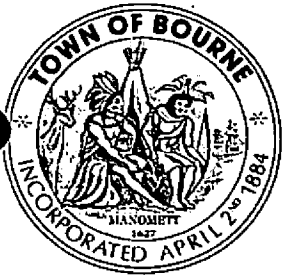


# 2010 Meeting Notices

Vol. 9

Selectmen

9/6/17  
ncl



## Board of Selectmen Meeting Notice



### EXECUTIVE SESSION

#### 6:00 P.M. CONTRACTS/LITIGATION

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 5, 2010	7:00p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

- 7:00 – 7:15 (Items 1-5) Call to order
1. Moment of Silence for our Troops
  2. Salute the Flag
  3. Public Comment – Non-Agenda Items
  4. Approval of Minutes: December 8 and December 15, 2009
  5. Correspondence
6. 7:15 Pole Hearing: 52 Baxendale Road, Cataumet
7. Cohasset Narrows Bridge – Mass DOT
8. Licenses appointments:
- a. Alzheimer's Services of Cape Cod & Islands
  - b. Cape Cod Road Runners
  - c. Dick Melloni Youth Foundation
  - d. Wayho Grille
9. Town Administrator's Report
- a.
  - b.
10. Other Selectmen's business
11. Adjourn

2009 DEC 31 PM 1 57  
TOWN CLERK'S OFFICE  
BOURNE, MASS.

**Board of Selectmen Meeting Minutes – January 5, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

TOWN CLERK'S OFFICE  
BOURNE, MASS

2010 JAN 13 PM 3 24

\*\*\*\*\*  
**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki that the BOS enter into an Executive Session under the provisions of Mass. General Law Chapter 39; Section 23B and specifically Section 3 as it relates to Contracts and pending litigation and to return to open session at 6:00 pm. Roll call: Pickard – yes; Sloniecki – yes; Ford – yes; Meli – yes; and Mealy – yes.

**Meeting called to order**

7:12 pm.

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

**Public comment – Non agenda items**

Mr. Sheehan commented on rotary signage between Route 6 and Route 28. TA Guerino will draft a letter to District 5.

Mr. Miller commented on Restoration Project may be of assistance with Town dredging and requested information on it.

**Pole Hearing: 52 Baxendale Road, Cataumet**

Sloniecki **moved** and Mealy to continue hearing to January 19, 2010 for Pole hearing at 52 Baxendale Road, Cataumet. **Vote 5-0.**

**Approval of Minutes**

Selectman Sloniecki **moved** and **seconded** by Selectmen Meli to approve December 8, 2009 minutes as submitted. **Vote 5-0.**

Selectman Sloniecki **moved** and **seconded** by Selectmen Mealy to approve December 15, 2009 minutes as submitted. **Vote 5-0.**

**Correspondence**

Selectman Mealy reviewed the correspondence. All correspondence is on file in the Town Administrator's Office.

Items R & S

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to grant Beachmoor request to close for cleaning, etc. from January 2, 2010 – March 31, 2010 and Stir Crazy request to close for renovations from December 25, 2009 – January 20, 2010. **Vote 5-0.**

Item O

TA Guerino will draft a letter on behalf of the Board recognizing Mr. Joe Gordan's services to the Town.

**Hamilton Ambulance**

Selectman Meli suggested to take ambulance out of Town Meeting. TA Guerino stated that could be easily done.

**Cohasset Narrows Bridge – Mass DOT**

Project will increase size of the bridge and to maintain the current clearance in the Bay. It will also maintain two-way traffic during the five (5) stages of construction.

Proposed schedule to begin September 18, 2010. Construction will last about two (2) years. Penalty or bonus for GC of project completion discussed.

TA Guerino commented on retaining walls concerns during construction, and inquired about the long-term impact.

Selectman Sloniecki suggested including signage for the two affected businesses. He also suggested more signage on Head of the Bay Road.

Selectman Pickard suggested to require contractor to work specific hours. He also inquired about GC penalties on construction extension or a bonus for early finish for the GC of the project.

Plans will be on file in the Town Administrator's Office.

**Licenses/appointments**

**a. Alzheimer's Services of Cape Cod & Islands**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Alzheimer's Services of Cape Cod & Islands request for 18<sup>th</sup> Annual Miles of Memories Walk to be held on May 23, 2010 from 8:00 am to 3:00 pm per routing slip. **Vote 5-0.**

**b. Cape Cod Road Runners**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Cape Cod Road Runners request of 30<sup>th</sup> Annual Winter Fun Run on January 10, 2010 at 10:30 pm per routing slip. **Vote 5-0.**

**c. Dick Melloni Youth Foundation**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Dick Melloni Youth Foundation request for Annual Charity Bike Ride – Use of Town Roads on September 19, 2010 from 8:00 am to 12:00 pm per routing slip. **Vote 5-0.**

**d. Wayho Grille**

Table to next week for further clarification.

**Town Administrator's report**

**Ocean Planning – Coreen Moore, Town Planner**

Governor signed MA Ocean Act of 2008. Within the Act, to develop a Mass. Ocean Management Plan. Within Plan, asked Cape Cod Commission and Martha's Vineyard Commission to review plans and regulate, within jurisdiction, additional rules and regulations.

This plan is for off shore wind turbines. Red lined area proposed as a DCPC (District of Critical Planning Concern). Vote to be taken of DCPC on January 21, 2010.

Michael Blanton, Cape Cod Commission representative, commented on responses of said Plan. This does not affect the Cape Winds project at this time.

**Six (6) month budget expenditure** - for Selectmen review.

**Discussion Forum** – Pros and cons relative to Civil Service scheduled for January 20, 2010.

**Other Selectmen's business**

Ford - Screening Committee (BOS, BOH and FinCom - general public involvement); and Working Group for ISWM meeting on January 7, 2010.

Sloniecki – Vote of No Confidence - expressed disappointment of Superintendent and School Business Manager.

Mealy – Philips Road parking on future agenda; School financial reporting - monthly updates along with input from schools.

Meli – Vote of No Confidence. Selectmen need to make a statement.

Pickard – Vote of No Confidence for next week. Will draft statement for Board to review along with Mealy.

Ford – not in favor of a Vote of No Confidence.

**Adjournment**

Selectman Pickard **moved** and **seconded** by Selectman Sloniecki to adjourn.

**Unanimous vote.** Meeting adjourned at 9:55 pm.

Respectfully submitted - Lisa Groezinger, sec.

**Board of Selectmen Meeting Minutes – January 5, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

2010 JAN 28 AM 10 15

TOWN CLERK'S OFFICE  
BOURNE, MASS

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki that the BOS enter into an Executive Session under the provisions of Mass. General Law Chapter 39; Section 23B and specifically Section 3 as it relates to Contracts and pending litigation and to return to open session at 6:00 pm. Roll call: Pickard – yes; Sloniecki – yes; Ford – yes; Meli – yes; and Mealy – yes.

**Meeting called to order**

7:12 pm.

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

**Public comment – Non agenda items**

Mr. Sheehan commented on rotary signage between Route 6 and Route 28. TA Guerino will draft a letter to District 5.

Mr. Miller commented on Restoration Project may be of assistance with Town dredging and requested information on it.

**Pole Hearing: 52 Baxendale Road, Cataumet**

Sloniecki **moved** and Mealy to continue hearing to January 19, 2010 for Pole hearing at 52 Baxendale Road, Cataumet. **Vote 5-0.**

**Approval of Minutes**

Selectman Sloniecki **moved** and **seconded** by Selectmen Meli to approve December 8, 2009 minutes as submitted. **Vote 5-0.**

Selectman Sloniecki **moved** and **seconded** by Selectmen Mealy to approve December 15, 2009 minutes as submitted. **Vote 5-0.**

**Correspondence**

Selectman Mealy reviewed the correspondence. All correspondence is on file in the Town Administrator's Office.

**Items R & S**

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to grant Beachmoor request to close for cleaning, etc. from January 2, 2010 – March 31, 2010 and Stir Crazy request to close for renovations from December 25, 2009 – January 20, 2010. **Vote 5-0.**

**Item O**

TA Guerino will draft a letter on behalf of the Board recognizing Mr. Joe Gordan's services to the Town.

### **Hamilton Ambulance**

Selectman Meli suggested to take ambulance out of Town Meeting. TA Guerino stated that could be easily done.

### **Cohasset Narrows Bridge – Mass DOT**

Project will increase size of the bridge and to maintain the current clearance in the Bay. It will also maintain two-way traffic during the five (5) stages of construction.

Proposed schedule to begin September 18, 2010. Construction will last about two (2) years. Penalty or bonus for GC of project completion discussed.

TA Guerino commented on retaining walls concerns during construction, and inquired about the long-term impact.

Selectman Sloniecki suggested including signage for the two affected businesses. He also suggested more signage on Head of the Bay Road.

Selectman Pickard suggested to require contractor to work specific hours. He also inquired about GC penalties on construction extension or a bonus for early finish for the GC of the project.

Plans will be on file in the Town Administrator's Office.

