that "slows down the investigation." Ms. Coffin asked if there were any issues with people in the area that have irrigation wells. Mr. Hall said there is one irrigation well; there has been a monitoring well installed on the property of Hamilton Tree & Landscaping, right on MacArthur Blvd. They found the plume on the far northern edge of his property to be about 45' below ground, below the water table. Ms. Peterson asked if they had notified the Board of Health that they were installing a monitoring well on the property because of the plume. Mr. Hall was unsure as to how clear the communication was. Ms. Peterson stated that issue would be revisited ASAP at another meeting, possible late October, as an agenda item along with Mr. Karson's and the issues questioned during his presentation. She stated that the BOH has to know when those monitoring wells are being installed. She said it's great that they got access from the property owner but they are bypassing the BOH. The County and Town need to know that it's happening so that all records can be brought up to date. Mr. Hall said that the most recent land use control monitoring information (April 2011) is in the packet he handed out and he supplied the contact information name of Pam Richardson. He said that in the irrigation well there was a trace perchlorate, and that it was still considered drinkable water by state standards. Ms. Peterson asked if there were any further questions. Audience member Mr. Jim Mulvey said there must be some way that a title search prior to a property sale would show a red flag alerting the potential buyer of the possibility of plume contamination. Ms. Peterson asked him to discontinue the question because it pertains to items not on the agenda, but will be brought up at a later dated meeting for discussion. Ms. Peterson thanked Mr. Karson and Mr. Hall for their presentation.

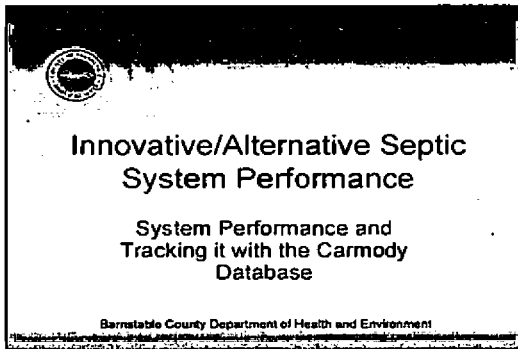
3) Update on alternative systems

Attending for this item were George Heufelder & Brian Baumgaertel from Barnstable County Department of Health and Environment.

(The slide show is embedded in these minutes with side notes; the entire Power Point presentation in a more readable scale can be found at www.barnstablecountyhealth.org under the Alternative Septic Presentations link.)

Mr. Heufelder began the presentation by stating that it is a review of all the alternative septic systems in Bourne. He stated that, as the data is presented, what they hope to accomplish is to show a comparison of how Bourne's systems are working relative to other Cape systems, as well as to the DEP standard of 19 mg/liter for denitrified systems. This is predicated on the assumption that most nitrogen coming out of a house is 38 to 40, so half of that (50% removal is the least that is expected out of a system) is around 19. It is known that most houses are much more than 40 mg/liter, so when you see a system that doesn't meet the 19 mg/liter, it cannot be assumed that it doesn't meet the 50% removal rate. The presentation has also been parsed out by the different technology systems, so it can be seen how different technologies are working. Mr. Heufelder then turned the floor to Brian Baumgaertel for the Power Point Presentation. He is the the overseer of the database as far as who is reporting to it, as well as making sure that there are contracts for the systems.

Slide 1



Slide 2

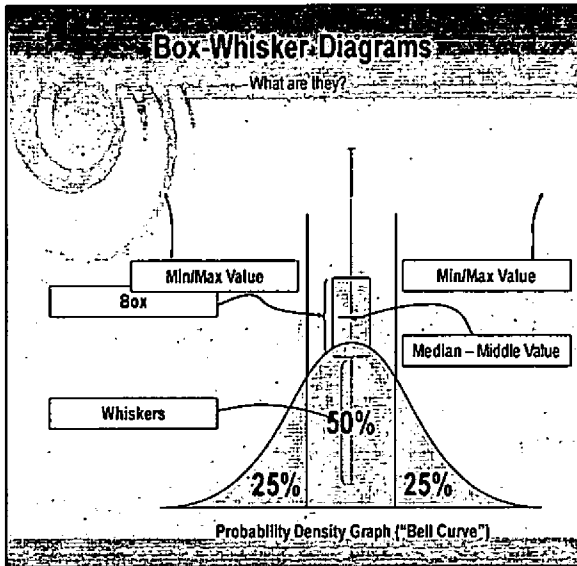
By The Numbers
Permit Breakdown by Town and System Type

Municipality \ Technology	Barnstable	Bourne	Brewster	Chatham	Dennis	Eastham	Falmouth	Harwich	Martha's Vineyard	Nantuxet	Plymouth	Sandwich	Taunton	Wareham	Yarmouth	Total
FAST	31	76	9	105	127	56	80	13	187	23	18	11	5	37	42	821
Bioclear	3	7	4	10	7	14	10	12	20	8	1	9	1	16	26	148
Singulair	1	1	5	10	66	6	14	0	14	2	0	2	0	4	15	148
OMM Sand Filter	6	8	0	0	0	0	31	0	47	0	0	0	0	0	0	92
Septitech	1	9	0	4	9	22	0	0	1	0	1	1	8	1	67	
Advanta	2	1	1	2	2	26	0	1	0	2	1	2	2	11	3	66
RUCK	13	6	0	1	1	0	28	0	5	0	0	1	0	0	0	65
Generic Sand Filter	9	2	0	0	1	4	5	0	1	2	0	1	1	7	0	33
Pressure Dome	0	2	16	0	3	0	1	0	0	0	0	0	5	0	0	27
Waterflow Biofilter	0	0	1	0	0	12	2	0	0	0	0	0	1	5	1	22
Amphitrome	4	0	1	0	1	1	1	0	2	0	0	0	0	3	2	15
Sledgehammer	1	0	1	0	0	0	0	0	5	0	0	0	0	0	1	8
CIVIS	0	2	0	0	0	2	0	0	0	1	0	0	0	2	0	7
White Knight	0	0	2	1	0	0	0	0	0	1	1	0	0	1	0	6
Modular FAST	0	0	0	1	0	0	0	1	1	0	0	1	0	0	1	6
Oreco	0	0	0	0	0	0	0	0	0	0	0	0	0	5	0	5
Presby	0	3	0	1	0	0	0	0	0	0	0	0	0	0	0	4
Paraflo	0	1	0	0	0	1	0	0	0	0	0	0	0	2	0	4
Nizra	0	0	0	0	0	1	1	0	1	0	0	0	0	0	0	3
Total	71	118	40	136	218	146	173	27	285	40	21	28	16	101	93	1522

This slide shows that Bourne has FAST systems for the majority of the systems. These are by far the most common system on the Cape. Ms. Peterson asked why this was so. Mr. Heufelder said this was because it is the lowest capital cost, as well as the ease of the system. It is a single tank so it has a small footprint.

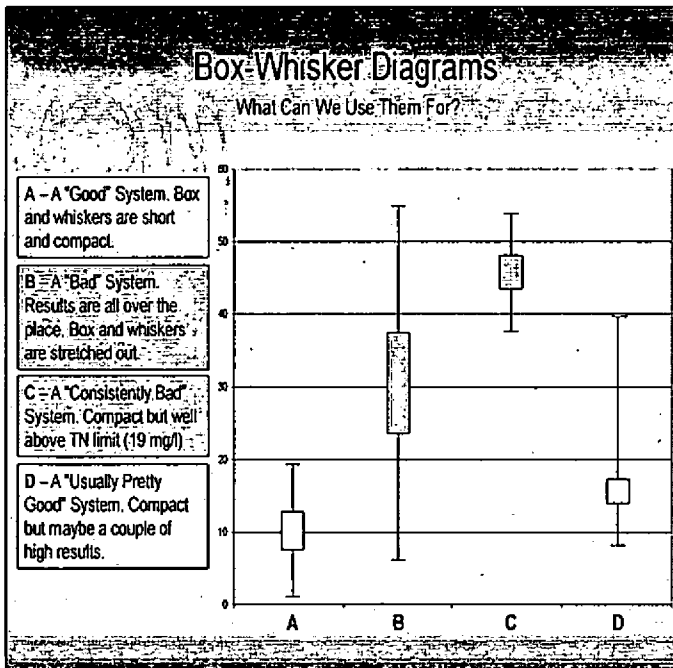
There are a total of 1522 systems on the Cape that are tracked by the Carmody system.

Slide 3



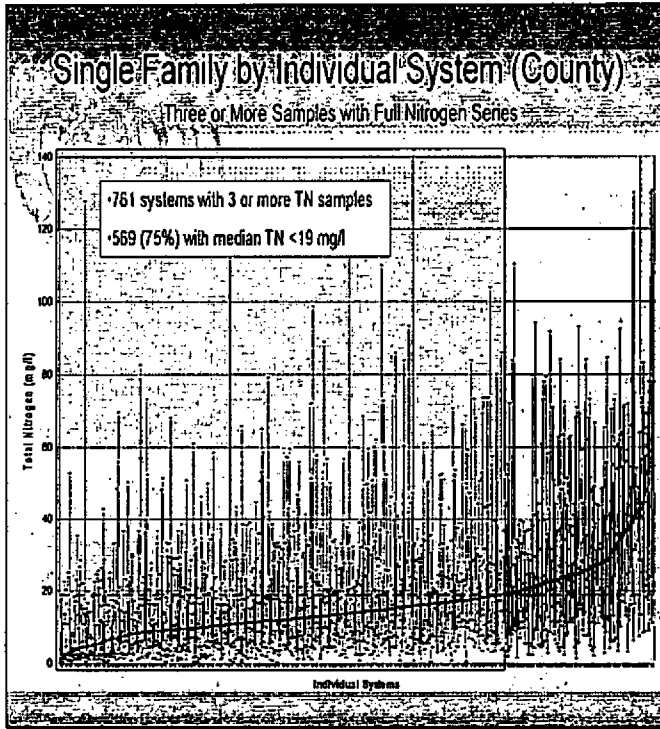
Mr. Baumgaertal said that the information presented would be in the form of “box-whisker diagrams.” They are composed of a box and whiskers that can be associated with a bell curve. The line in the center represents the median (which would be the crest of the bell curve). The box represents 50% of whatever the sampling representative is. The whiskers represent the minimum and maximum value (outer values).

Slide 4



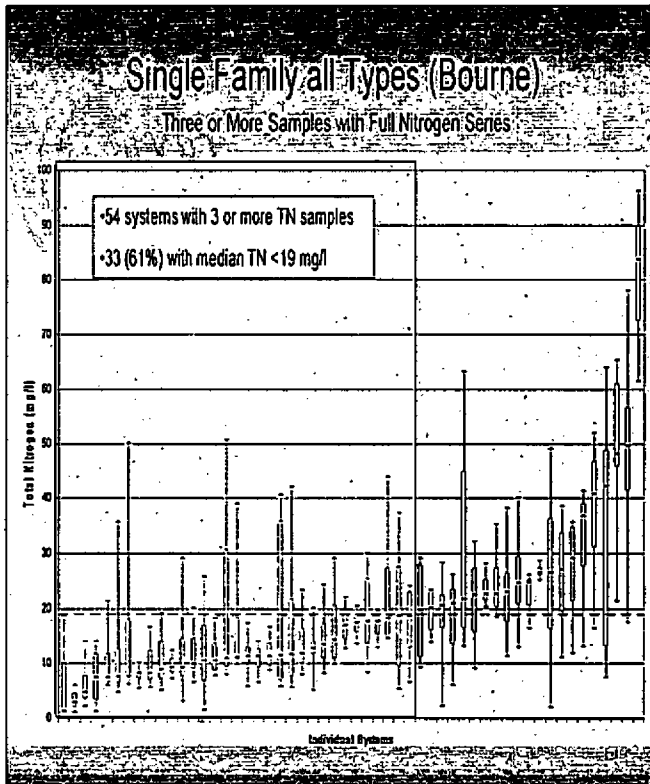
- A) Shows a good system. The whiskers are short and compact, meaning that it is consistently performing in a small range, without much variability in the samples. It is also consistently below the 19 mark.
- B) Shows a bad system. It is stretched out all over the place. The median is well above 19.
- C) Shows a consistently bad system. It is compact, but consistently above the 19 mark.
- D) Shows a usually pretty good system. It is compact. The median is below 19, but there are a couple of high readings.

Slide 5



This represents data from all 15 towns that are sampled combines on one graph. Systems on the left are performing below 19; systems on the right are not performing well.

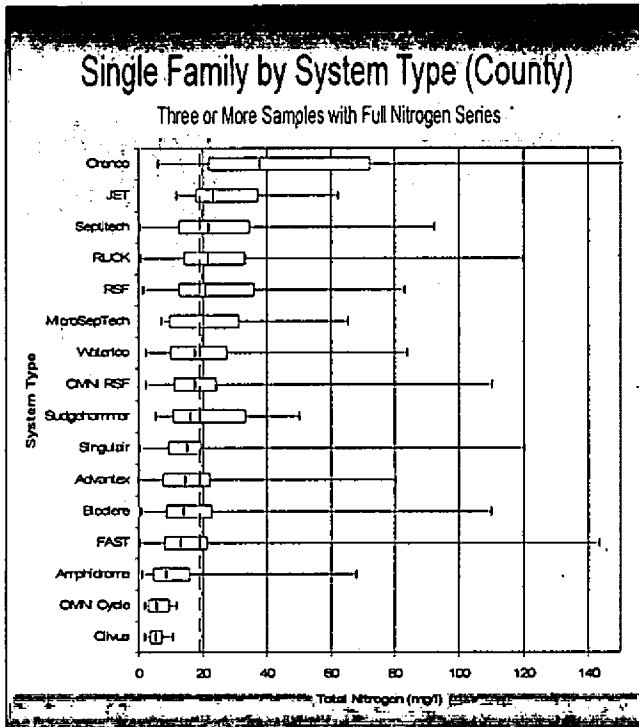
Slide 6



There are 761 single family systems Cape wide that have 3 or more nitrogen samples. 569 of these systems meet the 19 mg/l limit for total nitrogen.