### **Licenses/appointments**

#### **a. Alzheimer's Services of Cape Cod & Islands**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Alzheimer's Services of Cape Cod & Islands request for 18<sup>th</sup> Annual Miles of Memories Walk to be held on May 23, 2010 from 8:00 am to 3:00 pm per routing slip. **Vote 5-0.**

#### **b. Cape Cod Road Runners**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Cape Cod Road Runners request of 30<sup>th</sup> Annual Winter Fun Run on January 10, 2010 at 10:30 pm per routing slip. **Vote 5-0.**

#### **c. Dick Melloni Youth Foundation**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Dick Melloni Youth Foundation request for Annual Charity Bike Ride – Use of Town Roads on September 19, 2010 from 8:00 am to 12:00 pm per routing slip. **Vote 5-0.**

#### **d. Wayho Grille**

Table to next week for further clarification



**Town Administrator's report**

**Ocean Planning – Coreen Moore, Town Planner**

Governor signed MA Ocean Act of 2008. Within the Act, to develop a Mass. Ocean Management Plan. Within Plan, asked Cape Cod Commission and Martha's Vineyard Commission to review plans and regulate, within jurisdiction, additional rules and regulations.

This plan is for off shore wind turbines. Red lined area proposed as a DCPC (District of Critical Planning Concern). Vote to be taken of DCPC on January 21, 2010.

Michael Blanton, Cape Cod Commission representative, commented on responses of said Plan. This does not affect the Cape Winds project at this time.

**Six (6) month budget expenditure - for Selectmen review.**

**Discussion Forum – Pros and cons relative to Civil Service scheduled for January 20, 2010.**

**Other Selectmen's business**

Ford - Screening Committee (BOS, BOH and FinCom - general public involvement); and Working Group for ISWM meeting on January 7, 2010.

Sloniecki – Vote of No Confidence - expressed disappointment of Superintendent and School Business Manager.

Mealy – Philips Road parking on future agenda; School financial reporting - monthly updates along with input from schools.

Meli – Vote of No Confidence. Selectmen need to make a statement.

Pickard – Vote of No Confidence for next week. Will draft statement for Board to review along with Mealy.

Ford – not in favor of a Vote of No Confidence.

**Adjournment**

Selectman Pickard moved and seconded by Selectman Sloniecki to adjourn. Unanimous vote. Meeting adjourned at 9:55 pm.

Respectfully submitted - Lisa Groezinger, sec.

**Meeting of the joint committee of the Board of Health, Board of Selectmen, Town Administrator and the General Manager to improve communications regarding ISWM.**

Date: January 7, 2010

Time: 9:30am

Location: ISWM meeting room

Attendance: BOH representative Steve MacNally, BOS John Ford, and ISWM General Manager Dan Barrett.

Members of the public: Mr. Jerry O'Brien, and Mr. William Ratigan

Excused: TA Tom Guerino

Discussion:

John Ford explaining that meeting of this group would have to comply with the open meeting law by posting meetings and keeping minutes.

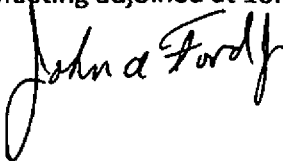
Dan Barrett stated the odor problem is getting better. They are not out of the woods but definitely improving. They have put in to the Capital Outlay Budget for the funds to cap the North Sloop. They are operating with 26 employees and needs an engineer to operate the landfill efficiently. They also put in to replace the flare, which burns the gasses released from the cells. Actually, they have put in for a bigger flare which is needed to handle the volume of gasses being released and will cost approximately \$280,000.

Steve MacNally outlined the number of years he was on the BOH and worked with the landfill. The BOH has assigned him to work with Dan Barrett to resolve the odor problem, as well as this group.

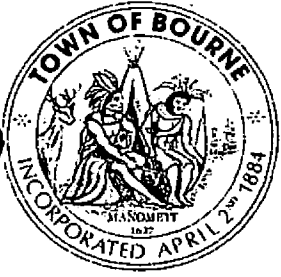
General discussion:

This group would meet periodically to insure the boards were getting all the information in a timely manner. Mr. Steve MacNally will be working with Dan Barrett closely on the odor problem and will report to both boards.

Meeting adjourned at 10:45pm



2010 JAN 21 PM 2 08  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Selectmen Meeting Notice



Date

Tuesday  
January 12, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Approval of Minutes: January 5, 2010
5. Correspondence

6. 7:30 Hearing on Jeffrey Lewis, 35 Old Plymouth Road, Sagamore

7. Final adoption of Park Fee Schedule

8. Review and discussion of Proposed Selectmen's formal statement on the School Financial problems re: Superintendent.

9. Report of Landfill meeting with BOH Representative BOS Chair and ISWM Staff

10. Update on CARTIFF (Sagamore and Bourne bridge repairs committee.)

11. Licenses/Permits

- a. Way Ho Grill – Entertainment License
- b. Fishing Clinic – Red Top

BOURNE, MASS.  
TOWN CLERK'S OFFICE  
2010 JAN 8 PM 12 46

Page 2

12. Town Administrator's Report

- a. Civil Service discussion update.
- b. Budget preparation update
- c. IMA update

13. Other Selectmen's business

14. Adjourn

**Board of Selectmen/Capital Outlay Workshop  
January 13, 2009  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

Stephen F. Mealy, Chairman  
Judith W. Conron, Vice Chairman  
John A. Ford, Jr., Clerk  
Jamie J. Sloniecki  
Mary Meli

**Meeting Called to Order**

Meeting called to order at 7:00 pm.

**Cecil Group Presentation Municipality Facilities Plan**

Ken Buckland and Ryan Lawlor presentation (a copy of which is attached hereto). The Capital Outlay Committee is seeking comments and/or input from both the Selectmen and public.

Facilities review – Cecil Group reviewed condition of buildings, sent out questionnaires to Departments, met with the Capital Outlay Committee and conducted individual interviews with specific Department heads.

Alternatives for building structures – Town priorities:

1. Police Headquarters – most critical. Recommendation of new structure outside flood zone. The scenic highway property is optimum by the Capital Outlay.
2. Fire Station Headquarters Operations – space issues and significant building repair required. Recommendation to relocate [leaving station to serve Buzzards Bay] to the new Sagamore Station.
3. Fire Substation (south side of bridge) – Pocasset and Monument Beach Station have space issues and building repairs. Recommendation to combine both stations and move to new building on County Road (adjacent to the Town forest). DNR can utilize in either building in Pocasset or Monument Beach.
4. Town Hall – critical space issues. Recommendation to reduce archives in Town Hall by creating files electronically, and to move files to either Hoxie school or space in the Community Building. Relocating DNR would open up space.

Ongoing discussions:

1. Library needs additional space – new addition discussion ongoing
2. Peebles School - significant repairs needed.
3. Archives Building – heating and electrical upgrades needed.

2009 FEB 29 AM 9 43

TOWN CLERK'S OFFICE

2010 FEB 29 AM 9 43

4. Facilities Manager – high priority recommendation for the Town to oversee all custodial work on municipalities building.

#### **Board Discussion**

The structure at the Coady School is sound for reuse purposes.

Discussion of a Maintenance Department and a Facilities Manager position. Issue raised on Town costs. Mary Jane Mastrangelo, Capital Outlay Chm., stated issue would be reviewed/discussed once priorities are in place.

Discussion of combining departments being cost effective and efficient.

#### **Public Comment**

Charley Miller – noted Town's seasonal issues and required responses. He feels moving the DNR is a good idea.

Jim Mulvey – suggested adding a Buildings, Vehicles and Grounds Department which would cover all these areas. He stated the ISWM land only being favorable to ISWM.

Chris Farrell - Maintenance Department/Facilities Manager a high priority and asks Capital Outlay to identify monies moving forward. He also suggested a geographically centered location for the Police station, preferably on the south side of Town.

TA Guerino would like to review Falmouth and Mashpee's plans on a Maintenance Department/Facilities Manager.

Mary Jane Mastrangelo asked Selectman to identify parcels for Town purchase. TA Guerino added no property will be perfect, but there are options available.

Mary Jane Mastrangelo inquired if any parcels that would fit need or available for Facilities Maintenance and identify cost moving forward.

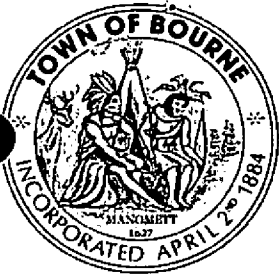
Selectman Ford suggested to explore the Town entering a partnership with the State for purchasing land near the Sheriff's Department.

#### **Next steps**

1. Cecil Group draft plan presented to public in early February. The final plan by mid February for report to go to Town Meeting.

#### **Adjournment**

Selectman Ford **MOVED** and **SECONDED** by Selectman Sloniecki to adjourn. Meeting adjourned at 9:00 pm. **UNANIMOUS VOTE.**



## Board of Selectmen Meeting Notice

2010 JAN 15 PM 2 06 AMENDED

TOWN CLERK'S OFFICE  
BOURNE, MASS.



### 6:45 P.M. SEWER COMMISSIONERS MEETING – IMA DISCUSSION

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 19, 2010	7:00p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Approval of Minutes:
5. Correspondence

6. Cape Cod Commission – Executive Director Re: Ocean Management Plan

7. FY 2011 Budget Report to Selectmen – TA

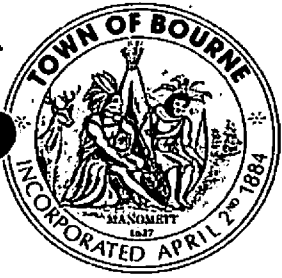
8. Appointments/Licenses

- a. Barry Johnson, Town Clerk as Ethics Liaison
- b. Beach Street Bakery – Common Victualer License

9. Landfill working group charge

10. Other Selectmen's business

11. Adjourn



## Board of Selectmen Meeting Notice AMENDED



### 6:45 P.M. SEWER COMMISSIONERS MEETING – IMA DISCUSSION

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 19, 2010	7:00p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

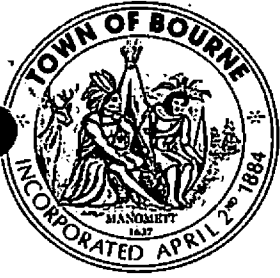
7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Approval of Minutes:
5. Correspondence

2010 JAN 15 PM 12 29  
TOWN CLERK'S OFFICE  
BOURNE, MASS

6. Cape Cod Commission – Executive Director Re: Ocean Management Plan
7. FY 2011 Budget Report to Selectmen – TA
8. Appointment of Barry Johnson, Town Clerk as Ethics Liaison
9. Landfill working group charge
10. Other Selectmen's business
  - a. signature of amended Family and Medical Leave Act update (military provision).
11. Adjourn





## Board of Selectmen Meeting Notice



Date

Tuesday  
January 19, 2010

Time

7:00p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Approval of Minutes:
5. Correspondence

6. Cape Cod Commission – Executive Director Re: Ocean Management Plan

7. FY 2011 Budget Report to Selectmen – TA

8. Appointment of Barry Johnson, Town Clerk as Ethics Liaison

9. Landfill working group charge

10. Other Selectmen's business

- a. signature of amended Family and Medical Leave Act update (military provision).

11. Adjourn

2010 JAN 15 AM 11 55  
TOWN CLERK'S OFFICE,  
BOURNE, MASS.

**Board of Selectmen Meeting Minutes – January 19, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

7:09 pm.

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

**Public comment – Non agenda items**

None at this time.

**Approval of Minutes**

Selectman Mealy **moved** and **seconded** by Selectmen Meli to approve January 5, 2010 minutes as amended. **Vote 4-0-1** with abstention from Selectman Sloniecki.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

**Cape Cod Commission – Executive Director re: Ocean Management Plan**

Tabled to next week.

**FY2011 Budget Report to Selectmen – TA**

A formal presentation by TA Guerino (a copy of which is attached hereto) presented.

Reserve Funds totals \$2.55M in excess of current policy requirements. Minimal use of Reserve Funds is appropriate to offset difficult financial times.

The proposed budget is a good level to citizens with the least amount of tax dollars least possible. Increase of spending of the operations budget is increased by 2% as passed at the 2009 Annual Town Meeting.

Departments remain understaffed while the municipality continues to grow.

TA Guerino does not recommend any General Fund or Capital Expenditures overrides.

2010 FEB 12 PM 1 26  
TOWN CLERK'S OFFICE  
BOURNE, MASS.

In public comment Joe Agrillo raised concern over the School's health insurance and questioned if the town can remove from the town's operation budget.

TA Guerino and Chm. Ford will contact Michele Ford to put together joint department presentation meetings with FinCom.

#### **Appointments/Licenses**

##### **a. Barry Johnson, Town Clerk as Ethics Liaison**

Selectman Mealy **moved and seconded** by Selectman Sloniecki to appoint Barry Johnson, Town Clerk as Ethics Liaison with a term to expire June 30, 2010. **Vote 5-0.**

##### **b. Beach Street Bakery – Common Victualer License**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Beach Street Bakery request for Common Victualer License subject to Board of Health inspection, pending payment and per routing slip. **Vote 5-0.**

#### **Landfill working group charge**

First reading by Selectman Mealy - Bourne Landfill business model working group membership and charge submitted by TA Guerino for Selectmen review.

Selectman Sloniecki suggested the Selectmen minutes of last week will be forwarded to the Board of Health and the Finance Committee.

Selectman Sloniecki **moved and seconded** by Selectman Meli to adopt the Bourne Landfill business model working group membership and charge submitted. **Vote 5-0.**

#### **Other Selectmen's business**

Ford – Civil Service Hearing meeting is continued to 2/10/10 at 7:00 pm at the Community Building; Energy Policy put on future agenda; Bourne Historical Commission before the Board next week (2/26/10) relative to Town Counsel opinion; and Main Street.

#### **Adjournment**

Selectman Sloniecki **moved and seconded** by Selectman Pickard to adjourn. **Unanimous vote.** Meeting adjourned at 8:30 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



### EXECUTIVE SESSION 6:30 Personnel Matter

#### AMENDED

##### Date

Tuesday  
January 26, 2010

##### Time

7:00 p.m.

##### Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items

- a. Mr. Devlin – Constable
- b. Census Bureau

4. Correspondence

5. Savery Avenue Discussion: Dead End request v. through drive.

6. Capital Outlay Committee Request for support to use CPA Funding

7. John Lipman – Main Street

8. Contract discussion re: Town Counsel Opinion regarding conflict and Historic Committee – Mr. Ellis

9. Bourne Community Building Town Meeting required vote Chapter 41 Sec. 105 (Authority of Trustees)

10. Winter /Budget Schedule/Finance Committee Coordination

11. Licenses/Permits:

- a. Best Buddies Bike Ride

2010 JAN 26 PM 1 38  
TOWN CLERK'S OFFICE  
BOURNE, MASS.

12. Committee appointments:

- a. ISWM business model working group.  
Selectmen's representative.

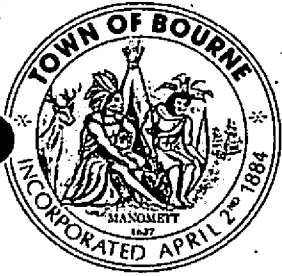
13. Town Administrator's Report

14. Other Selectmen's business

15. Adjourn

**Future Selectmen's Meeting Topics**

- Commuter Rail discussion – re: grant
- Review of Local Comprehensive Plan
- Buzzards Bay Vitalization Association/National Marine Life Center project update
- Energy Policy



## Board of Selectmen Meeting Notice

2010 JAN 22 PM 3 28

TOWN OF BOURNE  
BOURNE, MASS

**EXECUTIVE SESSION 6:30**

**Personnel Matter**



Date

Tuesday  
January 26, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
  - a. Mr. Devlin – Constable
  - b. Census Bureau
4. Correspondence

5. Capital Outlay Committee Request for support to use CPA Funding

6. John Lipman – Main Street

7. Contract discussion re: Town Counsel Opinion regarding conflict and Historic Committee – Mr. Ellis

8. Bourne Community Building Town Meeting required vote Chapter 41 Sec. 105 (Authority of Trustees)

9. Winter /Budget Schedule/Finance Committee Coordination

10. Licenses/Permits:

- a. Best Buddies Bike Ride

11. Committee appointments:

- a. ISWM business model working group.  
Selectmen's representative.

12. Town Administrator's Report

13. Other Selectmen's business

14. Adjourn

**Future Selectmen's Meeting Topics**

- Commuter Rail discussion – re: grant
- Review of Local Comprehensive Plan
- Buzzards Bay Vitalization Association/National Marine Life Center project update
- Energy Policy

**Board of Selectmen Executive Session Meeting Minutes – January 26, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

6:30 pm.

Selectman Sloniecki moved and seconded by Selectman Meli to go into Executive Session pursuant to the General Law Chapter 31 Sec. 23B, Paragraph 1 and to reconvene in open session. Roll call: Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes; and Ford – yes

Discussion on personnel matter.

**Adjournment**

Selectman Pickard **moved** and **seconded** by Selectman Mealy to adjourn to open session.

**Unanimous vote by roll call vote - Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes; and Ford – yes.**

Meeting adjourned at 7:00 pm.

Respectfully submitted - Lisa Groezinger, sec.

BOURNE, MASS  
TOWN CLERK'S OFFICE  
2010 FEB 12 AM 10 07



**Board of Selectmen Meeting Minutes – January 26, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

2010 FEB 12 PM 1 26  
TOWN CLERK'S OFFICE  
BOURNE, MASS.

**Meeting called to order**

7:00 pm.

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

**Public comment – Non agenda items**

Mr. Devlin requests the Board have Town Counsel review documents re: Constable and remove Chief Baldwin as Constable and open to applicants.

TA Guerino will forward said document to Town Counsel to ask if Chief Baldwin can hold position as Constable (appt. vs. serving). Mr. Devlin will be given written notice of said opinion.

Census Bureau – Mr. Dick Zwetson re: Employment Opportunities with the 2010 Census discussed. Go to [www.2010censusjobs.gov](http://www.2010censusjobs.gov) or call 866-861-2010 for more information.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

**Savery Avenue Discussion: Dead End request v. through drive**

TA Guerino stated this is an action of the Planning Board. Planning Board will review original conditions.

Mrs. Trish Lubold read letter into record re: turning Savery Avenue back to a dead end road.

Mr. Latham, Savery Avenue resident, stated concerned about emergency response vehicles, plowing, etc. but not against being a dead end street.

**Capital Outlay Committee request for support to use CPA Funding**

Town Hall Restoration and Preservation request for widows and gutters in the amount of \$100,000.