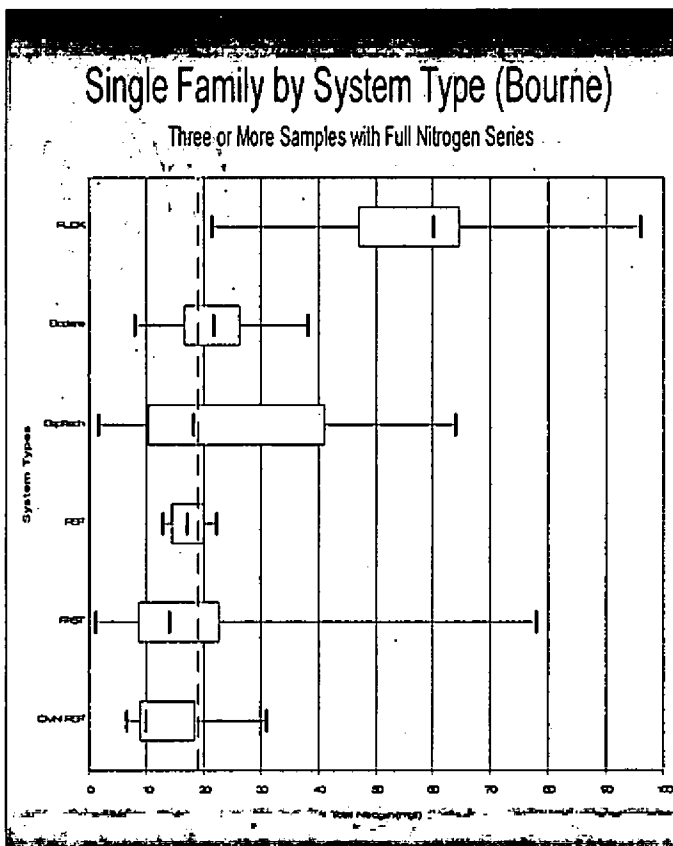
Bourne has 54 systems that have been tracked. 33 of them have a median of 19 mg/l, which means that 61% are meeting the standard.

Slide 7



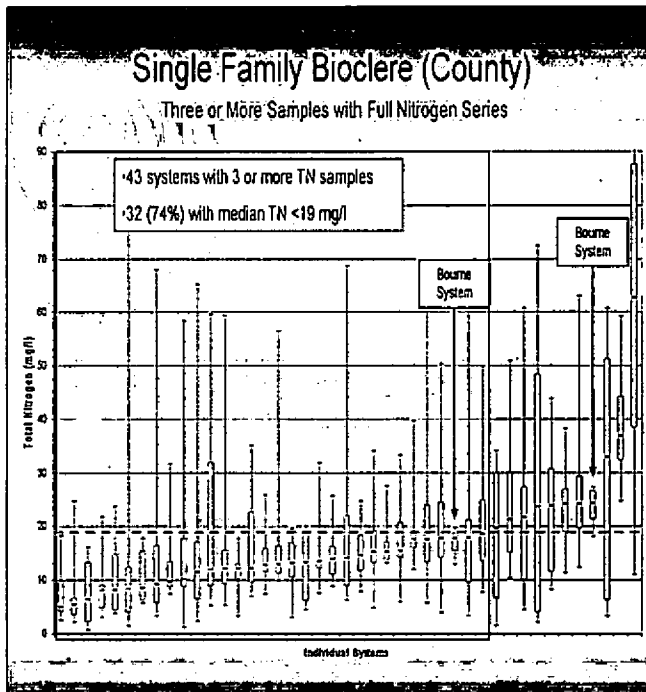
This graph shows a box-whisker diagram of where the technology systems fall performance-wide for the whole county. The ones at the bottom are the systems that generally perform well; at the top of the graph are the systems that are generally performing poorly. Ms. Coffin asked if Sludgehammer system was approved for nitrogen removal. Mr. Heufelder stated that they are not, but they are trying to get approval for it.

Slide 8



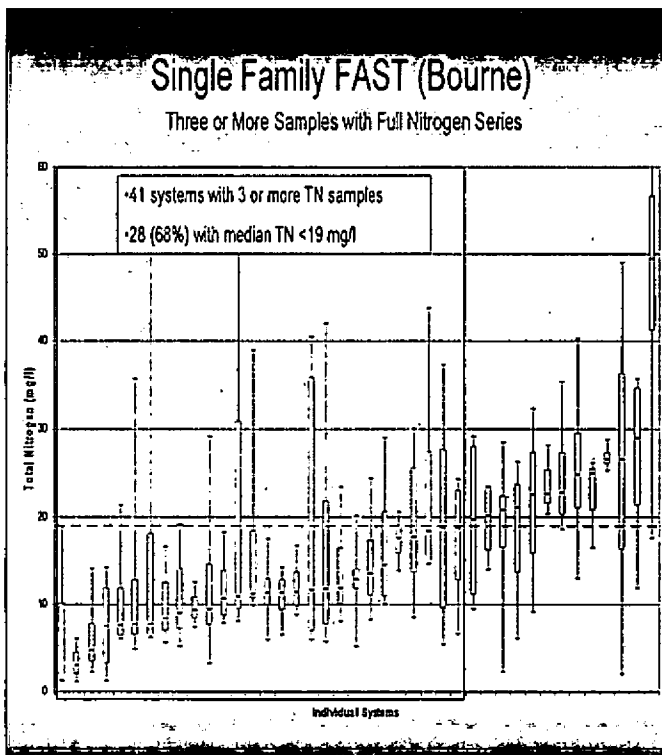
This is the town of Bourne systems. There are only 6 different technology types that had enough data to generate the graph.

Slide 9



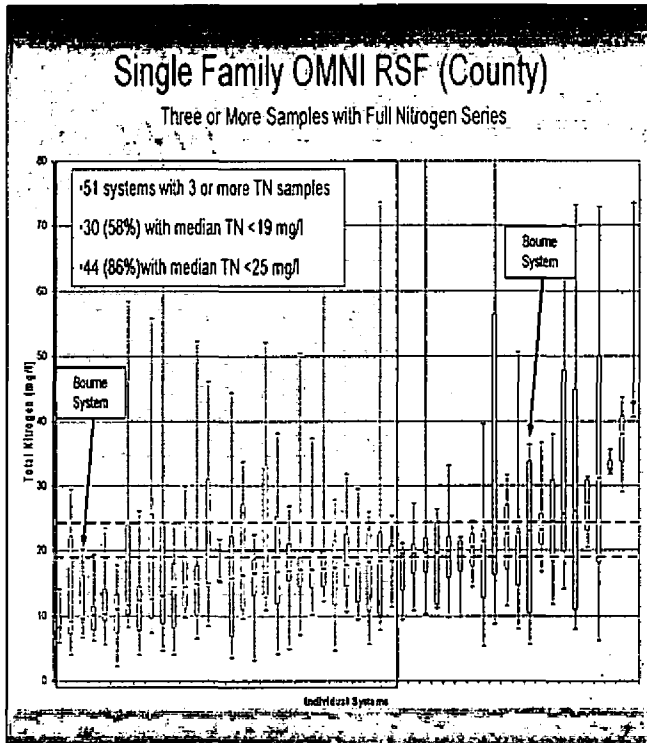
This is the BioClere Data County-wide. The 2 with arrows are Bourne systems. One system meets the standard of 19 mg/l. The other does not.

Slide 10



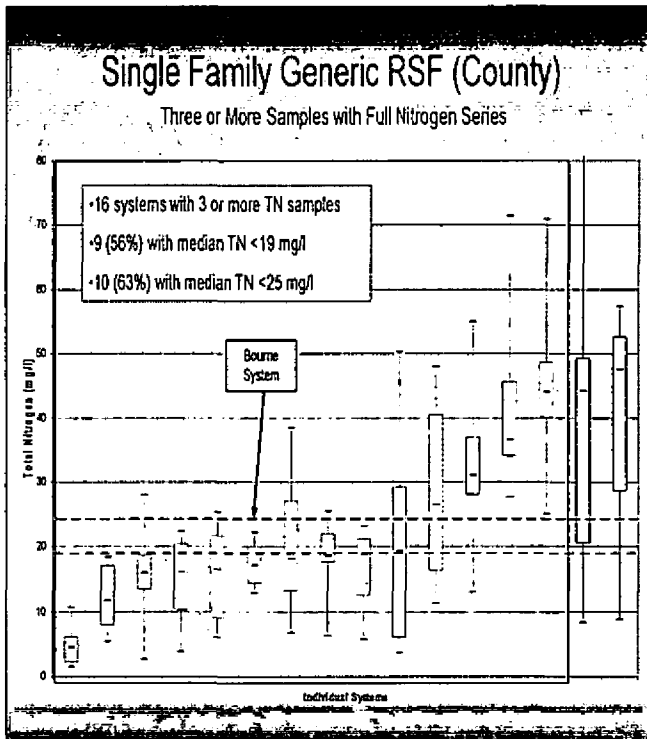
This is a chart for FAST systems in Bourne only. There are 41 systems, with 28 of them (68%) having a median of 19 mg/l or less. The left hand side shows the well performing systems; the right side is not performing well. Ms. Coffin asked if this takes the seasonal startup into consideration. Ms. Peterson stated that they have been asking owners to start their systems a month early than their arrival. Mr. Andrews commented that it would be better if they weren't shut down at all.

Slide
11



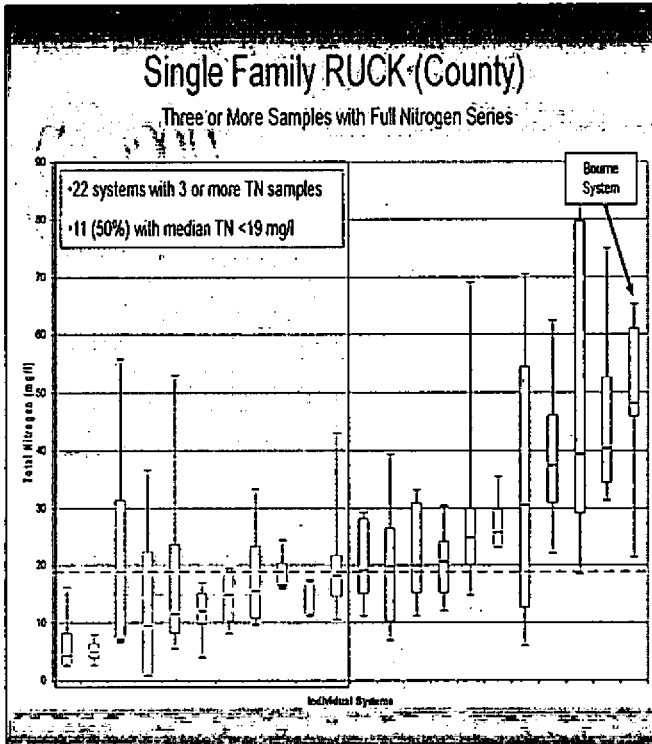
This is county wide OMNI RSF systems. These systems are held to a standard of 25 mg/l. The 2 arrows are Bourne systems. Both Bourne systems are meeting the 25 mg/l standard; 1 is meeting the 19 mg/l standard and is one of the best performing systems in the County.

Slide
12



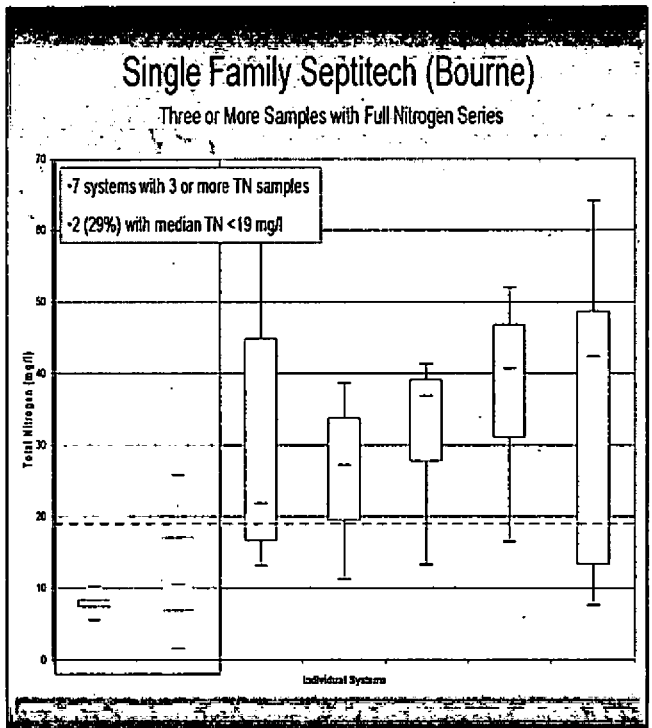
These are Generic RSF systems county-wide. One system for Bourne has arrow. It performed at or below both the 25 mg/l standard and the 19 mg/l standard.

Slide
13



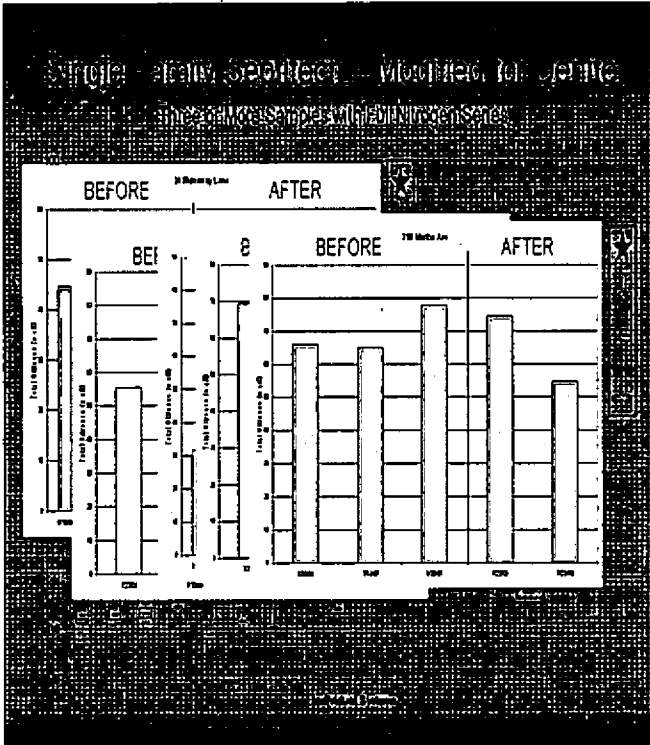
These are RUCK systems county-wide. Bourne has 1 system; it did not meet the 19mg/l standard.

Slide
14



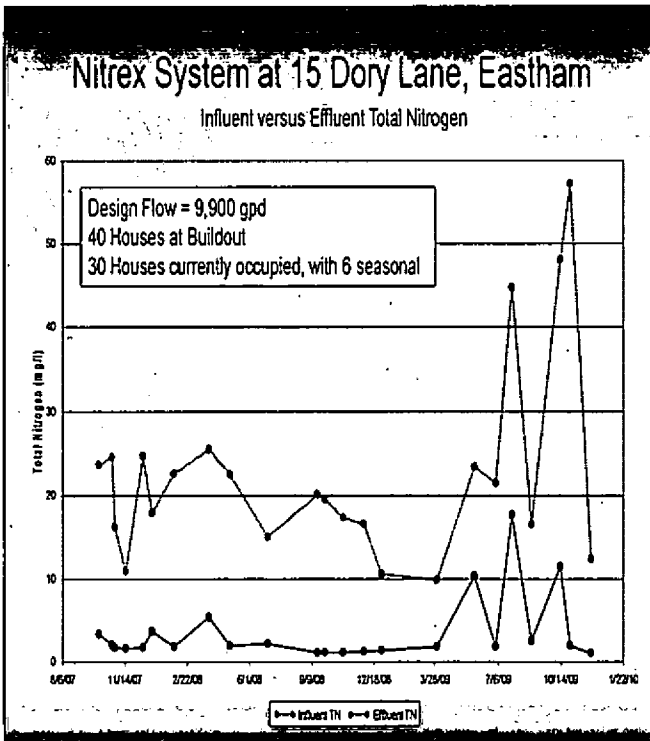
This is Septitech systems for the Town of Bourne only. Of the 7 systems, only 2 met the standard of 19 mg/l.