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to endorse application for the CPA funding as outlined by the Capital Outlay Committee. **Vote 5-0.**

**John Lipman – Main Street**

Growth Incentive Zone (GIZ) for downtown Buzzards Bay update. Application is being finalized (re-zone property - commercial and residential).

**Contract discussion - Town Counsel opinion re: conflict and Historic Committee – Mr. Ellis**

Jack MacDonald (Osprey Design Inc.) seeking Selectman approval per Town Counsel, to accept contract with Bourne Historical Society to repair and replace south side of the roof of the Aptuxet Trading Post.

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki to approve the exemption of Mr. Jack MacDonald of Osprey Design Inc., and that he shall file a written statement with the Bourne Town Clerk that sets forth the full disclosure of his interests and circumstances that gave rise to the potential conflict regarding his involvement with the Bourne Historical Society (BHS) and his abstention from the Community Preservation Committee (CPC) vote granting the BHS Community Preservation Act funds, and that he was selected by the BHS to complete roof work after a review of quotes. I further move that the roofing contract be accepted by the Bourne Board of Selectmen in accordance with M.G.L. 268A subsection 20. Please be advised that if your request is approved by the Board of Selectman, you may not act in your capacity as a CPC member with respect to the CPA grant to the BHS if it in any way relates to your roofing contract with the BHS. In the event that matters relating to this grant are represented to the CPC you should make a statement to be reflected in the meeting minutes that you are recusing yourself and leave the room until the matter has been discussed and voted upon by the remaining CPC members. **Vote 5-0.**

**Bourne Community Building Town Meeting required vote Chapter 41 Sec. 105 (Authority of Trustees)**

Selectman Ford **moved** and **seconded** by Selectman Sloniecki the Town adopt Chapter 41 Section 105 as referred to in the Charter, and that the Authority of Trustees have care and custody of the Bourne's Veteran's Memorial Community Center. **Vote 5-0.**

**Winter/Budget Schedule/Finance Committee Coordination**

TA Guerino recommends Selectmen and FinCom post separate meetings. Selectmen meet with FinCom on their Monday meetings. Selectmen to meet at 6:30 pm for joint meetings before going into joint meetings, sharing the Chair as ownership of both meetings.

**Licenses/Permits**

**a. Best Buddies Bike Ride**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Best Buddies International request for Annual Benefit Bike Ride on June 5, 2010 per routing slip. **Vote 5-0.**

**Committee appointments**

**a. ISWM business model working group (Selectmen's representative)**

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki to nominate Don Pickard as the Selectmen's representative on the ISWM business model working group. **Vote 4-0** [*D. Pickard recused himself from vote*].

**Town Administrator's report**

None at this time.

**Other Selectmen's business**

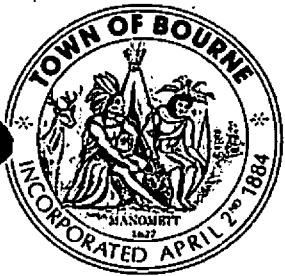
Mealy – attended Mass. Municipals' Association meeting in Boston. Wind Turbine District hearing read into record on February 24, 2010 at BHS.

Ford – also attended the Mass. Municipals' Association meeting in Boston.

**Adjournment**

Selectman Pickard **moved** and **seconded** by Selectman Mealy to adjourn. **Unanimous vote.** Meeting adjourned at 8:50 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



Date

Monday  
February 1, 2010

Time

6:30p.m.

Location

Jonathan Bourne Library  
19 Sandwich Road  
Bourne

6:30 Call meeting to order  
Licenses/Permits  
a) JAGUARS Youth Group

Other Business to come before the Board

7:00 Joint meeting between Board of Selectmen and Finance Committee  
to review FY2011 Budgets

Other business to come before the Board/Committee

Adjourn

2010 JAN 29 PM 2 27  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen Meeting Minutes – February 1, 2010  
Jonathon Bourne Public Library 6:30 P.M.**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator  
John A. Ford, Jr., Chairman  
Jamie Sloniecki, Vice Chairman (excused)  
Mary Meli, Clerk  
Stephen F. Mealy  
Don Pickard

2010 FEB 12 PM 1 26  
TOWN CLERK'S OFFICE  
BOURNE, MASS.

**Meeting called to order**  
6:30 pm.

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

Mr. Ford asked Town Administrator Guerino if there was any business to be taken up before the joint session with the Bourne Finance Committee. The Board Acted upon the following:

Jaguars Youth Group – St. Margaret's Parish – Fundraiser on the Canal and Buzzards Bay Park with all proceeds to Haiti Relief.. There were no comments on the Town routing slip and the Town Administrator recommended approval and waiver of all fees.

**MOTION:** Mr. Mealy moved that the Jaguars Youth Group fund raising walk on the Canal and at Buzzards Bay Park be approved and that all fees be waived. The Motion was **Seconded** by Mr. Pickard and unanimously agreed to by the Board.

**Other business:**

The Town Administrator informed the Board the he and Acting Chief Doucette had met with the Deputy Chief contingent to discuss issues related to the functioning at the Bourne Fire Department. The Administrator indicated that this was the first of what shall be a series of scheduled meetings to work on managerial issues at the Department.

At 6:39 the Selectmen recessed the meeting to enter a joint session with the Finance Committee scheduled for 7:00 P.M. and review presentations from the DNR, COA and DPW.

**MOTION:** Mr. Mealy moved that the meeting be adjourned at 9:37 P.M.. The motion was seconded by Mr. Pickard and unanimously agreed to by the Board.

Respectfully submitted,

Thomas M. Guerino  
Town Administrator



**Board of Selectmen  
Meeting Notice  
CANCELLED DUE TO WEATHER**



Date  
Tuesday  
February 03, 2009

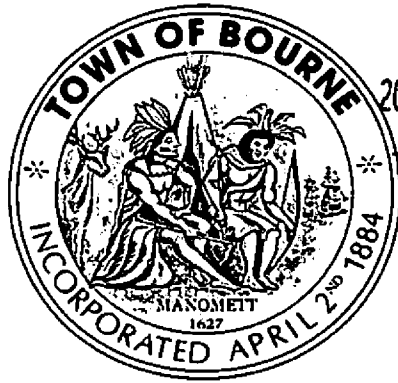
Time  
7:00 p.m.

Location  
Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops/Victims
2. Salute the Flag
3. Approval of Minutes
4. Public Comment – Non-Agenda Items
5. Correspondence
6. The Stan Gibbs Cape Cod Canal Fisherman's Classic (Rob Willis)
7. Budget Message
8. Licenses and appointments:
  - a. Chris Johnson – The Affordable Housing Trust Committee
  - b. Elizabeth Caporelli – Cape Light Compact – Alternate
  - c. 4<sup>th</sup> of July Parade
  - d. BBBG May Day Event at Park
  - e. BBBG ScareCrow Event at Park
  - f. BBBG Xmas Lighting at Park
  - g. Annual Melloni Benefit Bike Ride
  - h. Cape Cod British Car Club
  - i. Change of Manager – Buzzards Bay Fraternal Order of Eagles
  - j. Subway – Common Victualer – Change of Owner
9. Town Administrator's Report
10. Efficiency Committee
11. Other Selectmen's business
12. Adjourn

2010 JUL 7 AM 10 45  
TOWN CLERK'S OFFICE



2010 FEB 5 AM 11 54

TOWN CLERK'S OFFICE  
BOURNE, MASS

## **BOARD OF SELECTMEN**

### **MEETING NOTICE**

**Joint Meeting between the Board of Selectmen and Finance Committee**

**DATE**

**Monday  
February 8, 2010**

**TIME**

**7:00 p.m.**

**LOCATION**

**Bourne Veterans Memorial  
Community Center  
239 Main Street  
Buzzards Bay, MA 02532**

**Review Police, Fire, Bourne Veterans Memorial Community Center Budgets  
Any other business**

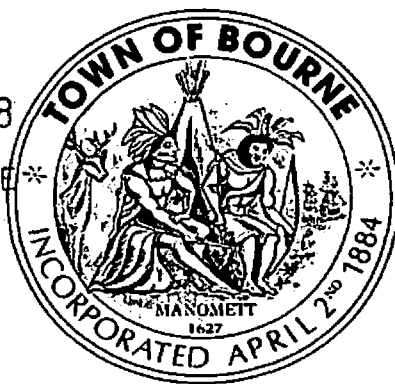
**Thomas M. Guerino  
Town Administrator**

**Date: February 4, 2010**

**Town Clerk  
Selectmen**

2010 FEB 5 AM 11 28

TOWN CLERK'S OFFICE  
BOURNE, MASS



## BOARD OF SELECTMEN

### MEETING NOTICE

Joint Meeting between the Board of Selectmen and School Committee

**DATE**

Tuesday  
February 9, 2010

**TIME**

6:30 p.m.

**LOCATION**

Bourne Veterans Memorial  
Community Center  
239 Main Street  
Buzzards Bay, MA 02532

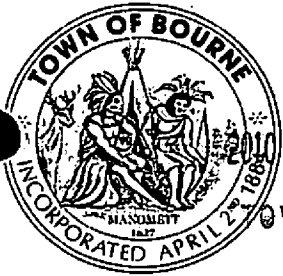
Joint Meeting to fill vacancy left in the School Committee due to resignation.

Thomas M. Guerino  
Town Administrator

Date: February 5, 2010

Town Clerk  
Selectmen





## Board of Selectmen Meeting Notice

FEB 5 PM 3 11  
TOWN CLERK'S OFFICE  
BOURNE, MASS



### 6:30 P.M. JOINT MEETING SELECTMEN AND BOURNE SCHOOL COMMITTEE

### 7:00 P.M. Sewer Commissioners – Sewer use regulation discussion

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 9, 2010	7:15p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

7:15 – 7:30 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Approval of Minutes: 1/19/10; 1/26/10 exec; 1/26/10; 2/1/10; 2/1/10 Joint meeting
5. Correspondence

6. Licenses/Permits:

- |  |   |
|--|---|
| a. BBBG – Earth Day Cleanup                | h. Sullivan Auctions                      |
| b. BBBG – Jingle Bell Stroll               | i. Striper Fest                           |
| c. BBBG – May Day Event                    | j. ALS Dedication                         |
| d. BBBG – Polar Express & Xmas<br>Lighting | k. Andrew Dexter – Buzzards Bay<br>Gazebo |
| e. BBBG – Scarecrow Event                  |   |
| f. 4 <sup>th</sup> of July Parade          |   |
| g. Stan Gibbs Benefit Flea Market          |   |

7. Discussion with Coreen Moore regarding:

- a. Amendments to the District of Critical Planning Concerns (DCPC) as it relates to the Bourne Development Campus Site.
- b. Growth Incentive Zone update and discussion

8. Town Administrator's Report

9. Other Selectmen's business

10. Adjourn

**Board of Selectmen Meeting Minutes – February 9, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman  
Jamie Sloniecki, Vice Chairman  
Mary Meli, Clerk  
Stephen F. Mealy  
Don Pickard

**Meeting called to order**  
7:15 pm.

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

**Public comment – Non agenda items**

Ms. Lorhan discussed savings re: Town Administrator duties and the new HR Director position.

**Approval of minutes**

Selectman Sloniecki moved and seconded by Selectman Meli to approve minutes of January 19, 2010 as submitted. **Vote 5-0**

Selectman Sloniecki moved and seconded by Selectman Meli to approve and release executive session minutes of January 26, 2010 as submitted. **Vote 5-0**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve minutes of January 26, 2010 as submitted. **Vote 5-0**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve minutes of February 1, 2010 as submitted. **Vote 4-0-1**

Selectman Sloniecki moved and seconded by Selectman Meli to approve joint meeting minutes of February 1, 2010 as submitted. **Vote 4-0-1**

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item K – Board of Assessors vs. Department of Revenue. TA Guerino commended management team (Board of Assessors, Engineering and Building Inspector's office).

Item O–future workshop to be held in June.

**Licenses/Permits**

a. **BBBG – Earth Day Cleanup**

TOWN CLERK'S OFFICE  
2010 MAR 4 PM 3 20

Selectman Sloniecki moved and seconded by Selectman Mealy to approve BBBG request of Earth Day Cleanup on 4/24/2010 and 8/21/10 9:00 am – 3:00 pm per routing slip and to waive any fees. **Vote 5-0.**

**b. BBBG – Jingle Bell Stroll**

Selectman Sloniecki moved and seconded by Selectman Meli to approve BBBG request of Jingle Bell Stroll on 12/11/10 (rain date 12/12/10) 9:00 am – 12:30 pm per routing slip and to waive any fees. **Vote 5-0.**

**c. BBBG – May Day Event**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve BBBG request May Day Event on 5/1/10 (rain date 5/2/10) from 11:30 am – 5:30 pm per routing slip waiving \$100 fee and require \$150 refundable deposit. **Vote 5-0.**

**d. BBBG – Polar Express & Xmas Lighting**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve BBBG request of Polar Express & Christmas Lighting on 12/4/10 (no rain date) from 5:00 pm – 9:15 pm per routing slip and to waive \$300 fee and request \$150 deposit that will be returnable. **Vote 5-0.**

**e. BBBG – Scarecrow Event**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve BBBG request of Scarecrow Event on 10/9/10 (rain date 10/10/10) from 11:00 am – 3:00 pm per routing slip waiving \$100 fee and require a \$150 refundable deposit. **Vote 5-0.**

**f. 4<sup>th</sup> of July Parade**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve request of 4<sup>th</sup> of July Parade on 7/3/10 from 9:00 am – 12:00 pm per routing slip. **Vote 5-0.**

**g. Stan Gibbs Benefit Flea Market**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve request of Stan Gibbs Benefit Flea Market on 7/31/10 – 8/01/10 from 7:00 am – 6:00 pm per routing slip with \$50 fee and \$50 refundable deposit. **Vote 5-0.**

**h. Sullivan Auctions**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve request of Sullivan Auctions Junk Dealer's License per routing slip. **Vote 5-0.**

**i. Striper Fest**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve request of Striper Fest One Day Liquor License (Wine & Malt) per routing slip and to include Police Department details with \$300 fee and \$150 returnable deposit fee. **Vote 5-0.**

Selectman Sloniecki moved and seconded by Selectman Mealy approve On the Water LLC use of Town Property on 10/2/10 from 7:00 am – 7:00 pm, imposing \$300 fee with \$150 deposit to be refunded. **Vote 5-0.**

**j. ALS Dedication**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve request of ALS Dedication on 8/15/10 from 11:30 am – 1:00 pm per routing slip and request \$50 refundable deposit. **Vote 5-0.**

**k. Andrew Dexter – Buzzards Bay Gazebo**  
Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve request of Andrew Dexter – Buzzards Bay Gazebo on 2/14/10 from 11:30 am – 4:00 pm per routing slip, waiver in fees. **Vote 5-0.**

**Discussion with Coreen Moore regarding:**

**a. Amendments to the District of Critical Planning Concerns (DCPC) as it relates to the Bourne Development Campus Site**  
Request for Selectmen sponsorship for a Nomination of change within the DCPC.

Selectmen Sloniecki **moved and seconded** by Selectman Mealy that the Board of Selectmen support the change of the DCPC as outlined per Coreen Moore, Planning Board dated February 4, 2010. **Vote 5-0.**

**b. Growth Incentive Zone update and discussion**  
Selectman Mealy **moved and seconded** by Selectman Sloniecki the Board of Selectmen prepare and submit a sponsorship for a Nomination of Change to the Assembly of Delegates for revisions to zoning located within the Bournedale Overlay District.  
**Vote 5-0.**

**Town Administrator's Report**

Deadline for submission of articles is Tuesday, February 16, 2010.

Budget as it stands with adjustments in State Aid, budget can be met with no lay offs and programs on the Town side.

Senator Murray's memo re: Development Act – read and make comment.

**Other Selectmen's business**

Sloniecki – commented on the budget

Pickard – reminded people to lock their cars

Ford – commented on future town budgets

**Adjournment**

Selectman Pickard **moved and seconded** by Selectman Sloniecki to adjourn. **Unanimous vote.** Meeting adjourned at 8:40 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



### 6:30 P.M. JOINT MEETING SELECTMEN AND BOURNE SCHOOL COMMITTEE 7:00 P.M. Sewer Commissioners – Sewer use regulation discussion

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 9, 2010	7:15p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

7:15 – 7:30 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Approval of Minutes: 1/19/10; 1/26/10 exec; 1/26/10; 2/1/10; 2/1/10 Joint meeting
5. Correspondence

6. Licenses/Permits:

- |  |   |
|--|---|
| a. BBBG – Earth Day Cleanup                | h. Sullivan Auctions                      |
| b. BBBG – Jingle Bell Stroll               | i. Striper Fest                           |
| c. BBBG – May Day Event                    | j. ALS Dedication                         |
| d. BBBG – Polar Express & Xmas<br>Lighting | k. Andrew Dexter – Buzzards Bay<br>Gazebo |
| e. BBBG – Scarecrow Event                  |   |
| f. 4 <sup>th</sup> of July Parade          |   |
| g. Stan Gibbs Benefit Flea Market          |   |

7. Discussion with Coreen Moore regarding:

- a. Amendments to the District of Critical Planning Concerns (DCPC) as it relates to the Bourne Development Campus Site.
- b. Growth Incentive Zone update and discussion

8. Town Administrator's Report

9. Other Selectmen's business

10. Adjourn

2010 SEP 17 PM 12 21  
TOWN CLERK'S OFFICE  
1008 1000 0000

Bourne School Committee  
Joint meeting with Board of Selectmen  
February 9, 2010 – MINUTES

Present for the Committee: Richard Lavoie, Quimby Mahoney, Christine Crane, Allen Swain, Jay O'Hara, and Bill Gibbons

The chairman called the meeting to order at 6:34.

Three candidates submitted letters of interest for filling the vacant seat on the School Committee.

**DISCUSSION:** Mrs. Siroonian spoke to the committee regarding her interest in being appointed to fill the vacant School Committee seat.

**DISCUSSION:** Mrs. Cleary spoke to the committee regarding her interest in being appointed to fill the vacant School Committee seat.

The third candidate, Mr. Harrison was not present.

**VOTED:** On a motion made by Mr. Lavoie and seconded by Mr. Swain it was voted 8-3 to appoint Patricia Cleary to fill the vacant seat on the School Committee until the next election.