Slide
15



This shows that some of the SeptiTech systems in Eastham have been modified for denitrification. Mr. Baumgaertl wanted to show why there is a little more variability in SeptiTech than you might expect.

Slide
16



This is the Nitrex System in Eastham. Mr. Baumgaertl included this data because there is a lot of talk about Nitrex. The top line shows the influent; the bottom line shows the effluent. Most of the effluent samples are well below the 19 mg/l standard; most are even below 10, averaging 2 to 5 mg/l. Ms. Peterson asked if they liked that system. Mr. Heufelder said he wouldn't say "like". He presents the data because it is a system that is being talked a lot about. It is a passive carbon filter, fairly simple, but goes on the tail end of another treatment system. In this case it is a SeptiTech. As long as you can nitrify the effluent that is given to what is basically a box of proprietary cellulose material (woodchips), it will perform very well. This material is just provided as information because there is so much talk about it.

Slide
17

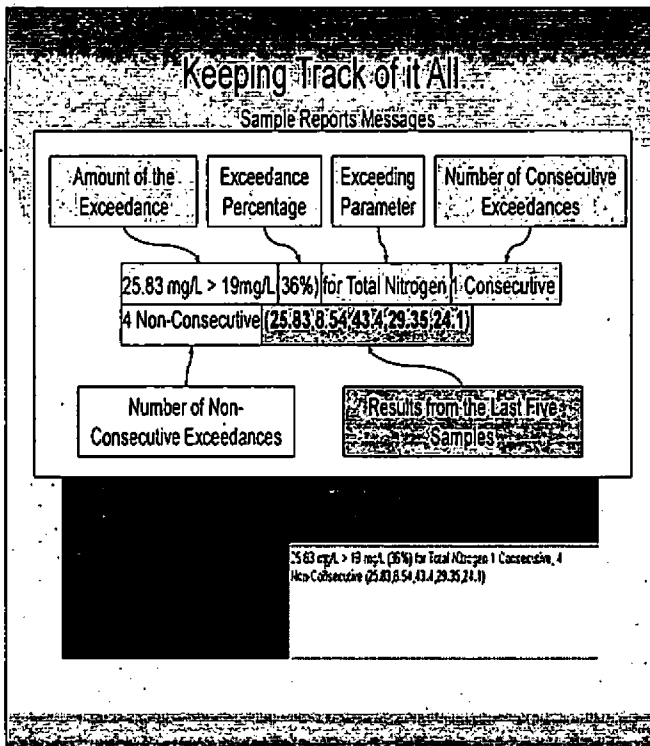
Single Family all Types by System Type

Three or More Samples with Full Nitrogen Series

System Type	Total with 3+ Samples	Total below 19mg/l	Bourne Percentage	Cape-Wide Percentage
All Types	54	33	61%	75%
Biodere	2	1	50%	74%
FAST	41	28	68%	80%
OMNI RSF	2	1 (2 <25)	50% (100%)	51% (86%)
RSF (Generic)	1	1 (1 <25)	100% (100%)	56% (83%)
RUCK	1	0	0%	50%
Sepulch	7	2	29%	33%

This is all of the data basically synthesized into an easier to read chart.

Slide
18



Baumgaertal shows the way that Carmody tracks the data. *(this slide does not accurately show what was presented as it was an active slide that does not translate to print)* They get messages that will pop up when information entered exceeds standards. They can then determine if the individual towns should be notified, or whether it's a "burp" that doesn't need immediate attention.

Keeping Track of it All...
"Cleaned Up" Sample Exceedance Report

Town of Eastham Sample Exceedance Reports will be delivered semi-annually.

System ID	Home Owner	Municipality	Sample History	Max	Average	SD
EASam300Sep	Baughman, James and Amanda 300 Sarraed Road Eastham, MA	Eastham	19.81 8/25/2011 19.81 8/25/2011 22.58 7/29/2010 41.37 8/28/2009 24.44 7/29/2009 13.73 8/25/2008	21.05	21.53333	9.453088
EASun03Adv	Bechgaard, Candace 93 Sunset Avenue Eastham, MA	Eastham	28.88 2/27/2011 15.08 7/27/2010 17.88 4/28/2010 37.88 1/28/2010 4.53 8/27/2009	17.05	18.272	9.566957
EAR0841SRSF	Brown, Robert 4180 Route 6 Eastham, MA	Eastham	88.6 1/27/2010 29.31 7/20/2009 40.1 6/9/2008 44.5 10/23/2007 15.3 10/3/2006	40.1	41.692	24.36552
EACam783FAS	Chita, George 780 Campground Road North Eastham, MA	North Eastham	130.65 11/21/2008 77 6/9/2008 56.7 8/19/2007 23.9 5/14/2007 46 10/6/2006	56.7	65.65	41.33678
EAB12209a	Conley, Kevin 230 Bridge Road Eastham, MA	Eastham	20.48 1/5/2011 37.38 7/19/2010 8.65 1/8/2010 35.64 7/13/2009 21.05 1/27/2009	21.05	24.398	12.81631

These reports will be synthesized semi-annually and provided to the towns.

Mr. Baumgaertal concluded his presentation.

Ms. Coffin asked if, in the future, that the Board decides to use some of that provided information, should it go back onto the waste water treatment operator that is supposed to be maintaining the system. She asked if systems can be "tweaked". Mr. Heufelder said that they can provide a lot of guidance for that. He felt that as soon as an exceedance happens, particularly a gross exceedance, one way to deal with it is to parse out in the analysis just what kind of nitrogen they get. If most of the total nitrogen is ammonium, there is something wrong with the system. Operators of larger systems will sometimes simply add baking soda (sodium bicarbonate) which may take care of that. There are always some systems that will never operate properly. Sometimes the numbers are thrown off by water usage. If someone is fastidious about water usage and don't flush frequently, the waste can be concentrated, throwing off the numbers. The next point in due diligence when someone has a problem is to get the water usage so there is a record of load. Ms. Coffin asked Mr. Heufelder if there could be a problem making a determination like he was suggesting if the water department can only give a 6 month reading. He said it would have to be averaged, so it may not be actual daily usage, but an average use. If it is a year-round home, that shouldn't be a problem. Seasonal usage presents more of a problem. Mr. Andrews asked if we would be able to determine, through this data, if a system is being shut off. Mr. Heufelder said that if there is a big spike in the data, it generally means that no air is getting to that system, which means the air blower (which is the electrical cost of the system) is being shut off. Mr. Andrews says that it was the home owners' decision to build in such a way that an alternative system as required, so they should have understood the cost. Ms. Coffin felt that it was unreasonable to require year-round running of a system for a seasonal home; she thought it was better to require them to turn the system on a month before they come for the season, and adjust the testing times. Mr. Heufelder believes that a majority of the

systems, shy of a shock, will reduce nitrogen by 50%. To get beyond 50%, it will take an additional carbon source on the tail end of a system, like Nitrex. But they are expensive, and most likely will not be seen on single family residence. Mr. Heufelder said they are beginning to track/test larger cluster systems. They are beginning to require these cluster systems to reach 12 mg/l or less by amending the system because the cost can be split amongst multiple residences. Mr. Mulvey question if a home owner buys an innovative system that functions well, but depends on components that are proprietary for its operation, is that homeowner forever held hostage by that system for replacement components (ie: foam, fabric, etc) that system at whatever cost is charged because the system depends on that component to function. Mr. Heufelder said that all systems require maintenance contracts. There are very few systems in which the media (foam, fabric, sand, etc) is the issue. It is usually the mechanical parts (the pump, the blower) and the homeowner would go to the service provider for that kind of replacement. If the owner has an alternative system, they are bound, regardless of what type of system, to have a maintenance contract for the life of the home. Mr. Andrews asked if the Nitrex system was proprietary on its material. Mr. Heufelder said the material is basically woodchips, and it is proprietary. However, if you do the math, it comes out to about a 20 year replacement, maybe up to even 35 year replacement. But he suspects that when the patent runs out, someone is going to figure out a way to chip up their own old oak tree to replace them. Mr. Don Bracken, Bracken Engineering, spoke up that he had an extremely awful situation with Nitrex out on Nantucket at a property he engineered the plan for. He said that they were required to install a Septitek, Nitrex and a GeoFlow drip irrigation system. They were told by Nitrex that the system would flush itself out, that the effluent comes out black because it takes color from the woodchips. They flushed it for a week and hooked it up to the GeoFlow, which has its own filter. Within a couple days, the filter was clogged. They went 3-4 different filters. The system just wouldn't flush itself. The local BOH allowed them to bypass the system and stay with the Septitek and drip irrigation. There are kinks to work out, obviously, but their concern was if the effluent after 3 months is still clogging filters, what it is going to do a soil absorption system, even if it has drip irrigation. Mr. Heufelder said that the technology is worth looking into, but he personally likes 20 years of data on at least a dozen systems before he will say it works. He stated that the County has produced a valuable report on waste water costing on site systems up to a million gallons a day plan: price per gallon treated, price per pound of nitrogen load, nice series of graphs in the report. He felt this was the best report the County had produced because the homework was done. All sites were visited and questions were asked about how much they paid for engineering, how much for land, how much in monthly electric, continuing through all the capital outlay expenses of maintaining system. Mr. Mulvey commented: look at all the data that shows a good system, but show me a contract that has a non-performance escape clause! Ms. Peterson asked if there were any other questions. Mr. Andrews asked about different levels of access in the County system. Mr. Heufelder said Mr. Baumgaertal is currently working on a web-based system that allows you to plug in a series of filters (ie: all FAST systems in Bourne since 1995), and the graphs and charts of all that data will come up. They are trying to make all the data accessible, and trying to research what's happening in other areas (Chesapeake, Oregon, Pine Barrens, NJ) and trying to find creative ways to make that data available to the Boards as well so they can see how systems work in other areas

of the country. Mr. Heufelder invited everyone out to the test center down by Otis. He said if anyone has an idea between their ears, bring it down! Ms. Peterson said that the Board really did need to make an outing there. Mr. Heufelder said there is a new technology coming onboard that the Board may be starting to see requests for approval called MBR (Membrane Bio Reactor). It used to be so expensive that it was cost prohibitive, but now the technology cost has come down. It is a little power hungry, but the system performs at under 10 mg/l. Ms. Furtek asked if there was anything for pharmaceutical. Mr. Heufelder said that this system was not, but there are systems out there that are being used and researched, with soils based & drip systems seeming to be the most effective at removing those chemical compounds. Ms. Peterson thanked Mr. Heufelder and Mr. Baumgaertal for their presentation.

4) 62 Old Plymouth Road: Gail Spencer: update on progress, continued from August 3 special meeting

Attending for this item were tenants Gail Spencer and Mike Storer, and Matt Braucher, attorney from Ablitt/Scofield, representing property owner Deutsch Bank.

Ms. Peterson requested an update from the Health Agent. Ms. Coffin turned the floor to the Health Inspector, Carrie Furtek, because she conducted the inspections that were being followed up on. Ms. Furtek and Ms. Coffin conducted an inspection that day to verify the last of the items. They were able to only access the basement because the tenants were unavailable, and, although there was permission to enter the property, the contractor only had access to the basement. Ms. Furtek did not want to access the living space without the tenants present, so the inspection was done in the basement and from the exterior. After the last meeting (special meeting, Aug 3), a letter was written by Ms. Furtek stating: 1) an exterminator need to be hired to remove and dispose of any dead animals in the attic, 2) add a storm window to the second bedroom, 3) fix peeling paint on the exterior of the house, 4) secure the basement sump pump, 5) fix spline on 2nd bedroom window screen. To this point, the peeling paint is not completely finished; dead animals are gone; the storm window is installed; the screen appeared to be fixed; the sump pump has been secured. Ms. Furtek said the only thing outstanding from that original request letter is the peeling paint. Part of the issue of the non-completion was that there had been a change of contractor. All parties were in agreement on the completed/non-completed items. Ms. Peterson addressed Mr. Braucher, asking when the paint would be finished. He said that his understanding was that the painting "would be cleared tomorrow" (Sept. 15). Ms. Furtek said she had spoken with the new contractor from the Griffin Group. The on-site contractor that she spoken with (Chris) and he stated that the peeling paint issue was under the previous contractor, and he had to wait to get the go-ahead to complete it. Ms. Peterson asked again if all parties were in agreement that all of the outstanding violations from the original complaints that were brought to the Aug 3rd meeting have been completed. Mr. Storer said that the basement still has not been sealed. Ms. Coffin stated that the previous contractor tried to put in a curtain drain/French drain system. Because of what was done, it actually makes more water drain towards the house. The attempt to fix was there, but it was not the correct fix for this property. Ms. Peterson asked Ms. Coffin if she felt that the bank/attorneys were making full effort to correct all the violations. She said yes. Ms. Furtek stated that the new contractor had put in a bid to complete the project and was waiting to hear. Ms. Peterson said she wanted it clear that

she did not want the Health office to spend as many hours on this project any more. She felt that the BOH was not here to monitor when contracts are given out. That is not the job of the BOH. Ms. Peterson said that there is now a new letter with new problems. She wanted to put closure to the last letters. Mr. Andrews asked Ms. Furtek about the incomplete paint. She said it had been mostly scraped and primed. Ms. Peterson asked Mr. Baucher to notify the Health office by Wednesday (September 21) that the job is done. He said that would not be a problem. Ms. Peterson stated again that she wants to close out all of the old complaints because all the old letters run on top of each other, and the office spends too much time checking scheduling of the contractors. She told Mr. Baucher that the Board would like to see all the old letters, of which the outstanding item is the paint, with no more time being spent on those old issues. Ms. Peterson began to address the new issues, from an August 23 (foundation problem) and September 9 letter (other issues). Ms. Coffin said that the contractor currently working on the project was putting in a bid to correct the foundation issue. Mr. Baucher asked if someone installed a safety fence as a temporary fix. Ms. Coffin said a safety fence was installed to prevent people from falling in to the trench/pit dug around the foundation. Ms. Peterson reiterated that the BOH is not going to get involved in the contracting. Ms. Peterson addressed the August 23 letter that states that water was entering the basement. She asked Mr. Baucher when the bank would be entertaining bids to correct the water seepage into the basement. He felt that the switch of contractors was part of the hold-up. Ms. Peterson told him that by the first meeting in October (Oct 12) she expects the water issue to be resolved. Mr. Baucher agreed to this. Ms. Peterson asked again about the painting, that it would be done by Sept 21; he agreed. The newest letter, dated Sept 9, was brought to discussion. Ms. Peterson asked why none of the issues had been brought forth in previous letters but are on now. Ms. Coffin stated that it is difficult going in on an inspection to see everything. At the time of the original inspection, the issues weren't seen, or brought up. The section on mold is something that has been brought up before, but Ms. Coffin is still unsure if it is an issue. She put it in the letter this time because it has been brought forth more than once, so she felt someone should look at it. She listed it as "indications of dampness" but can't tell the source or if it is an issue. It is up to them to appeal it or do something about it. Ms. Peterson asked about rotted sections of wood; the Agent and Inspector confirmed that that was taken care of. Ms. Peterson cleared the seal on the window; "indications of dampness" was referred to earlier. Mr. Baucher asked if there was any indication of the source; Ms. Coffin said no. Ms. Spencer said that there had been water damage on the window next to it which had been repainted in January. Ms. Peterson asked if the next item, a dripping external faucet could be repaired by the 21st. Mr. Baucher felt that all of the issues in the September 9 letter should be able to be resolved by October 12. Mr. Barlow said that he and Mr. Utti made a site visit, and on the outside of the house where the indication of dampness is, there was an external issue that could have caused possible water intrusion. Ms. Peterson stated that if the items discussed were not repaired by October 12, there is a potential for a vote to impose a fine on the newest violations, and there will be no further discussion at the Oct 12 meeting by the Board on any subsequent violation complaints. All of the old letters will be considered closed on Sept 21 when the paint is signed off on. All the other items will be closed on October 12. She asked for a motion.