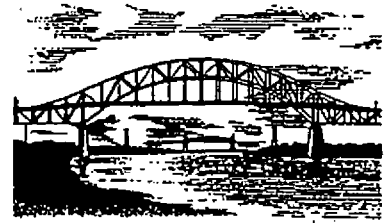
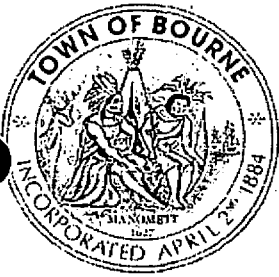
The joint meeting adjourned at 7pm.

2010 SEP 17 PM 12 22  
TOWN CLERK'S OFFICE  
Bourne, MA

TOWN CLERK'S OFFICE

BOURNE, MASS

## Board of Selectmen Meeting Notice



Date

Tuesday  
February 16, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Approval of Minutes: 2/9/10 Joint Meeting – 2/9/09 Selectmen-
5. Correspondence

6. BFDC- Bourne Development Campus Access. - Sallie Riggs 7:20
  - a. Request for support of town meeting article. (by petition)

7. Committee appointments:
  - a. Discussion to advertise for an Associate member to ZBA

8. Town Administrator's Report
  - a. Commuter rail/passenger rail monies
  - b. Budget –

9. Other Selectmen's business

10. Adjourn

**Board of Selectmen Meeting Minutes – February 16, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

2010 JUL 7 AM 9 44

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman (excused)

Mary Meli, Clerk (excused)

Stephen F. Mealy

Don Pickard

TOWN CLERK'S OFFICE

BOURNE, MA

**Meeting called to order**

7:26 pm

**Moment of Silence/Salute to the Flag**

**Public comment – Non-agenda Items**

Peter Meier update on Efficiency Committee. Committee's goal is to have a report by March 17, 2010 to the Selectmen. Quorum is an issue. TA Guerino will post opening on website for a fifth member moving forward.

Selectmen Mealy inquired about the future meetings with towns off Cape. Mr. Meier is 'looking outside the box'.

Joyce Larmon inquired about continuing budget issues with regard to reduction in force/pay-as-you-go system.

**Approval of Minutes**

Selectmen Pickard **moved** and **seconded** by Selectmen Mealy to approve joint meeting minutes with School Committee of February 9, 2010 as amended per TA Guerino.

**Unanimous vote.**

Selectman Pickard **moved** and **seconded** by Selectman Mealy to approve Selectmen meeting minutes of February 9, 2010 as submitted. **Unanimous vote.**

**Correspondence**

Selectman Pickard read correspondence into the record. Copies of correspondence are held in Town Administrator's office.

Chm. Ford requesting TA Guerino will draft letter on behalf of the Selectmen to Mr. Stoffa. He also inquired about the transfer of the Stone School to Bourne; TA Guerino will work with Commander Able on Town Counsel's opinion, cc'ing School Committee.



TA Guerino discussed Constable issue and will put in a more formal format moving forward.

#### **Bourne Financial Development Corporation Campus Access**

Barry Motta, President, requesting Selectemen's support for BFDC's Town Meeting Article by petition to apply for significant grant programs. Green Technology Campus.

Sally Riggs, Executive Director BFDC, spoke specifically to said Article to access the road. Funds can be used for fund and a roadway system including storm water runoff. This would be a town road.

Ms. Riggs stated that BFDC is looking for the Selectmen to accept a new access road and internal circulation road for the Technology Campus contingent upon road being built to the Town's specifications; and in conjunction with any previously adopted zoning changes; as a restriction that the Technology Campus would handle the maintenance of the road.

James Mulvey commented on town road, abutters, betterment fees, maintenance and stormwater.

Selectman Mealy **moved** and **seconded** by Selectman Pickard that the Board of Selectmen endorse an Article by Private Petition to appear in the Annual Town Meeting and to accept a way which will be an access to the Bourne Technology campus; that the way will be built to Town specifications and will then be maintained prior to agreement by the Technology campus. **Unanimous vote.**

TA Guerino requested the BFDC administer way/access through an account.

#### **Committee Appointments**

Efficiency, Capital Outlay and ZBA Associate member will be on the town website.

#### **Town Administrator's Report**

Commuter rail issue: The bond money (\$150,000 for study only) to be used for the study of the commuter rail and the impact on Buzzards Bay is currently held up at Mass Highway as there hasn't been a release of the bond. This is in regards to a passenger rail connector from the other side of the bridge to Lakeville/Middleboro area to get MBTA.

With the program coming from Regional Transit Authority, as tax revenues sling up, TA Guerino asked Senator Murray's office to keep this project on the front burner. TA Guerino will bring to the Selectmen some ideas on how money can be expended.

Chm. Ford inquired about parking areas.

TA Guerino will be meeting with the Finance Committee and ISWM is on the agenda for budget purposes.

#### **Other Selectmen's Business**

Mealy – met with TA Guerino with regards to anticipation of any further cuts from either Federal or State funding. He also commented on adding an HR position.

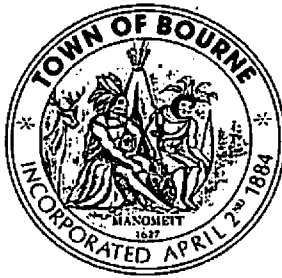
Discussion on Selectmen identifying areas to cut costs so can add the HR position (approx. \$65-\$85,000 annual salary). Mr. Meier recommended looking outside for the HR position.

Pickard – attended the Cape Cod Selectmen and Counsel's meeting; inquired about format for the Civil Service discussion (TA Guerino will welcome any Selectmen input); inquired about 35 Old Plymouth Road demolition (Mealy asked to track down owner to advise of deadline); submitted nomination of Michael Halem for Red Cross award - breakfast to be held on March 4, 2010 at Resort and Conference Center, Hyannis.

#### **Adjourn**

Selectman Pickard **moved** and **seconded** by Selectman Mealy to adjourn. Meeting adjourned at 9:00 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



Date  
Monday  
February 22, 2010

Time  
7:00 p.m.

Location  
Jonathan Bourne Library  
19 Sandwich Road  
Bourne

### Joint Session with Finance Committee

1. FY 2011 Departmental Budget Review
  - a. ISWM
  - b. Finance Department
2. Other Board business.
3. Adjournment

2010 FEB 19 AM 8 30  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Selectmen Meeting Notice



Date

Tuesday

Memorial

February 23, 2010

Time

7:00 p.m.

Location

Bourne Veterans

Community Center  
239 Main Street,

Buzzards Bay

7:00 – 7:15 (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Correspondence

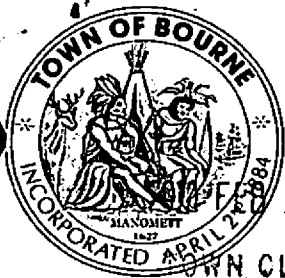
5. Ryan Family Amusement – re: General Beer and Wine License request – (discussion only)

6. Phillips Road Beach Parking Lot Public Hearing – Bob Troy – 7:30

7. Other Selectmen's business

8. Adjourn

2010 FEB 19 PM 2 25  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Selectmen Meeting Notice



FEB 19 PM 1 53  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Tuesday  
February 23, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Correspondence

5. Ryan Family Amusement – re: General Beer and Wine License request –  
(discussion only)

6. Phillips Road Beach Parking Lot Public Hearing – Bob Troy – 7:30

7. Other Selectmen's business  
Final count for MMA legislative March 4

8. Adjourn.

## **Future Selectmen's Meeting Topics**

- Commuter Rail discussion – re: grant
  - Phillips lane and beach access – Towns requirements and Counsel's opinion/guidance
  - Establish date for Bourne Braves ceremony
- 
- Review of Local Comprehensive Plan

**Board of Selectmen Meeting Minutes – February 23, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

7:00 pm.

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

**Public comment – Non agenda items**

Jim Mulvey commented on proposed Green Development project on Ingersoll property.

Neil Langell (14 Wright Lane) commented on commuter rail zoning at Taylor's Point.

He also commented on Hideaway Village and Taylor's Point re: sewer issue.

Clarification of intent re: Civil Service Forum on February 24, 2010 at 7:00 pm.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Chm. Ford submitted documentation from Mass DEP re: availability of funds re: leaking underground storage tanks.

**Ryan Family Amusement re: General Beer and Wine License request (discussion only)**

Tabled to a future date.

**Phillips Road Beach Parking Lot Public Hearing – Atty. Bob Troy**

Review and analysis of Planning Board's recommendations reveal there were intended restrictions on the use of the site. It is unclear as to what conditions on the ground exist currently and how many of the intended restrictions are being violated.

Once the Board of Selectmen makes this determination, appropriate action should be taken to insure that the intended restrictions on the use of the site honored. The Town does not have a copy of the Grant document that may have imposed additional conditions that might be pertinent to this issue.

Atty. Troy stated that violation issues outside season of said recreational area is a matter for adequate police protection. TA Guerino can request Police Chief to implement necessary action.

Ken Johnson (Phillips Road) as representative for Phillips Road is a proponent for the elimination of parking on Phillips Road, erection of signage and installation of a gate. He stated the 300 feet buffer zone should be reviewed.

Jim Mulvey stated enforcement is the issue and suggested enforcement tools (create an Association and/or deputize a resident who is given police powers).