Mr. Utti moved that by Sept 21 the exterior painting will be complete and signed off by the office and the old letters of violation will then be closed. Mr. Andrews seconded the motion. The motion passed unanimously.

Ms. Peterson spoke to Mr. Baucher, saying that by Oct 12, the issues from the Aug 23 and Sept 9 letter would be addressed (water in the basement, exterior water faucet, light fixtures). If not complete by October 12, there is a potential for fining.

- 6) 50 Rip Van Winkle: Collins Engineering for Kathryn Hanson : Discuss and vote on request for variance to install new septic system for proposed renovations/additions**

Attending for this issue was Steve Rumba from Collins Engineering and Mr. Brosnan.

Mr. Utti made a motion to continue this item to the September 28 meeting due to a missing documentation in the required variance filing packet. Mr. Andrews seconded the motion. The motion to continue to Sept 28 passed unanimously.

7) 17 Holly Circle: continued from August 10- housing
Ms. Furtek stated that she did an inspection the week after the last meeting, and everything is finished. The owner and tenant are both happy. She sent a letter of compliance. The file is now closed.

8) Health Agent update/follow-up from Aug 10
~9 Scraggy Neck Road Ext- Carolyn Neal (manure complaints)
Ms. Coffin stated that the horses are now being boarded at Field Crest Farm in Falmouth. She is still working with the MSPCA and Ms. Neal's probation officer because they are still going forward in hopes of not allowing horses on the property again. Ms. Coffin says that MS. Neal is starting to clean up the manure.

~5 Maritime Way (unfenced pool)
Ms. Coffin says the pool came down

~485 Williston (unfenced pool)
Ms. Coffin confirmed that the pool did get covered, although it wasn't until the required day of compliance.

~48 Bay Head Shores (trash complaint)
Ms. Coffin stated that the mattress and other trash have been removed.

Ms. Coffin stated that the 3 she had written the letters imposing a fine, she felt that their compliance overrides the time and effort of taking them to court to try to get the money from them. She asked for permission from the Board to waive their fine because of their compliance. Ms. Peterson stated that she wanted them to come and ask for an appeal to the fine. She felt that the Board cannot institute a fine and then say they won't charge it because they did it. Ms. Coffin said from now on she will just ticket under chapter 21D instead of writing letters. Mr. Andrews asked to put that on for a future agenda item for discussion to change the policy. Ms. Coffin said it is already in the regulations that either fine process can be done and she doesn't see the need for a meeting about it, but she will put it on the agenda for discussion. She felt that it was better to have the issues in

compliance than to try to take the people to court to get the money. She understands that the Board doesn't want to threaten a fine and the not follow through. Mr. Barlow was in agreement with Ms. Coffin that a letter could be sent in light of the fact that they complied, the Board is willing to waive the fine. Mr. Andrews added "provide they come and appeal to the Board". Ms. Furtek asked if a letter of appeal to the Board would suffice in lieu of them coming in person to the Board. Mr. Andrews said if they could justify their appeal in the letter that would be taken into consideration. After some heated debate on whether the fines could be waived, the level of respect of the violators showed toward the Board, whether it was more important to have the issues addressed or take the people to Court to try to collect fine, and the difference between a 21D ticket and a fine letter, it was decided that the matter would be continued to the next meeting so the Board could take some time to think about the issue.

9) Approval of minutes dated August 3, 2011 and August 10, 2011

Mr. Utti made a motion to approve the Minutes dated August 3, 2011. Mr. Barlow seconded the motion. Mr. Andrews and Ms. Tinkham abstained due to absence at the 8/3 meeting. Motion to approve passed by majority.

Mr. Andrews made a motion to approve the Minutes of August 10, 2011. Mr. Barlow seconded the motion. Ms. Tinkham abstained due to absence at the 8/10 meeting. Motion passed by majority.

Mr. Andrews made a motion to adjourn. Ms. Tinkham seconded the motion. The motion to adjourn at approximately 10 pm passed unanimously.

Respectfully submitted

Melissa A Chase

Melissa A. Chase
Secretary

Kathleen Peterson

Kathleen Peterson

Stanley Andrews

Stanley Andrews

Galon Barlow

Galon Barlow

Don Utti

Don Utti

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 x1
Fax (508) 759-0679

2011 SEP 16 AM 11 37

Cynthia A. Coffin,
Health Agent

TOWN CLERK'S OFFICE
BOURNE, MASS.
SPECIAL BOARD OF HEALTH MEETING NOTICE

JOINT SESSION

Board, Committee, or Commission: BOARD OF HEALTH, SELECTMEN, FINANCE COMMITTEE, ENERGY ADVISORY COMMITTEE, ET. AL

Schedule of Meeting

Date:

September 20, 2011

Time:

6:20-8:00 P.M.

Place:

Bourne Middle School Library
77 Waterhouse Road
Bourne MA 02532

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time

Following The Selectmen's Meeting

ISWM Workshop

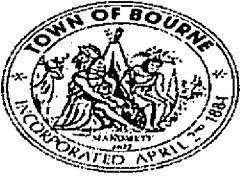
Attendees: Board of Health, Board of Selectmen, Finance Committee, Energy Advisory Committee, et. al

AGENDA:

Joint session on landfill futures: Working Group update

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Orase*
Title: Secretary
Date: September 16, 2011



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



2011 SEP 22 PM 12 02

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 28, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

- 1) **Tim Mullen, Director DNR: Presentation to the Board re: marina**
- 2) **50 Rip Van Winkle: Collins Engineering for Kathryn Hanson: continued from Sept 14 :Discuss and vote on request for variance to install new septic system for proposed renovations/additions**
- 3) **45 Harbor Dr: Warwick & Assoc for Ricardo and Jill Adroque: Discuss and vote on request for variance to install new septic system for proposed renovations/additions**
- 4) **62 Old Plymouth Road: Gail Spencer: update on finalization of prior complaint letter**
- 5) **Mike McGrath: presentation to the Board re: new alternative system**
- 6) **Health Agent Draft letter: Discuss and possible vote on Health Agent's request to waive fines for 5 Maritime Way & 48 Bay Head Shores**
- 7) **BOH Fee Changes: Discuss and possible vote on amending BOH fee schedule for license/permits**

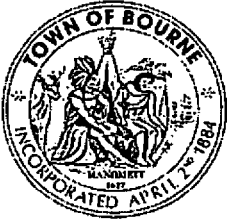
cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: September 2011

CHANGES TO BOARD OF HEALTH FEES
Per BOH Vote September 28, 2011

2012 APR 12 AM 10 50
TOWN CLERK'S OFFICE
BOURNE, MASS

BED AND BREAKFAST LICENSE	\$ 75.00
B.O.H. REGULATIONS	\$.20 per page
CAMPGROUND LICENSE	\$ 100.00
CATERING LICENSE (sole business)	\$ 100.00
CATERING LICENSE (secondary)	\$ 50.00
FOOD LICENSE (0-50 seats)	\$ 100.00
FOOD LICENSE (51+ seats)	\$ 150.00
HORSE/BARN LICENSE	\$ 30.00
HOUSING INSPECTION FEE (request by owner for voucher program)	\$ 75.00
Re-Inspection(s)	\$ 25.00
ICE CREAM LICENSE (only license)	\$ 50.00
ICE CREAM LICENSE (food or retail primary)	\$ 35.00
MOBILE FOOD VENDOR LICENSE	\$ 60.00
MOBILE HOME PARK LICENSE	\$ 100.00
MOTEL LICENSE (0-15 rooms)	\$ 100.00
MOTEL LICENSE (16+ rooms)	\$ 150.00
RECREATIONAL CAMPS LICENSE	\$ 100.00
RE-INSPECTION FEES (for compliance failure)	
1 st Re-Inspection	\$ 25.00
Additional (per inspection)	\$ 50.00
RETAIL FOOD 75 (pre-packaged foods)	\$ 75.00
SEPTIC SYSTEM PERMIT (Title 5)	\$ 100.00
SEPTIC SYSTEM PERMIT (alternative)	\$ 150.00
SWIMMING POOL FEE	\$ 100.00
TEMPORARY FOOD LICENSE (food service) (fairs, one day events, etc)	\$ 40.00
TEMPORARY FOOD LICENSE (retail only)	\$ 35.00
TOBACCO LICENSE	\$ 60.00
WELL INSTALLTION PERMIT	\$ 50.00



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
TOWN CLERK'S OFFICE
BOURNE, MASS



**MINUTES
SEPTEMBER 28, 2011**

**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 Chairman Kathy Peterson.

1) Tim Muller, Director DNR: Presentation to the Board re: Marina

Ms. Peterson stated that Mr. Mullen had a scheduling conflict and could not attend the meeting. Ms. Coffin gave a brief overview of the purpose of the presentation. Basically, Mr. Mullen has gone to permitting from the state for the whole marina build out in Monument Beach, ie: if they ever increase the slips, if they pave the parking lot, if they do the bathrooms, etc. This permit will allow them to upgrade the septic system. They are not currently making any changes to the marina, but based on the build out of what could be in the future, the septic system will need variances and will need to be an alternative system, so he will be coming to the Board for approval. Ms. Coffin felt he should come informally before the Board before the projects get too far ahead. The design for the whole marina will include future expansion, she felt it was best that the Board get a "heads up" on what the plans are, and to give the Board time to decide what kind of variances they are comfortable allowing before it becomes an issue. Mr. Mullen has been rescheduled for the October 12 meeting.

**2) 50 Rip Van Winkle Way: Collins Engineering for Kathryn Hanson : continued from
Sept 14: Discuss and vote on request for variance to install new septic system for
proposed renovations/additions**

Attending for this item were Steve Rumba from Collins Engineering and Dan Brosnan, and the home owner.

Mr. Rumba stated that he now submitted the full packet, to include the floor plans and table showing percentage of increase in size. The bedroom area is increasing by 18.9% and the total non-bedroom living area by 30.7%. He did not include that attic area or garage area in his calculations because they are not bedroom/living area. Essentially there is an existing garage that is going to be converted to a bedroom on the first floor; 2 bedrooms on the first floor are going to be eliminated, creating an open floor plan. The 2 bedrooms on the second floor are going to be enlarged with a dormer on the back of the house. There will be a net decrease of 1 bedroom; it will go from 4 existing bedrooms down to 3. Ms. Peterson asked if the attic was an open walk-up. Mr. Rumba stated that it was enclosed in the knee-wall. Mr. Rumba is proposing a Title V system with ADS chambers. It is actually sized enough for a 4 bedroom so that they could use the ADS

“credit”. The system will be 75’ from the wetland line, thus they need a variance from the 150’ requirement. The entire property is less than 150’ from the wetlands, so there is really nowhere else to put it. They positioned it so as to be the maximum distance possible from the wetlands. It is a gravity system, with 2 compartments and a 1500 gal tank. Ms. Peterson asked for questions from the Board. Ms. Coffin said that she felt it was a good thing that there was a reduction in bedrooms, but felt that if the Board was entertaining allowing the substantial variance, that she was not comfortable with a 4 bedroom-sized system going in, because it would allow for the possibility of future expansion back to 4 bedrooms. Mr. Rumba said it was not big enough for a 4 bedroom conventional system, but met the ADS design size for 4 bedrooms. Mr. Brosnan assured Ms. Coffin that the attic space that she expressed concern as becoming livable space was not useable as such because of the roof pitch. Mr. Barlow appreciated their candor about converting the garage to bedroom space, and didn’t feel that they were going to try to sneak more living space in.

Mr. Andrews made a motion to grant the 75’ waiver for the soil absorption system with the plans dated Aug 1, 2011, architectural dated Sept 22, 2011. Before a permit is issued a deed restriction of 3 bedrooms will be placed on the home; the wording will be provided by the office, and it will be the homeowners’ responsibility to get that filed. One bedroom is to be eliminated to reduce the existing impact on the resource with the upgraded system. Mr. Utti seconded the motion. The motion passed unanimously.

3) 45 Harbor Drive: Warwick & Assoc for Ricardo and Jill Adroque: Discuss and vote on request for variance to install new septic system for proposed renovations/additions

In attendance for this item was Barbara Frappier of Warwick and Associates.

Ms. Frappier stated that the project is a raze and rebuild of an existing 4 bedroom home. The new home will have an increase to 5 bedrooms. The increase of square footage exceeds the BOH preferred guidelines for increase of no more than 25% bedroom space and 50% non-bedroom living space. Approved and installed several years ago was a new septic system which will need to be replaced because it is a Title V system. The new system will be placed on the lot in such a way that it will require a 13’ variance from the top of the coastal bank. The distance from the top of the coastal bank to the nearest receptor will be about another 100’ away, so it is quite a ways from the water or the beach. They would also need a waiver of the 150’ setback showing at the reserve area for new construction. It will also be within 5’ of the front property line. The new system will be pressure dosed; it will have a MicroFast denitrification system. With the redesign with 5 bedrooms this new system will reduce the nitrogen load will be reduced from the current load of 7.46 to 3.26, so there is a decrease in nitrogen loading. Mr. Andrews addressed Ms. Frappier, saying that the Board has recently been requiring that the new alternative systems have an indicator light visible from the street, to ensure that the system is on, and asked if her client would be willing to comply with that. She believed it would not be a problem. Ms. Frappier asked how that works with seasonal homes, when they get shut off for the winter. Mr. Andrews stated that they are not supposed to be shut off. Ms. Coffin felt that there should be a requirement of having the system up and running a certain amount of time before occupancy. Mr. Andrews said there was no guarantee that the home would remain a seasonal home. Mr. Barlow said that the indicator light would show when the system is running. Ms. Frappier asked if the annual testing would show that the system is doing its job; would the annual test reveal that the system is turned off. Ms. Coffin stated that the biggest problem for the companies is that when the companies go out (because of notification of a failure/turnoff), the light/buzzer/alarm is inside the house and they don’t have access to get into the house, so they have no access to the panel to check on things.

Mr. Barlow made a motion to approve the request by 45 Harbor Drive received September 8, 2011 for variance of 13.9’ from 150’ setback for the leaching area from the topical coastal bank; variance of 27’ from 150’ setback for reserve area from topical coastal back; variance

of 5' from the minimum setback from property line for the soil absorption system. Also requested is an exterior indicator light visible from the street that shows that the system is/isn't on. They must also follow the standard testing program with a 2 year minimum initial contract. Mr. Uitti seconded the motion. The motion passed unanimously.

4) 62 Old Plymouth Rd : Gail Spencer: update on finalization of prior complaint letter

In attendance for this item were tenants Gail Spencer and Mike Storer; Rachelle Willard, attorney representing owner Deutsch Bank; Matt Connelly, contractor from The Griffin Group, current contractor at the property.

Ms. Furtek began by stating that she had stopped by the house and the painting was nearly complete with the exception of 1 small area near the drain gutter. The drainage issue had been addressed through a re-grading of the soil away from the house. Ms. Peterson asked for a verbal agreement from all attending parties that this had happened. All parties were in agreement that the first letter, dated August 8, was complete. The new letters of complaints were then addressed. Ms. Furtek listed the complaints of September 9: the exterior faucet has not been addressed yet. There are exposed wires/sockets in the basement still need to be addressed. The bulkhead area has been repaired; the sill has been fixed; the foundation leakage is has hopefully been fixed by the new grading around the foundation. Ms. Peterson addressed the contractor, Matt Connolly, asking if the outdoor faucet had been taken care of; he said no. She asked about the exposed wires in a hole behind a picture in the living room; it has not been addressed. Also not yet addressed are the ceiling light fixture near the furnace with exposed wiring extensions; indications of dampness on wall in the dining room between 2 windows and under hanging picture; indications of dampness on wall at bottom left of interior porch door. Ms. Peterson stated that the August 9 and August 23 letters are to now be considered closed. Mr. Andrews stated that he felt that there was a good faith effort made in the re-grading to correct the foundation leakage. Although there is no guarantee that it will work, the effort has been made. He stated that if it leaks the next time it rains the office needs to be notified, but the issue has been closed at this point. Ms. Peterson read the letter of August 23: Water entering the basement at the water service line has been addressed; parties agreed that it had been addressed. Water seen entering the basement along the foundation nearest the driveway from about 3 feet below the edge of the cellar window nearest the bulkhead to 4-5 feet horizontally from said window; parties agreed that this had been addressed. All parties agreed that the letter from August 23 could be closed because the items have been addressed. The September 9 letter is now currently the only open complaint on the property. Ms. Peterson and all the parties agreed that there were 5 open items to be addressed. The contractor has submitted bids for these items and is waiting for approval to begin work. Ms. Willard felt that the approval time should not be long considering the attention that has gone to the property. The next schedule Board meeting is October 12; Ms Peterson asked if they felt that items could be addressed by that point. Ms. Willard felt hopeful, but the decision process is out of her hands. Ms. Peterson continued the matter until the October 26th meeting with an update only to be on the agenda for October 12. It is preferred for it to be done by the 12th, but it is understood that the bidding process takes a little time. It was agreed by the parties involved that lines of communication are much better since Ms. Willard and the new contractor /the Griffin group have become involved. If everything is done by October 12, Ms. Peterson asked for both sides to put in writing that everything from the September 9 letter has been addressed, and neither party has to attend the meeting. The official review will be on October 26 if the items are not completed prior. This was agreeable to all parties.

No action was taken by the Board at this time.

5) Mike McGrath: presentation to the Board re: new alternative system

Mr. McGrath was unable to attend the meeting due to a scheduling conflict. He will be on the Agenda for the October 12 meeting.

6) Health Agent Draft letter: discuss and possible vote on Health Agent's request to waive fines for 5 Maritime Way and 48 Bayhead Shores

Ms. Coffin stated that she had written a draft letter, but realizes that the Board wanted to discuss further about how to proceed with either asking them to come in again, or send them a form of the draft letter that basically states that the Board has voted to take no action to collect the fine because the main objective had been met, but if there was a repeat violation fines would be levied and accrued immediately. This was her suggestion, but she realizes that everyone on the Board was not in favor of that. Mr. Barlow stated that after the last meeting he did go home and think about it. He felt that there may be a need for the Board to look into see if we can do as some other departments can do and not issue certain town privileges as an incentive to pay their outstanding fines. Ms. Tinkham felt that something should be done, but felt that the violators wouldn't listen to us if we waive fines. Mr. Uitti felt we needed some sort of leverage. Mr. Andrews liked Mr. Barlow's idea as a possibility to investigate for the future. But he still wanted the people to come before the Board. His biggest issue was the disrespect and non-acknowledgement of the violations. He thinks we need to come up with a policy to set forward. He felt that is what the Board comes away with, that we have to develop and draft another policy. Ms. Peterson felt the fines should not be waived. She felt the Board was very liberal, and they were given a long time to comply. If they want the fines to be waived, the violators need to come before the Board and ask for it. People need to be held accountable. Ms. Coffin felt it was a little different than the examples of not waiving fines for business that violate. At least then we have a permit/license to pull. Ms. Coffin would like to look at these 2 fines as a lesson learned because she feels that she would not have a reasonable case against them if she were to take it to court to collect the fines. She doesn't know the exact day that compliance occurred because she was unable to get out there every day, so she isn't even sure what to set as a fine. Mr. Andrews said it was their responsibility to inform the office of the date of compliance. Ms. Coffin felt that the Court would hold her accountable for documenting her case. She said that, next time, a ticket would have to be written every day of the violation. She just feels that it will be a waste of her time and the Board's time for her to try to take these people to court to collect the fine. Mr. Barlow felt that a policy needs to be put in place. Ms. Coffin felt that it was unfair to fine these people when they complied quicker than the violator who showed up and wasn't fined. Ms. Tinkham asked what Ms. Coffin felt was needed. Ms. Coffin felt that if a fine is going to be given, it can't just be a letter. It's easy to write a fine letter when you have a permit or license as leverage to collect a fine. But with this type of violation, a ticket has to be issued every day until compliance and filed with the Town Clerk. If they haven't paid by the deadline, then they can be taken to court, and there is a record to follow. Ms. Peterson said that is what we will do from this day forward. The ticket system is the way to go so it will hold up in court.

Mr. Barlow moved to waive the fines for 5 Maritime Way and 48 Bayhead Shores, and that a policy will be set for the BOH to adhere to. Mr. Andrews seconded the motion. The motion passed unanimously.

7) BOH Fee Changes : Discuss and possible vote on amending BOH fee schedule for license/permits

Ms. Furtek explained that the fees were examined in the neighboring towns, and a comparison was made. They also compiled a list of gas prices and the amount of inspections that are likely to occur. Mr. Uitti asked about swimming pool inspections. Ms. Furtek explained her inspection regimen for the public/semi-public pools.

Mr. Barlow made a motion to accept the proposed changes to the BOH fees. Mr. Andrews seconded the motion. The motion passed unanimously.

Mr. Andrews made a motion to adjourn at 8:10. Mr. Barlow seconded the motion. The motion to adjourn passed unanimously.

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

Carol P Tinkham

cc Board of Selectmen/Town Clerk



National Catastrophe Partners

2011 OCT 13 PM 12:44

TOWN CLERK'S OFFICE
BOURNE, MASS

1535 N. Cogswell Street
Suite B-8
Rockledge, FL 32955
Office: 321-684-7018
Fax: 321-338-2920

**MASSACHUSETTS GENERAL LAWS,
CHAPTER 139 LETTER**

(By US Mail & Fax 508-759-7980)

October 12, 2011

Building Commissioner/Inspector of Buildings
Board of Health/Board of Selectman
Department Code Enforcement
24 Perry Avenue
Buzzards Bay, MA 02532-3441

RE: Claim # : 1100084965
Insured : Strojny, Steven
Loss Location : 56 Tara Terrace, Bourne, MA 02532
D/L : 8/28/2011
NCP # : 11-05826

To Whom It May Concern:

A claim has been made involving loss, damage or destruction of the property captioned above, which may either exceed \$1,000.00 or cause Massachusetts General Laws, Chapter 143, Section 6 to be applicable. If any notice under Massachusetts General Laws, Chapter 139, Section 3B is appropriate, please direct it to the attention of the writer and include a reference to the captioned insured, location, policy number, date of loss and NCP file number.

On this date, I caused copies of this notice to be sent to the persons named above at the addresses indicated above by first class mail.

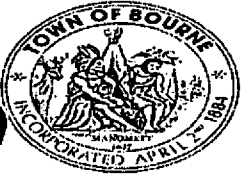
Very truly yours,
National Catastrophe Partners, LLC

David H. String

David H. String

Given to:

A m Grata = busp
Melissa = Bd. of Health
BAS + Pam via Nancy
10/13/11



2011 OCT 6 PM 1 34

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 12, 2011.

Time:

7:00 P.M.

Place:

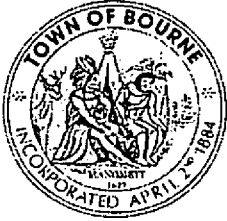
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) Tim Mullen, Director DNR: Presentation to the Board re: Monument Beach Marina
- 2) Mike McGrath: presentation to the Board re: new type of alternative system
- 3) Pocasset Mobile Home Park: update on PMHP from Attorney Chuck Sabbatt
- 4) 62 Old Plymouth Road: Update only on progress
- 5) Approval of Minutes dated September 14, 2011 and September 28, 2011

Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: October 6, 2011



Cynthia A. Coffin,
Health Agent

**TOWN OF BOURNE
BOARD OF HEALTH**
24 Perry Street
Buzzards Bay, MA 02532
Phone (508) 759-0615
Fax (508) 759-0679
TOWN CLERK'S OFFICE
BOURNE, MASS



**MINUTES
OCTOBER 12, 2011**

**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 7PM.

4) 62 Old Plymouth Rd: Update only on progress

(Agenda item 4 taken out of turn to allow the presenter from item 1 to arrive.)

There were no audience members present regarding this issue.

Ms. Furtek stated that all items were finished. As of right now, all parties are happy. Ms. Peterson asked if everyone had signed off agreeing that all items were addressed. Ms. Furtek stated that she had not yet received written verification, but would be attending to that project immediately. Ms. Peterson stated that she wanted letters from everyone on both sides stating that the work was completed. Ms. Furtek said she had received an email from Matt Connolly, the contractor, that the work was completed. She stated that the downspouts were extended away from the house, and they were waiting for the impending rain to see how they were working at keeping water from leaking into the basement. The tenants were happy with everything, and Ms. Furtek will remind them that she needs a letter.

1) Tim Mullen, Director DNR: Presentation to the Board re: Monument Beach Marina

In attendance for this item was Tim Mullen, Director of the Bourne Department of Natural Resources.

Mr. Mullen stated that "the grand scheme" he was presenting was a Marina reconfiguration permit for the whole Monument Beach area that was started about 2 ½ years ago. This will be the largest marina configuration permit in the State once it is approved, which should be "any day now." This permit is like a blanket permit covering maintenance dredging project; it will cover expansion of the marina, should the Town choose to do so, from the current 62 slips to 99 slips; it covers the parking lot and septic system; it covers the roadway up to the railroad tracks. Basically no more permitting would have to be applied for; the Conservation Commission (ConCom) would have to be supplied with letters for any intended projects. It is a 10 year permit that would

be renewable. Back in May at Town Meeting, \$360 thousand was approved for the first phase of upgrading the septic system. It is a seasonal system but is overburdened. Included in that \$360 thousand is redo/repair the existing parking lot and also pave part of the field at the rear of the parking lot to expand. The septic system needs to be done before any paving or work gets done through the parking lot in the back. Mr. Mullen stated that the engineer/consultant through the whole permitting process (Norm Hayes of BSC) has done many other projects with the Town on the waterfront (dredging, etc). Brian Yergatian has begun working with them on the septic system project. He stated that there are no real plans as of yet; it is going to be designed to accommodate additional parking, as well as to the specs of a 99 slip marina so that it will be ready if and when the Town decides to expand. It will need to be an innovative/alternative system. Mr. Mullen said he was in front of the Board to give a "heads up" and hear any concerns that the Board would like taken back to the engineer at this point. Mr. Barlow asked for the engineer to come before the Board for an informal discussion, brought the plans in so the Board could see them and raise any preliminary concerns before the project progresses to help things run smoothly. Mr. Mullen agreed. Ms. Tinkham asked if the Town had pump outs at the Marinas. Mr. Mullen stated that the 2 large private Marinas (Kingman Marina & Parker's Boat Yard) in Town do have pump out systems. The largest Town Marina at Taylor Point does have a pump out system as well. There will be a pump out system in the design for the new septic at the Mo Beach Marina. Fiscal year 2014 they will asking for additional funding to help pay for that. Ms. Peterson commented that it is quite an extensive permit. There were no further questions or comments from the Board. Mr. Mullen said he would provide more information to the Board as things became available (ie: plot designs).

3) Pocasset Mobile Home Park: update on PMHP by Attorney Chuck Sabatt
(Agenda item 3 taken out of order with consent of Mike McGrath)

In attendance for this item were Attorney Chuck Sabatt and a full audience of PMHP residents.