Several residents expressed concerns for the area (parking beyond 300 feet, etc.).

No Selectmen vote is required tonight for TA Guerino to address issues discussed tonight as far as enforcement.

Atty. Troy stated the Board can draft a placeholder article and can hold a hearing after Special Town Meeting Warrant closed.

Relative to the parking at 169 Phillips Road, a Town-owned municipal public beach:

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki that the Board of Selectmen, after reviewing the Planning Board's Report per Town By-Law Section 1.4.5 dated June 15, 1998 require the following construction be implemented per the Planning Board's recommendations:

1. No Parking sign be posted along Phillips Road for a distance of approximately 600 feet to the North and the Northern Lot Boundary Line of Lot 81; and to an approximate distance of 300 feet to the Southern Lot Boundary Line of Lot 141;
2. Parking control within the above described area would be by "tag and tow" enforcement;
3. The Town is to post and maintain signage: (i) warning that illegally parked cars would be towed without warning, (ii) Town Beach Rules and Regulations and (iii) Beach Hours of Operation; (iv) enforcement shall include a chain or gate across the entrance. Cars left in the lot after closing hours will be towed.;
4. The Parking Area is to Close from 9 PM until 7 AM except in the off-season;
5. The Parking Area is to Close for the hours from 7 PM to 7 AM, off-season for Columbus Day through April 30th.

**Vote 3-2** with opposing vote from Selectmen Ford and Meli.



**Town Administrator's report**

None at this time.

**Other Selectmen's business**

**a. Final count for MMA legislative March 4**

Town Counsel opinion (Charles Devlin re: Police Chief appointed as Town Constable) states no direct financial interest of Police Chief acting as Constable and no violation occurred.

Sloniecki - Taylor's Point and Hideaway Village will be addressed at a later date.

Mealy – Order re: Lewis Project in Sagamore; Town gaining access on Mashnee dike; (future agenda item re: input from residents and BOS and to send letter in support); Town is recipient of E Government award for open access and transparencies for town website.

Ford – 100<sup>th</sup> anniversary of canal and organize a committee

**Adjournment**

Selectman Pickard **moved** and **seconded** by Selectman Mealy to adjourn. **Unanimous vote.** Meeting adjourned at 9:30 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



### CIVIL SERVICE FORUM

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday February 24, 2010	7:00 P.M.	Veteran's Community Center 239 Main Street, Buzzards Bay

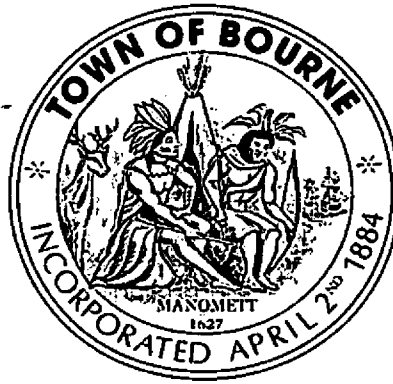
1. Members to attend forum

No other action to be taken by the Board

2010 FEB 19 PM 2 14  
TOWN CLERK'S OFFICE  
BOURNE MASS

2010 FEB 26 PM 2 53

TOWN CLERK'S OFFICE  
BOURNE MASS



## **BOARD OF SELECTMEN**

### **MEETING NOTICE**

**Joint Meeting between the Board of Selectmen and Finance Committee**

**DATE**

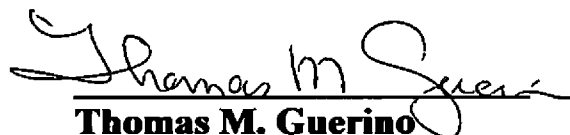
**Monday  
March 1, 2010**

**TIME**

**7:00 p.m.**

**LOCATION**

**Bourne Veterans Memorial  
Community Center  
239 Main Street  
Buzzards Bay, MA 02532**

  
**Thomas M. Guerino**  
**Town Administrator**

**Date: February 26, 2010**

**Town Clerk  
Selectmen**

**Joint Meeting of March 1, 2010  
Finance Committee and the Board of Selectmen  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Finance Committee:** Mary Jane Mastrangelo and Elinor Ripley, Co-Vice Chairmen; ; David Ahern, Mark DeCicco, Hal DeWaltoff, Glenn Galusha, Bill Grant, Bill Locke, Jeff Perry and George Slade – **Member(s) excused:** Michele Ford, Chairman and John Redman

**Board of Selectmen -** Don Pickard, John Ford, Mary Meli, Stephen Mealy and Jamie Sloniecki – **Member(s) excused:** John Ford, Chairman

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

**Guests:** TA Guerino; Kevin Farr, UCT Superintendent; Ed Lafluer, Bourne Superintendent; Edward Donaghue Business Manager; Richard Lavoie, chairman, and several members of the Bourne School Committee and School Administration and members of the public

**Meeting called to order**

7:00 pm by Elinor Ripley

Board of Selectmen called the meeting to order at 7:00 P.M.

**Reserve Fund Transfer**

None at this time.

**Budget discussion and review**

**Upper Cape Cod Regional Technical School – Kevin Farr**

Total proposed Foundation Budget FY11 is \$10,788,418, a slight increase of \$10,767,891 from FY10. [*This budget includes Health Insurance*].

- Projected reductions to Foundation Budget - (Chp. 70, Ant. Interest Rev., Deferred Tuition Rev., etc.) - Net foundation budget proposed FY11 - \$7,529,808
- Transportation - Proposed FY11 - \$356,621
- LPN Program – Proposed FY11 - \$343,708
- Capital Budget - Proposed FY11 - \$424,870
- Costs unique to a regional school budget - (snow removal, employee benefits, building insurance) - \$2,111,619

TOWN CLERK'S OFFICE  
2010 MAR 24 PM 3 38

**Bourne Public Schools – Richard Lavoie and Edmond Lafluer**

FY2011 – Anticipated Total budget is \$21,899,504, an increase of 1.88% from FY10. Budget presentation is working on \$20,865,000 as requested by TA Guerino. (*Health Insurance is not included in this budget*).

This budget is based on the current proposed Town budget numbers. If the state aid budget is lower adjustments will be needed on both sides (town and schools).

**Approval of minutes**

H. DeWaltoff **moved** and **seconded** by E. Ripley to approve Finance Committee minutes of February 8, 2010 as amended. **Vote 9-0-1** with abstention from J. Perry.

H. DeWaltoff **moved** and **seconded** by B. Locke to approve Finance Committee minutes of February 22, 2010 as submitted. **Vote 8-0-2** with abstentions from B. Grant and B. Locke.

**TA comment**

None at this time

**Selectmen comment**

None at this time

**Other business**

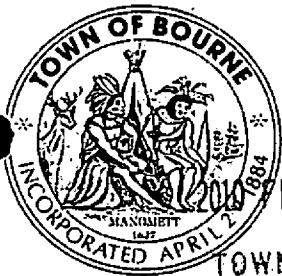
None at this time

**Adjournment**

D. Pickard **moved** and **seconded** by M. Meli to adjourn. Board of Selectmen adjourned at 9:06 pm. **Unanimous vote**

H. DeWaltoff **moved** and **seconded** by G. Slade to adjourn. Meeting adjourned at 9:10 pm. **Unanimous vote**

Respectfully submitted,  
Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



FEB 26 PM 3 24

TOWN CLERK'S OFFICE  
BOURNE, MASS

### **6:40 P.M. EXECUTIVE SESSION - Litigation**

Date

Tuesday  
March 2, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

5A: Presentation by Sean Peacock - Save Bourne's Sports

6. Committee Appointments:

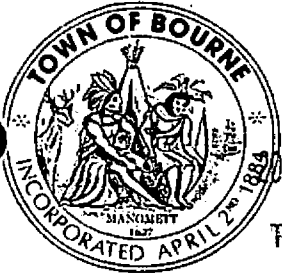
- a. Open Space Committee – Brian Andrews
- b. Commission on Disabilities - Arnold, Victoria & Nathan Carr
- c. Capital Outlay Committee – William Ware

7. Open Space Committee – Mashnee Update

8. ABCC population vote

9. Other Selectmen's business

10. Adjourn



## Board of Selectmen Meeting Notice

2010 FEB 26 PM 2 53

TOWN CLERK'S OFFICE  
BOURNE, MASS



### **6:40 P.M. EXECUTIVE SESSION - Litigation**

Date

Tuesday  
March 2, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Committee Appointments:

- a. Open Space Committee – Brian Andrews
- b. Commission on Disabilities - Arnold, Victoria & Nathan Carr
- c. Capital Outlay Committee – William Ware

7. Open Space Committee – Mashnee Update

8. ABCC population vote

9. Other Selectmen's business

10. Adjourn

**Board of Selectmen Executive Session Meeting Minutes -- March 2, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman (excused)

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

6:40 pm.

Selectman Sloniecki moved and seconded by Selectman Meli to go into Executive Session pursuant to the General Law Chapter 31 Sec. 23B, Paragraph 1 and to reconvene in open session. Roll call: Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes.

Discussion for the purpose of ongoing litigation. Atty. Bob Troy in attendance.

**Adjournment**

Selectman Pickard moved and seconded by Selectman Mealy to adjourn. **Unanimous** vote. Meeting adjourned at 7:00 pm.