Attorney Sabatt stated that he would "get to the question of the hour" which is the status of his report to the Suffolk Superior Court. Under the order, he is required to advise the Superior Court as to whether or not the installation/construction of an on-site septic treatment plant would be financially feasible. On September 27, he requested a conference with the judge and received an extension of the deadline. He stated that he had talked to the Attorney General's Office, and believed that the date will be extended until January 15, 2012; at that time he will file a report with the Suffolk Superior Court. There are 3 dimensions to the report: 1) what type of system will be installed and how much will it cost; 2) how will it be paid for-financed, additional income from raising fees ; 3) are there other options for funding by expanding the park into some of the unused land. All of these things are being looked at as answers to the feasibility question. He acknowledged that he was aware that people were looking for and expecting an answer at this meeting, but he just didn't have one to give at this point. The engineers have the options and are looking at it. He also plans to retain a consultant to help with some of the financial aspects. In terms of current septic situation, the septic repair that was done in the spring is still holding. There were 2 issues that arose in the past week: an overflow on 3rd Ave and an overflow on 1st Ave (which occurred the day of the meeting). He stated that he had someone out to look at the 1st Ave overflow, but hadn't yet been back in contact to find out what the issue was. The 3rd Ave. overflow is an ongoing issue that involves conduits that need to be replaced/repared. Attorney Sabatt said he had a proposal for this repair on his desk, but DEP wanted a large holding tank constructed that would become part of any on-site treatment plant. It was the opinion of the engineer that this was unnecessary in the sense that it is a significant expense that may not even be utilized as a component depending on what is finally decided on for a treatment facility. He is at a stalemate on that, and is going back to DEP and request that he be allowed to have the

over as receiver in March, before the emergency repair. The Board had no further questions for Attorney Sabatt, so questioning was opened up to the floor. *Maggie Berg of 2nd Ave* stated that there are problems on 2nd Ave as well which prompted her to invest in several plungers. She complained of a trench in front of her trailer that hasn't been paved, it hasn't been filled with anything. It is a hazard. She also complained of the mailbox area needing to be rock salted further away from the boxes because it gets very icy. *Joe Pacicco of 5th Ave.* asked if the proposals have looked only at sewerage treatment plants, or if they have looked at alternative technologies like composting toilets or incinerator toilets. Attorney Sabatt said that there are some of the alternative technologies on the table for the engineers to look at. He said that a lot of that decision rest on what DEP would approve, but they are being looked at in addition to the traditional on-site treatment plant. Mr. Pacicco thought it would be interesting to compare financially those "out of the box" ideas with the traditional systems. Attorney Sabatt stated again that it was an engineering assessment from his side of the table, but also a DEP assessment. He said that Mr. Pacicco's point was well taken, and was already under evaluation. Ms. Berg stood again and stated that anyone from 2nd Ave to 6th Ave do not have a way to get out if there is a fire at the front of the Park, which is a major problem. Ms. Peterson stated that the Board has asked Attorney Sabatt to look into that and the fire department has been contacted. *Steve Marconi* stated that there is an old fire road there that could be opened and would solve the problem. Ms. Berg stated that there aren't any fire hydrants in the Park and that they are all down the street on Barlow's Landing Road. Ms. Peterson stated that we would review the Minutes from the previous meeting at which this was discussed and find out who was supposed to do the contacting of the Fire Department, and make sure it gets followed up on. *Gail Daniels, 17 1st Ave,* asked what the problem on 1st Ave was that was mentioned earlier. Attorney Sabatt stated that there was sewerage percolation up under a trailer. Peter Valeri, the septic repair contractor, has been to the site. This is not the first time there have been issues in that area. On one of the previous problems, it was discovered that items that are not supposed to be flushed (paper towels) were being flushed and clogging the line. There have also been some sticks and rocks that were found in the pipes in that area. Ms. Daniels stated that they have been unable to get in contact with the management company that is supposed to be representing the residents, that she had called them and was told that they were no longer working for the Park. She wanted to point out that she stepped out of her trailer and her ankle went through a hole in the deck. She spoke with the management company, and they sent over someone who put a block of 2x4 with 2 nails. Ms. Daniels said that she removed it because she kept tripping on it. She is being told by the management company to look at her paperwork from when she bought the mobile home as to who owns the deck. Ms. Daniels pointed out that if she moves, the fencing, the trees, the sheds, etc. all remain property of the park; why would the decking be different? Attorney Sabatt responded that he had spoken with the gentleman who was sent out to repair the hole; Sabatt is not satisfied with the repair and has asked for an estimate to replace the deck. It is his intention to replace the deck. *Joanne Sedlock of 4th Ave* asked Attorney Sabatt what kind of consultant he was getting and how that consultant was going to be paid. Attorney Sabatt said the type of consultant he needs is for assistance in cash flow analysis. He wants a specialist who specializes in not just simple mathematics, but in analyzing income flows in real estate and the feasibility of real estate. He has funding available for this. Steve Marconi asked if the roads would be addressed soon because they are really bad. Attorney Sabatt agreed that they are bad, and he said he would be addressing them soon. He did acknowledge that he has promised action before and has not lived up to that promise. His first attempt to repair was a notable failure. He has gotten estimates for paving, and it is cost prohibitive. He has out now some estimates for cold patching, and he hopes that will work. He has asked for a breakdown street by street so that the worst roads can be addressed first. Mr. Marconi asked if it might be possible to get a street sweeper to clean up some of the mess left from the first attempt at repair. Attorney Sabatt said that he was going to try to get out to the Park once a week. He has met with someone about the problem; he knows it's a problem and he wants

to try to address it. He apologized for not addressing it sooner, but promised to follow through on it. *Ellen Bragg of 1st St* asked Attorney Sabatt if he was hopeful that the Park would remain open. Attorney Sabatt said that the overall sense is that if there is a way to do it, it will stay open. His sense is that the Attorney General's office would like to find a way for him to keep the Park open. He said there are some really good people in the Park. There were and are some bad ones, and he is trying to identify them and remove them. But the bulk of the people at the Park are good hardworking people, and he would like to be able to find a way for the Park to remain open. While it is not his decision to make, only his recommendation, he would like to find a way to make it a good, well-functioning facility for people to live in, in a healthy way. He is not going at it with the objective of "how soon can we close this", but he cannot commit to the result of it remaining open either. Ms. Peterson stated that we had checked back in the Minutes and it was the BOH that was to contact the Fire Department. She felt that perhaps the Fire Chief could meet Ms. Coffin and Attorney Sabatt at the Park for a more substantial reporting to the Board in regards to the fire road. Mr. Andrews commented to Attorney Sabatt that one of the things that has been made evident tonight, as well as at previous meetings, is a lack of communication with the residents of the Park. He asked how often he has been meeting with the residents in a public forum. Attorney Sabatt said only once, and he realizes that need improvement. Attorney Sabatt said he is planning a meeting at the end of October, hopefully at the Pocasset Community Club Building (Barlow's Landing Road) and hopes to meet with the residents on a monthly basis from now on. Mr. Andrews said that it seems as though the BOH meetings are being used as a forum for residents to sound off about not only health issues, but everything else. He stated that we would like to accommodate everyone, but the Board does have a busy schedule. Attorney Sabatt recognized that, and hopes that regularly scheduled meetings will allow the residents to "hammer away" at him. Mr. Andrews asked if he was anticipating a meeting at the end of October; Attorney Sabatt said yes, on a Saturday. Ms. Berg asked if they could get more than a day's notice of the meetings. Ms. Coffin stated that she had done 2 reverse 911 calls on Tuesday, but there was a small delay in them because of the Monday holiday, and she thought sending them the Friday would be too far in advance and people might forget. Ms. Peterson pointed out that people can check the website for the agenda and that it is not the Board's responsibility to notify every resident. Ms. Furtek stated that, for those that do not use computers, there are paper agendas available at the BOH office, and that they are welcome to call the office at any time to find out if the Park is on the agenda. Ms. Peterson said that Attorney Sabatt comes to the Board generally every two/three months, so that gives the residents an idea of the next time (probably around January 2012 when the license expires). Ms. Peterson called a 5 minute recess to allow the Park residents to depart.

2) Mike McGrath: presentation to the Board re: new type of alternative system

In attendance for this item was Mike McGrath, registered engineer and dominant partner in Holmes & McGrath.

Mr. McGrath stated that he has designed an alternative de-nitrifying septic system. He is also co-founder of a company in Bourne called Environmental Operating Solutions. They manufacture and sell a carbon used for de-nitrification at municipal sized treatment plants. RUCK systems work on the principle of stratified sand filters. Mr. McGrath provided the Board with a picture of a demonstration that he built for a civil engineering convention. It shows basically a glassed in bookcase with these stratified layers and water dosed onto it. Mr. McGrath said there is a sort of "magic" that happens when you stratify sand filters; you get better treatment caused by the texture changes in the layers. The man that invented the RUCK system told Mr. McGrath he designed the system to mimic the ground, and mimics the behavior of the groundwater as it moves through the ground. Mr. McGrath is now on his 4th model of RUCK systems. He claims

that on residential RUCK systems, he is getting 82% nitrogen removal, and with a "certain tweak" he gets over 90% total nitrogen removal. He has measured that nitrogen is lost as it travels through the RUCK filter through a series of bacterial actions. Mr. McGrath feels that if he can do this type of removal in the ground with natural occurring soils below the soil absorption system, he should be able to do it in the ground water. He stated that one thing that people say that to get rid of nitrate, you have to have organic carbon. He provided the Board with an "almost cartoon like" diagram of what is required for de-nitrification. It doesn't matter if the nitrates are in the ground or in a de-nitrification tank. Nitrates go in; bacteria action + time and temperature, de-nitrification occurs. De-nitrification means that nitrates are converted to free nitrogen and carbon dioxide and biomass. Mr. Andrews asked if this only happens at certain temperatures with the right conditions and the right bacteria in order to change the solid with the chemical reaction. Mr. McGrath agreed, and explained that it is a serial reaction. 1/3 of the soil bacteria are anaerobe. De-nitrification is very real in that, and it is a common, natural process. In his practice as a general civil engineer, Mr. McGrath found a sewerage plume of raw waste water at the Town Marina (in Falmouth) that was at 80 feet. He put together a bunch of concepts. The reason that they don't think that attenuation occurs in the natural soils is because when they dry the well, they don't find enough organic carbons in the soils for attenuation to take place. Mr. McGrath believes that attenuation does take place. He has a study done by a Marine Biological laboratory scientist that tracks a plume like the one at Falmouth Marina. It was a little different because it was above the groundwater and it attenuated over time and distance. He stated that one of the problems is that the carbon (in order for de-nitrification to occur, there must be carbon). His hypothesis was that if you took treated wastewater from a system and added carbon to it in the final discharge, attenuation should be able to be established in place. He was successful in doing this. He found that he lost 70% of the total amount of nitrates that were discharged at a small scale treatment plant in Yarmouth, MA. HE wrote and presented a paper on it. He started a new company called Ground Penetrating Carbon, Inc. using this idea. The process they use is called Wright Carbon. Basically what is done is they go to a waterfront lot, and they drive small scale monitoring wells (about 2 inches) in an area and put in transducers. The transducers relay what happens to the groundwater, and they are able to predict where the plume is. They then drive an irrigation well and a treatment well into the plume. In order to get the plume to go to the well, they pump in several times the daily discharge. In an irrigation system there are different zone. There is a spray irrigation zone, as long as the water is the right quality. The second zone puts a portion of the water into a small chamber where Wright carbon is added. It is then dosed back into the ground between the soil absorption system and the monitoring well. He believes this will remove the majority of the nitrogen that is in the groundwater that is captured. His research shows that if the water is pumped through several times on a RUCK filter, there are extraordinary removals. He deals with very high strength waste water in residential systems. His average on the 2007 model has been 80 mg/l. On the models built since 2007, he has been getting 85-87% removal, sometimes higher. Ms. Peterson stated that the presentation by the County had shown that the system worked well. Mr. McGrath is confident that he can remove nitrogen from the groundwater. It is hard to make it neutral, but if there was a lot of space allotted for the system (he said several feet), it could probably be made nitrogen neutral. He said it is a tool. It will also remove no matter where the nitrogen comes from. His hypothesis has always been that if you discharge nitrogen with carbon, there will be attenuation. He looks at fertilizer as having adverse consequence because there is very little carbon discharge with it. There is some evidence that those types of nitrogen plumes run a long way. At the treatment plant in Yarmouth, the monitoring well downstream is about 2 ppm, meaning that about 80% removal has occurred. Ms Peterson asked if Provincetown called on him with their discharge issue. Mr. McGrath said he had no dealings with P-Town. Ms Coffin asked if he had done any experiments with it not being at the tail end of an alternative treatment system; he said he had not. She asked if he thought he might be able to get results with a straight Title V system. Mr. McGrath stated that the regulatory

model says that about 42ppm hits this and there's 35ppm in the groundwater if you were to look at a Title V cross section. He sees about 80 ppm. He has yet to see any studies done with an actual plume with today's systems. Ms. Coffin says that the number of people with alternative systems is relatively small, and asked if he thought it might be something that should be looked at for regular Title V. Mr. McGrath said there may be some research on taking this and applying it to a Title V by putting the carbon close, but he didn't know if that will get funded. He felt it would work if there was a lot of space. There is a shared system in Falmouth that has irrigation wells that create a barrier and they have knocked the nitrogen down significantly. Ms. Coffin asked if he meant that you need more treatment spots. He said you need more area to irrigate and more area for carbon to drop through and degrade. It takes time, but it will work and it will work long term. Ms. Coffin asked if he needed DEP approval. He said there is no physical connection to the septic system. Ms. Coffin asked how he is getting people interested in the system. He has sent informational flyers out to engineers and wetland scientists and to Towns. Mr. Andrews stated that this only deals with nitrogen through the flow after the treatment process. There is no tie into the septic; it is built an "interruption barrier" from a resource or receptor and the septic system, essentially a curtain of sorts to prevent the nitrogen from flowing through to that resource. Mr. McGrath said he pumps and treats, and some of the carbon drops down into the groundwater and is readily available. Mr. Andrews and Mr. McGrath discussed the elements of organic gardening and the benefits of natural bacteria/organisms in the soil. Mr. McGrath also discussed several experiments he has conducted in his garage and the results that have led him to realize that you can't put too much carbon in the ground water or it will chemically seize up. He stated that an author named Chappelle has written a book on microbiology and hydrology which documents this process. Mr. Barlow said it was good that someone was doing this type of work, and asked if there was a way to adapt the technology so it could be used by recreational boaters, who are always having problems with their effluent. It was pointed out that it is an in-the-ground system. Mr. Andrews asked what the ratio of wells to the amount of area needed for irrigation (1 well which has 2 carbon injection points needs how big an area of irrigation to run that well?) Mr. McGrath said he did the math based on about 10-12 thousand sq/ft. of surface to be irrigated. Mr. Andrews asked how often carbon injections are needed to create a curtain. Mr. McGrath explained that with that size area, he uses a trench similar to a leaching trench for introducing carbon, along with 1 water well. The irrigation is about 70% on the top soil and 30% underground, all of which is restored back to the water table in that area. Mr. McGrath stated that Otis AFB has abandoned the sand beds that were in the quadrant that drained into Falmouth in 1995. In 2004, there was still organic carbon attached to the soil particles over 28 feet into the groundwater, and was still acting as a barrier for nitrogen. Mr. Barlow asked if it would make sense to market this system along with a specific system that would work along with it to direct the flow of effluent into the carbon area. Mr. McGrath said he wanted it to remain usable with any system. He stated that he is a pioneer in de-nitrification, and he doesn't want to get tangled up in bureaucracy. Ms. Coffin asked if a bunch of these systems in and was pumping 4 times the amount to draw up from the groundwater, is there enough of a draw that would affect the draw on nearby drinking well. Mr. McGrath said no, because what is being drawn out is going back in and clean. Ms. Peterson thanked Mr. McGrath for his presentation.

5) Approval of Minutes dated September 14, 2011 and September 28, 2011

For the Minutes dated September 14, 2011 and September 28, 2011:

Mr. Uitti motioned to approve; Mr. Andrews seconded the motion. The motion passed unanimously.

Mr. Andrews made a motion to adjourn. Mr. Uitti seconded the motion. The motion was passed unanimously.

The meeting was adjourned at 8:20 pm

Respectfully submitted,

Melissa A Chase

Melissa A. Chase
Secretary

Kathleen Peterson

Kathleen Peterson

Stanley Andrews

Stanley Andrews

Galon Barlow

Galon Barlow

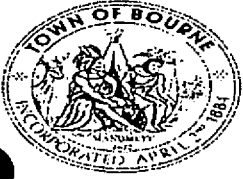
Don Uitti

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



2011 OCT 20 PM 1 23
Cynthia A. Coffin
Health Officer
TOWN CLERK'S OFFICE
BOURNE, MASS

MEETING NOTICE

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

Date:

October 26, 2011

Time:

7:00 P.M.

Place:

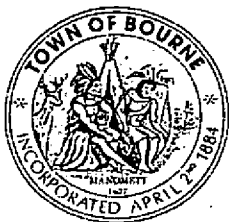
Bourne Town Hall
Lower Conference Room
24 Perry Avenue
Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) Pocasset Mobile Home Park: Update on 10/20 conference call regarding septic status (inspections, monitoring plan). Attendance of Attorney Chuck Sabatt requested. Possible discuss and vote on further Board action
- 2) 62 Old Plymouth Road: Update on status and possible discuss and vote on housing code compliance
- 3) Approval of October 12 Minutes

cc Board of Selectmen/Town Clerk

Signed: *Melissa A Chase*
Title: Secretary
Date: October 20, 2011



**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

**MINUTES
OCTOBER 26, 2011**

**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.

Ms. Peterson recognized that Mr. Sabatt had not yet arrived for the Pocasset Mobile Home Park agenda item, and that all involved parties were not yet present for 62 Old Plymouth Road. She stated that the Board would wait a few minutes for them to arrive. In the interim, Ms. Coffin forwarded a letter to the Board members that she had just received from DEP in regards to the Wind Turbine Regulations. Ms. Peterson pointed out that no one was to comment on what they were given; it was not an item for discussion as it was not posted on the agenda, but it was a forwarding of information to the Board.

The meeting was recessed for 5 minutes to allow persons on the Agenda to arrive.

The meeting reconvened at 7:05 pm.

(Agenda item 2 taken out of order)

2) 62 Old Plymouth Road: Update on status and possible discuss and vote on housing code compliance

In attendance for this item was Rachelle Willard, attorney representing owner Deutsch Bank.

Ms. Peterson read a letter addressed to Ms. Furtek, dated October 21, 2011:

"Dear Carrie: This letter is to certify that all of the items in the Board of Health's letter dated September 9, 2011 have been addressed. However, we have been dealing with the same baseline issues for over 1 year now. We first notified the Board of Health last fall requesting an inspection because water seeped into the cellar every time it rained....we are still dealing with the same issue about which we notified you. I have enclosed photos taken early yesterday morning...on October 20 of our wet floor and partially flooded cellar due to rainfall..." Ms. Peterson noted that Ms. Spencer was not at the meeting. Ms. Furtek stated that she had gone out with the contractor, Matt Connolly. He felt that the dampness after the rainstorm was probably percolating up from the ground, and that there wasn't really anything that needed to be done. He said that if there were other issues, he was willing to address them. Ms. Furtek pointed out that the pictures (forwarded by Ms. Spencer) were not date/time stamped. She was told by the tenants that they were going to

bring the camera to show the date stamp. Ms. Peterson said that the Board would not accept a camera as proof of a date/time stamp. Pictures have to be printed with a date stamp. Ms. Peterson asked the Board members if they had any questions for Ms. Furtek or Ms. Willard. Mr. Andrews asked Ms. Furtek if effort had been put forward to resolve the water issue. Ms. Furtek said they had done "above and beyond." They have re-graded away from the foundation; they have put downspouts and 10 foot downspout extensions; a sump pump was installed; there are 2 dehumidifiers. Ms. Furtek has asked Ms. Spencer to contact Ms. Willard directly if there are more issues so that the Mr. Connolly can be authorized right away to look at the problems. She felt there was not much more that the BOH could do other than say "yes, there is dampness." Ms. Peterson asked if, in the professional opinions of both the Health Agent and Health Inspector, all the items that have been previously put forth have been addressed and taken care of to the best of the contractor's ability at this time. Ms. Coffin stated that she would have liked to have seen the video Ms. Spencer said she had. Ms. Peterson stated that any videos or pictures had to be date/time stamped and submitted to the office; it would not have been accepted for them to show up with a camera to the meeting without prior stamping them in ahead of time for the Board to have sufficient time to review them. Ms. Willard stated that the Board had expressed numerous times to the tenants that they contact Ms. Willard or her office directly regarding water coming in; she has yet to receive any contact at all from the tenants about water coming in. The only notification she has gotten is from Ms. Furtek. Ms. Willard felt that the tenants are not in contact with her office. Ms. Peterson stated that is not how things are supposed to work. The BOH office is not to be a go-between for the tenants, that these tenants are supposed to follow all the procedures that any other tenant would have to do because this office can only deal with corrections as they are put in. Ms. Peterson said that they cannot call in to Ms. Furtek and say "something has happened, can you take care of it." Mr. Barlow stated that he and Mr. Uitti had done a site visit, and he felt that the Bank has made a good faith effort to remedy the problems. It is a stone foundation rather than a poured foundation, is very old, and will probably be problematic forever. One area may get fixed, and a leak will spring up somewhere else. Mr. Barlow felt that, for now, the current issues have been addressed. He said that the tenant had sent in a letter stating that the issues had been addressed, but the cellar still leaks. He is not surprised by this, but he thinks that the issues have been addressed to the best of the Bank's ability, and in good faith.

Mr. Andrews moved that the Board consider the complaints on 62 Old Plymouth Road addressed and cleared, and that all letters of complaint up to this point have been satisfied by the landlord. Mr. Uitti seconded the motion. The motion carried unanimously.

1) Pocasset Mobile Home Park: Update on the 10/20/11 conference call regarding septic status (inspections, monitoring plan). Attendance of Attorney Chuck requested. Possible discuss and vote on further Board action

In attendance for this item was Attorney Chuck Sabatt.

Ms. Peterson stated that it was her understanding that Attorney Sabatt had requested that the Board enter into executive session. She asked for him to explain why he felt this was necessary. Attorney Sabatt stated that he had discussed it with Town Counsel, and he thought that Town Counsel had not yet submitted a memo to the Board about that. It was pointed out that a memo had, in fact, been received, and it basically stated that the Board may or may not go into executive session. Attorney Sabatt stated that he felt that, because there was currently litigation against Mr. Austin, he was concerned that any public discussions might become fodder in that litigation, and felt that executive session might be more appropriate venue for discussion of this case. Mr. Barlow stated that they needed a roll-call vote to go into executive session. Ms. Peterson stated that she was still unclear as to why executive session was necessary. Attorney Sabatt felt that

discussing the septic pumping plan and the conference call would not be problematic, and would not require executive session. Mr. Mulvey (audience member) suggested that if executive session was called, the Board and Attorney may want to reconvene to the upstairs room rather than try to discharge the audience. He also asked how an open discussion of the matter would interfere with negotiation. Ms Peterson said that would not be discussed here, and that is why the Board would move to executive session. Mr. Barlow said that if the Board was going into executive session it would be discussed, but executive session is not being called, so discussion will not happen. An unnamed audience member asked for clarification as to if a reason had to be given for going into executive session. Ms. Peterson said yes, if we were going into executive session. She stated that this was a discussion of the reasons the Board might enter into executive session. It was not the Board that asked to go into executive session; she stated that the Board does understand Attorney Sabatt position that it is a legality issue and there are lawsuits pending. If the Board is discussing any part of that, Attorney Sabatt is the one who will have to defend the Park's position. Attorney Sabatt stated that there was an inspection on site on October 18 with the Health Agent, some other Board members and Mr. Gilpin. What he took away from the inspection is that there is a need to be more aggressive about the inspections of the system and need to be more aggressive with any pumping that is necessary. After the inspection, there was a conference call (October 20, 2011) with Attorney Sabatt; Ms. Coffin; Ms. Furtek; Mr. Barlow; an engineer from BSC engineering; Assistant Attorney General Tracy Triplett; and an engineer from DEP. During this call, it was agreed that there would be a weekly inspection conducted by Mr. Gilpin with Ms. Coffin present, and that there would be a more formal inspection on November 16, 2011 at which members of the Board can be present. He stated that there was an inspection done by Mr. Gilpin, and Ms. Coffin sent him a memo regarding this inspection. He felt that it was positive, but he would let Ms. Coffin speak in regards to that memo rather than speaking for her. Attorney Sabatt now has Mr. Gilpin going out every week, and he has been advised to pump as needed without prior approval to keep the system clear. There is another conference call scheduled for Friday, November 4 with the same group to discuss where the Park is as it heads into the winter months. There is an issue about replacing some pipes, which he has been advised by his engineer that this should be done. He has been at an impasse with DEP; they want more to be done than to just replace pipes, but the engineer feels that it would be wasteful, expensive and not be able to be reused. Ms. Peterson asked the name of the engineer; Attorney Sabatt stated that it was Brian Yergatian from BSC Engineering. Attorney Sabatt didn't know if it would be helpful to replace the conduits before going into the winter. He is willing to get the funding for it and having it done, but is hoping to discuss it further with DEP during the Nov 4 conference call. He is prepared to be aggressive about the inspections and pumping as necessary. He related that he received a memo from the maintenance company saying that there were solids (possibly a blockage of wipes/paper towels) in the tank on 5th Ave. Mr. Gilpin had gone out and pumped, and Ms. Coffin should be receiving notification of that. Ms. Peterson commented that she had a proposal in hand that was a proposal from BSC engineering, and asked Attorney Sabatt if he had actually hired BSC. He confirmed. Mr. Andrews informed Ms. Peterson that the contract is further into her packet, and that the monthly reports show the status reports of what they are working on. Mr. Andrews stated that he wanted to get right to his concern. He stated that at the last meeting, Attorney Sabatt had spoken of a backup, and at the site visit the tank was full of solids and up and over the pipes. One half of the leaching field was not being utilized, and that temporary repair was supposed to handle half of the Park flow. His concern is that the inspections are not being accomplished, and reports are not being sent to the office to document that they are being done. He now has a low comfort level with how long that temporary repair is going to hold; he has no confidence in it without documentation that the inspections are being done. It was part of the licensing stipulations. Another stipulation of the license agreement was that the 24 hour maintenance number be posted for the residents, and he felt it was not posted. Ms. Coffin pointed out that it was posted on the mailboxes. Mr. Andrews said that the stipulations were put there for

a reason, that the intent was to make sure everyone was kept in the loop and knew what was going on. He stated, as he had at the last meeting, that the Board does not want these meetings to be a sounding board for the residents; he wants them to be kept informed and wants Attorney Sabatt to be proactive at keeping the site from becoming an issue again. Mr. Andrews said he was very concerned, especially after seeing the tanks in the condition they were in and seeing that the temporary fields were not being utilized, and he emphatically stated that he did not want to hear of it happening again. Attorney Sabatt responded to Mr. Andrews concerns. Attorney Sabatt asked Mr. Andrews to recall when he took over as receiver of the site. Attorney Sabatt defended his position by stating that he had been on the job for about 3 weeks; Mr. Gilpin was pumping almost every day and suggested the installation of the temporary trenches. Ms. Coffin was contacted immediately. He got DEP on the phone, had an engineer on site, and he feels he managed to cut through the red tape with DEP, as well as obtained the funding by securing a loan, and he is the one that got those trenches built. It is because of his efforts that that temporary system is even in place. He stated that in his monthly reports, he always says that he does not know how much longer the system will hold, that it is temporary and it is not the final fix. He did agree that this most recent inspection showed him that it is necessary to be more aggressive with inspections and pumping, and that is exactly the response that he is engaged in. He feels that he has been open to doing whatever is asked to be done, and has not resisted. Mr. Andrews did agree with Attorney Sabatt that he had been proactive with getting the trenches in there. Attorney Sabatt did express concern over the issues that may arise with the winter months coming. He feels that Ms. Coffin is informed of issues as soon as they arise at the Park. Mr. Barlow stated that right after the conference call, Mr. Gilpin left a message at his house stating that he had been comfortable with the repair and hadn't been monitoring it as closely as he should have been. Mr. Barlow stated that he was not trying to alleviate Attorney Sabatt of anything, but was just pointing out that Mr. Gilpin was not monitoring it as closely as he should have been. Mr. Gilpin assured Mr. Barlow that, now that he realizes the state of the system, he will remain on top of it. Mr. Barlow feels that Mr. Gilpin is a credible man, and he is comfortable with Mr. Gilpin's word that he will remain on top of it. Attorney Sabatt stated that he is here to stay on top of things that are happening "on his watch". He does rely on the advice of other professionals for what to do and how to do it, but he has never resisted any recommendations. Attorney Sabatt says he has "tremendous faith" in Mr. Gilpin; he feels Gilpin has been terrific so far. But he is also aware that it is ultimately his responsibility. He hopes to err on the side of "overkill", especially after this last inspection, and he intends to keep Mr. Gilpin and his son (who is also part of the business and is licensed and qualified to step in when the elder Gilpin goes to Florida) on top of it throughout the winter months. Attorney Sabatt gave an assurance that he will make sure that the system is inspected as regularly as the Board wants it inspected. He reiterated that he has no problem in engaging in overkill; he has the funding. He praised the Park tenants who are diligently paying their rent; because of them he has the funding to address these things. He has a source of funding if needed to make necessary repairs, and will move forward to do that as needed. Ms. Peterson stated that at the last meeting, Attorney Sabatt had expressed that his recommendation to the Court was being moved up to January 2012. She asked what reassurance he could give the Board that he is moving forward in a timely manner to find resolution to the problems at the Park. Attorney Sabatt stated that BSC engineering is in the process of obtaining bids and pricing for the project. He has signed a contract with BSC, and it has been approved by the Court. BSC estimates that they should have all the information by the end of November. He stated that he is still working on getting an analyst to help with the other side of the coin (finances). He is "doing his homework" now as to what the market would bear in terms of rental pricing, but needs that accounting/appraisal help, which he is in the process of obtaining. He has filed a motion with the Court on September 27, 2011 and had discussed with the judge about needing additional time, to which she agreed, as did the Attorney General's office. He will be hard pressed to look for further extensions beyond January 15, 2012, so he will be under the gun to get that report in by January

15. Now that the engineers are underway, the pricing and bids should be in, and then it will just be a matter of the cost analysis. With no further questions, Attorney Sabatt said he would see the Board members at the site on November 16.

The Board thanked Attorney Sabatt for his update, and asked Ms. Coffin to send a reminder notice of the site visit to the Board members on November 14.

3) Approval of Minutes dated October 12, 2011

Mr. Andrews moved to accept the Minutes. Ms. Tinkham seconded the motion. The motion passed unanimously.

Mr. Barlow made a motion to adjourn. Mr. Andrews seconded the motion. The meeting was unanimously adjourned at 7:30 pm.

Respectfully submitted,

Melissa A Chase

Melissa A. Chase
Secretary

Kathleen Peterson _____

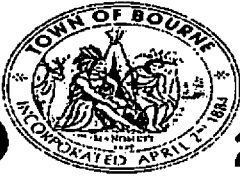
Stanley Andrews _____

Galon Barlow _____

Don Uitti _____

Carol Tinkham _____

cc Board of Selectmen/Town Clerk



2011 NOV 3 PM 1 09

TOWN OF BOURNE
BOARD OF HEALTH
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

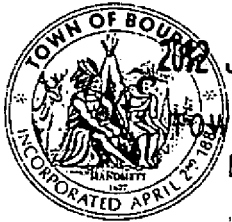
<u>Date:</u>	<u>Time:</u>	<u>Place:</u>
November 9, 2011	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) 1077 County Rd: Rose Kazaryn: 1st time horse license: Discuss and vote on pending application for a barn license
- 2) Dan Barrett: ISWM Update: Discussion with Board re:
 - a) Phase IV Liner Project; Relocation of gas recovery piping system
 - b.) Update on schedule to install new, permanent Vertical gas recovery wells in Phase 2A/3A Stage 2
 - c.) Discuss the acceptance of Fly Ash from SEMASS, Covanta.
- 3) Approval of Minutes dated October 26, 2011

cc Board of Selectmen/Town Clerk

Signed: *Melisse A Chase*
Title: Secretary
Date: November 3, 2011



JAN 12 AM 9 18

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

MINUTES
NOVEMBER 9, 2011

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

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 Galon Barlow

- 1) 1077 County Rd: Rose Kazaryn: 1st time horse license: Discuss and vote on pending application for a barn license

In attendance for this item were Rose Kazaryn, homeowner and her family.

Ms. Coffin explained that the process was started because an application for a barn for a horse was turned in to the Building Dept. As the application was routed around to departments, Ms. Coffin didn't approve it through the Board of Health. She wanted to make sure that the home owner was aware that a first time barn needed a hearing before the Board for licensure approval. Because of difficulties in the past with abutters to horse barns, the Board made the policy to have new barns come before the Board for a hearing and that all abutters to the property would be notified of what was going on. She wanted to make Ms. Kazaryn aware that it was a Board policy, not just for her. Ms. Coffin said that she could tell from the provided plan that there is a lot of land. She did state that her father is an abutter, but she doesn't live at home, so it's not a problem. It appears that the barn meets the zoning setbacks. The corral has been drawn in on the plan. No variances to the horse regulations were required. Ms. Kazaryn has provided the Board with a manure management plan, stating that manure will be removed by Ronnie Busningo and flies will be controlled via Fly Predators. Ms. Coffin questioned what "fly predators" is. The home owner explained that "fly predators" are actually a bug that controls the fly population by eating the fly larva in the manure. They live on the manure, and are non-biting, non-stinging insects. Ms. Coffin asked if the fly predators themselves are a nuisance. The home owner said no; they are tiny and don't bite; they just eat the larva. (*side note: further information on "fly predators" can be found at <http://www.thebeneficialinsectco.com/fly-predators.htm>*) Ms. Coffin stated she was not familiar with the person they have planned to remove the manure. She did reiterate that things will be OK as long as there are no complaints and that the pasture and stable are picked up once a day; there will sometimes be limits placed on the amount of manure that can be on the property at one time, but to just be aware of the amount of manure on the property at any one time, and have it removed periodically. Mr. Barlow stated that if the horses become a nuisance to neighbors, then the Board has to step in and address it. It's much better for everyone if the issue is just kept under control. The home owner agreed.

Mr. Uitti made a motion to approve the application for barn license for 1077 County Road, with an initial limit of 2 horses. Ms. Tinkham seconded the motion. The motion carried unanimously.

2) Dan Barrett : ISWM Update

In attendance for this item was Dan Barrett, General Manager ISWM

Mr. Barrett forwarded a written update to the Board. (scanned below and also attached at end)



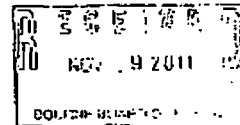
Seal of the Town of Bourne
1825
1825

TOWN OF BOURNE
Department of
Integrated Solid Waste Management



LOCATION:
200 McCarthy Street
Bourne, MA 02532
Tel: 508-825-2500

TO: Bourne Board of Health
FROM: Dan Barrett, General Manager
Town of Bourne, ISWM Department
DATE: November 9, 2011
RE: Landfill Update.



Phase IV Liner Project

The contractor ET&L is on site and preparing to begin work. They would like to begin by relocating the gas collection well piping in Phase I ABC that will be covered over by the Phase IV liner. There are 8 wells on the southwest slope of Phase I ABC that will be impacted. This will require excavation into the tank and create the potential for offsite odor migration. We propose to use the "Vertical Gas Well Installation/Excavation Project, Daily Check List" (See attached) as previously approved by the Board and used successfully on the last two gas system expansion projects. ET&L was the contractor on the last expansion project and they were very successful at preventing and controlling of site odor during that project. They were reminded of the sensitivity of the potential odor issue at the preconstruction meeting.

Phase 2A/3A Stage 2 Well Installation Project

ISWM received approval at the October 17, 2011 Special Town Meeting to remove funds from the existing closure account necessary to complete installation of eight, permanent, vertical gas collection wells in Phase 2A/3A Stage 2. This area is the last area in the active landfill to receive permanent collection capability. We are in the process of developing a Major Modification Application to submit to Massachusetts Department of Environmental Protection seeking approval to proceed. The Stage 2 area is currently at finish grade and we are applying intermediate cover. We anticipate well installation will occur shortly after the first of the year.

Request for Discussion of Acceptance of Fly Ash

As you are aware the Town has been in discussions with Covanta regarding expanding our current business relationship. Covanta has proposed the possibility of disposing limited amounts of fly ash at the Bourne Landfill. Recognizing that in the past there have been concerns regarding this option, I wanted to open up discussions and see what the Board's concerns are. If the Board were interested Covanta has offered to have one of their engineers familiar with the characteristics of fly ash appear before the Board to answer questions, much like we did when we proposed accepting bottom ash.

Mr Barrett explained that they are utilizing a daily check list before doing any digging, based upon weather conditions. This check list has been useful on the past couple of projects in helping to reduce the potential for odors. Mr. Barrett anticipates that this phase (Phase I ABC) of the project will take a couple weeks to complete. They have a product that is sprayed directly on the

trash and the trench to eliminate odor should there be a problem. It is basically a disinfectant and bleach that takes care of odors until the trenches can be covered up. He moved on to the next item, the Phase 2A/3A Stage 2 Well installation project. He explained that this is the last area in the active landfill that does not have gas collection. There is a marginally effective mid-trench in there. It is currently at finish grade, and there is now intermediate coverage on it. The past couple of weekends there were some odor issues, but they were due primarily to mechanical failures. The variable frequency on the main blower motor went. It failed on a Friday afternoon; they were able to get it running over night at diminished capacity. The company was out there first thing Saturday morning and fixed it. A couple neighbors did call with concerns about the odor. The relocation of the pipes on Phase 1 ABC will help tremendously, and they are hoping for good weather to continue so that the vertical pipes can be installed. There have been some complaints about the entrance road; the front section is all torn up, and it will be an issue for the better part of the next 8 months. However, the section that has been torn up will be blacktopped within the next 2 weeks to make it more passable for the winter. They were going to hold off until the septic was installed for the new scale house, but the contractor wanted to hold off on that for a bit. Ms. Coffin asked who the septic installer was; Mr. Barrett was unsure at this point, but will let the office know as soon as he does. An unnamed audience member asked what the large hole area dug out is. Mr. Barrett explained that was the Phase 1D landfill excavation. It had been mandated by DEP to dig out the landfill left over from the 60's /70's and this will be the location of the next cell. He felt it was about 2 weeks from completion of that project. Mr Barrett was asked where the material goes when excavated. Mr. Barrett explained that it was screened. The recyclables are picked out (mostly metal); the waste material is dumped up in the landfill, and the left over sand and mixed material is tested every 5000 yards against ground water standards. The material that passes can be used around the site to build roads; most of it is being piled down in the hole at Phase 4 is going to reconstruct the slope. Audience member Mort Twomey (with the Selectman's Task Force on Local Pollution and Storm Water management project board) asked how the bleach product was applied to the material to diminish odor. Mr.Barrett explained that it was spray applicated on the landfill. Mr. Twomey asked what the formula was; Mr. Barrett said it was done by a contractor that works for the landfill; this same contractor operates the wet scrubber on the gas flare. Mr. Twomey made a suggestion of a gas that is added to the stream to eliminate all odors at the plant before the material is brought to the landfill. Mr. Barrett explained to Mr. Twomey that particular application wouldn't work in this circumstance because it is treating existing material that is being exposed by digging the trenches; the spraying is done for immediate spot treating. Mr. Twomey asked about material coming in; Mr. Barrett said that the material coming in is treated before coming in. Mr. Twomey asked about the groundwater at the landfill, specifically the sediment dry rate. Mr. Barrett said it was about 20% moisture. Mr. Twomey asked how it was dried(particularly the fly ash), ie: by centrifuge. Mr. Barrett was unsure of the process of how the ash got dried, but knew that it was about 20% moisture when it came in. Mr. Barlow pointed out to Mr. Twomey that the pollution task force has not, in the past, been involved in the landfill, but rather in storm water pollution and issues like that around town. He felt the Board was kind of surprised to have him there, not that he was unwelcome, but was just surprised. Mr. Barrett invited Mr. Twomey to come and visit the landfill anytime. Mr. Twomey asked what type of flow of volume was coming into the landfill (solids vs. liquid). Mr. Barrett said it was all solids (municipal solid waste). 90% of what comes in is municipal solid waste (curbside trash); they are prohibited by law from taking liquid waste/sludge. There were lagoons years ago, but they no longer exist, and sewerage sludge is not taken anymore. Mr. Twomey asked about leachate water; Mr. Barrett said it is shipped out to SEMASS and some to Middleboro, as well as a couple other locations. Mr. Barlow pointed out that the leachate has diminished significantly since the landfill was capped. Mr. Barrett agreed. Discussion moved on to the topic of fly ash. Mr. Barrett said that the Town is in discussions with Covanta regarding expanding the relationship with them. He explained that right now, the landfill is taking processed

bottom ash (PBA) for cover and disposal. Covanta would like to discuss the possibility of disposing fly ash as well. Mr. Barrett recognizes that there are concerns regarding fly ash. Mr. Barrett worked for SEMASS in the mid 80's when the incinerators were first out into use, and there was a great deal of concern about what was in the fly ash. DEP and the US Federal Government required them to test the ash quarterly, which they did for about 10 years. Nationwide, nothing showed up, so the state and federal government stopped requiring testing. Semass still does the testing, and there are reams of information stored there about it. In Mr. Barrett's opinion, the landfill can handle the fly ash. There operational issues involved with fly ash that are not involved in handling PBA. It tends to be stickier and tends to stick to the trucks. If the landfill is to take fly ash, they would more than likely hook up a wheel wash for the trucks. It is in the capital budget to install a wheel wash. They wanted to put the idea out to the Board for discussion and questioning. If questions are generated, Covanta could be asked to come in and answer those questions. Mr. Barlow stated that the full Board was not in attendance at the meeting, but he would relay his recollection of the PBA /fly ash situation with a site assignment situation is Sagamore. He knew there was a lot of discussion, but the Board decided to let DEP tell the Board what to do. Ms. Coffin stated that the Board gave final approval on what they asked for, restricting it to what was asked for. Mr. Barlow said that DEP would be consulted before approval of the fly ash expansion with Covanta. He stated that he would be more comfortable with a full Board in posing questions to Mr. Barrett in regards to the issue. Mr. Twomey asked if it was a DEP/EPA regulation that every vehicle that comes with a load be washed before leaving. Mr. Barrett was not aware of that being a regulation. Mr. Twomey asked what would be done with the waste water from that washing; Mr. Barrett said that it would most likely be hauled off. He explained to Mr. Twomey that those kinds of decisions were far off at this point. Mr. Twomey asked where the fly ash would be coming from; Mr. Barrett said that it would mostly come from Covanta/SEMASS in West Wareham. Ms. Coffin asked, for scheduling purposes, if Mr. Barrett was looking towards the new year for a timeframe. Mr. Barrett said he was just trying to keep the ball rolling, so he was open for any time the Board wanted. Mr. Twomey asked what kind of volume of fly ash (on a weekly basis) they would be looking at. Mr. Barrett said they are not at that point yet; it is all at a negotiation stage at the moment. He was just there to see if the Board had any questions/discussion about it. He felt it would be a small amount of ash, something like 10,000 tons in the course of a year. Ms. Coffin asked Mr. Barlow if he thought it would be worthwhile to have someone from Covanta come in during the December 14th meeting to discuss fly ash. Mr. Barlow felt he should defer that question to the Ms. Peterson for a decision. Ms. Coffin said that Ms. Peterson had sent her an email, stating that she'd like the Board to have some background information before being asked to take a formal vote. Ms. Coffin felt that if even just a basic presentation on what fly ash is would give the Board some of the information they would need for developing questions. If that was done in December, the Board would be in a better position for making a decision in January or February. Mr. Barrett agreed. Mr. Barlow stated that the only thing he wanted to bring up was that, while the road in isn't too bad, people are getting flat tires from nails that fall out of the trucks. Mr. Barrett stated that it is gone over with a magnet and followed up with a sweeper. Mr. Barrett is aware that it is an issue, and feels that it will be better once the road is repaved. Ms. Coffin asked if there would be well drilling over the Thanksgiving holiday. Mr. Barrett said that the trenches will be closed up for the holiday. Diane Barth (reporter from the Enterprise) asked what, in terms of the wells, necessitated the relocation. Mr. Barrett explained it was due to the installation of the Phase 4 liner. There were no further questions for Mr. Barrett. Mr. Barlow suggested that perhaps DEP should be notified about a fly ash presentation so they can provide information from their side as well. Ms. Coffin and Mr. Barrett both said they would call to inform both Covanta and DEP about a presentation.

3) Approval of the October 26, 2011 Minutes

Ms. Tinkham made a motion to approve the minutes of October 26, 2011.
Mr. Uitti seconded the motion.
The motion passed unanimously.

Mr. Uitti made a motion to adjourn. Ms. Tinkham seconded the motion. The motion passed unanimously. The meeting adjourned at 7:35 pm.

Respectfully submitted,

Melissa A. Chase
Secretary

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

2011 DEC 8 PM 2 57
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>
December 14, 2011	7:00 P.M.	Bourne Town Hall Lower Conference Room 24 Perry Avenue Buzzards Bay, MA 02532

AGENDA ITEMS:

- 1) Fly Ash Presentation : Covanta
- 2) Approval of Minutes dated November 9, 2011

cc Board of Selectmen/Town Clerk

Signed: *Melissa A. Chae*
Title: Secretary
Date: December 8, 2011



2011 DEC 13 PM 12 09

TOWN OF BOURNE
BOARD OF HEALTH
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

CANCELLED

MEETING NOTICE

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

Date:

December 14, 2011

Time:

7:00 P.M.

Place:

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

AGENDA ITEMS:

- 1) Fly Ash Presentation : Covanta
- 2) Approval of Minutes dated November 9, 2011

cc Board of Selectmen/Town Clerk

Signed: *Melissa A. Chase*
Title: Secretary
Date: December 8, 2011