Respectfully submitted - Lisa Groezinger, sec.

2010 MAR 24 PM 3 38  
TOWN CLERK'S OFFICE  
BOURNE, MA 02532



**Board of Selectmen Meeting Minutes – March 2, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman (excused)

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

7:04 pm.

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

**Public comment – Non agenda items**

Charles Devlin re: Police Chief to serve as Constable. This will be put on a future agenda item for consideration for Town Warrant.

Gil Taylor commented on Civil Service Forum.

**Approval of minutes**

Selectman Mealy **moved** and **seconded** by Selectman Meli to approve minutes of February 23, 2010 as submitted. **Vote 4-0.**

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

**Save Bourne's Sports Presentation – Sean Peacock**

School budget cuts and the impact of sports programs discussed. A board has been established to draw up bylaws and to be incorporated. Visit [www.savebournesports.webs.com](http://www.savebournesports.webs.com) for more information.

**Committee Appointments**

**a. Open Space Committee – Brian Andrews**

Selectman Mealy **moved** and **seconded** by Selectman Meli to appoint Brian Andrews to the Open Space Committee to fill vacancy expiring June 30, 2010. **Vote 4-0.**

*Commission on Disabilities appointment – deferred to next meeting.*

TOWN CLERK'S OFFICE  
2010 MAR 24 PM 3 38

**b. Capital Outlay Committee – William Ware**

Selectman Mealy **moved** and **seconded** by Selectman Meli to appoint William Ware to the Capital Outlay Committee for a term ending June 30, 2010. **Vote 4-0.**

**Open Space Committee – Mashnee Update**

Discussion of letter received from Atty. Thomas Latanzi to determine what town agency/committee or a combination thereof to work on this project - Possibly the BOS designate one of your Board; Chair and Vice Chair of the OSC and CPC as a designated sub-committee under the auspices of the BOS OR have the OSC and the CPC designate their respective designees).

First item would be the Selectmen to vote to develop such a proposal; then basic charge would be to develop a proposal on behalf of the Town for presentation back to Atty. Latanzi once approved by all involved parties.

Selectman Mealy **moved** and **seconded** by Selectman Meli that the Board of Selectmen endorse joint venture of proposal brought forward this evening. **Vote 4-0.** Further discussion for a future meeting.

Selectmen are encouraged to submit letter of interest. *[Selectmen to draft an immediate reply back to Atty. Latanzi re: interest and to lie out steps to be made].*

**ABCC population vote**

Selectman Mealy **moved** and **seconded** by Selectman Meli to approve the annual ABCC estimate population growth (40,000) of temporary increased resident population. **Vote 4-0.**

**Other Selectmen's Business**

Meli – clarified her vote on Phillips Road last meeting; St. Patrick's Day fundraiser on March 17, 2010.

Mealy – Inquired about Lewis project; Stop & Shop inquiry of planning office; Corps. of Engineers work on Sagamore Bridge to begin on March 4, 2010 until complete; Will be attending Selectmen Council's Meeting on 3/12/10 in Sandwich; Energy Advisory Committee meeting 3/3/10 at the BMS; Phillips Road discussion at last week's meeting – disclosure of personally owning piece of property in a trust on Phillips Road ½ mile away from the proposed restrictions and did not see any positive or adverse reaction relative to said discussion and vote.

Pickard – commented on Civil Service meeting

Sloniecki – After Prom Committee event; New conflict of interest test; new stretch codes in Hyannis for possible town meeting discussion Fall 2010 or Spring 2011; Request TA Guerino to review statute re: Constable; No Selectman regular meeting next week.

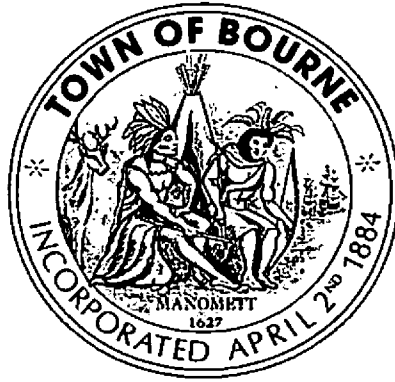
**TA Comment**

TA Guerino stated that any smaller department for budget discussion could be arranged at a future meeting date.

**Adjournment**

Selectman Pickard **moved and seconded** by Selectman Mealy to adjourn. **Unanimous vote.** Meeting adjourned at 8:25 pm.

Respectfully submitted - Lisa Groezinger, sec.



## BOARD OF SELECTMEN

### MEETING NOTICE

Joint Meeting between the Board of Selectmen and Finance Committee

**DATE**

Monday  
March 8, 2010

**TIME**

7:00 p.m.

**LOCATION**

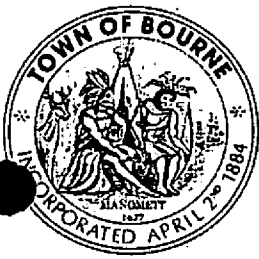
Bourne Veterans Memorial  
Community Center  
239 Main Street  
Buzzards Bay, MA 02532

  
Thomas M. Guerino  
Town Administrator

Date: March 5, 2010

Town Clerk  
Selectmen

2010 MAR 5 AM 10 04  
TOWN CLERK'S OFFICE  
BOURNE, MA 02532



# Board of Selectmen Meeting Notice



Date

Tuesday  
March 16, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 3/1/10 Joint Meeting . 3/2/10 Executive . 3/2/10 Regular
5. Correspondence
6. Bourne Community Boating
7. Committee Appointment:
  - a. Commission on Disabilities – Arnold, Victoria and Nathan Carr
8. Constable Matters – No town meeting adoption required.
9. Ryan Family Amusement – re: General Beer and Wine License request (discussion only)
10. Barry Johnson
  - a. Change in Precinct 2 Voting Location
  - b. Mashnee Island – 1. discussion of public use scenarios  
2. ex officio representation of BOS.
11. Licenses and Permits:
  - a. Baseball Parade
  - b. Bass-Ackwards Race
  - c. Bobcat of Boston – South  
Transfer of Class I Auto  
Dealers License
  - d. Knotty Brew – Common  
Victroler License [food]
  - e. March of Dimes
  - f. McWade-Holmes  
Wedding
  - g. National Marine Life  
Center Fund Raiser
12. Review of Town meeting articles –
13. Other Selectmen's business
14. Adjourn

**Board of Selectmen Meeting Minutes – March 16, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

7:00 pm.

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

**Public comment – Non agenda items**

Charley Miller commented on the VFW.

**Approval of minutes**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve joint meeting minutes of March 1, 2010 as submitted. **Vote 4-0-1** with abstention from J. Ford.

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve executive session minutes of March 2, 2010 as submitted. **Vote 4-0-1** with abstention from J. Ford.

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to release executive session minutes of March 2, 2010 as submitted. **Vote 4-0-1** with abstention from J. Ford.

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve regular meeting minutes of March 2, 2010 as submitted. **Vote 4-0-1** with abstention from J. Ford.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

**Bourne Community Boating Presentation ([www.bournecommunityboating.org](http://www.bournecommunityboating.org))**

BCB looking for the Board's approval to use of new facility for the Program of eight (8) weeks at Monument Beach.

86 3 WD 12 88W 0102

Harbormaster T. Mullen is favor of assisting with the BCB's needs for use of facility - moorings, snack bar, sheds for storage, parking, etc. *[TA Guerino to look into removal of parking signage on Shore Road for access]*.

Charley Miller raised concerns of which were addressed by Mr. Legg.  
Mr. Agrillo in support of proposed request.

Mr. Mulvey suggested the BCB attend the Shore & Harbor Committee and the Harbor Master at their meeting this week and discuss above under "Any Other Business" with suggested agreements for the use of the facilities.

Selectman Sloniecki **moved and seconded** by Selectman Mealy to adopt and approve proposal per Harbormaster T. Mullen letter dated March 7, 2010, upon Town Counsel's Memo of Understanding and recommendation. **Vote 5-0.**

Selectman Meli read into record letter of praise on the BCB from Therese Murray.

#### **Committee Appointment**

Victoria Carr letter dated February 16, 2010 re: Bourne's need for active members on the Disability Commission for hp access.

##### **a. Commission on Disabilities – Arnold, Victoria and Nathan Carr**

Selectman Mealy **moved and seconded** by Selectmen Sloniecki to appoint Victoria, Arnold and Nathan Carr to the Commission on Disabilities for a term ending June 30, 2010. **Vote 5-0.**

#### **Constable Matters – no town meeting adoption required**

TA Guerino paraphrased Town Counsel's opinion (Memo dated March 9, 2010) for the record. TA Guerino will send notice to the Constable re: State Law and payment to the Town.

#### **Ryan Family Amusement – re: General Beer and Wine License request (discussion only)**

Atty. Paul Tardif for Ryan Family Amusement, will submit plans; general questions; and list of liquor licenses currently held to the Board and TA Guerino.

The RFA suggested a trial run of six (6) months, as said license would be new for the town.

Discussion re: installation of plexi-glass for monitoring; storage of alcohol.

**Barry Johnson**

**a. Change in Precinct 2 Voting location**

Gilbert Taylor, President Local 1717 stated having no major issues, but issues for additional HP parking and doors can be addressed at the Station.

Selectman Sloniecki **moved and seconded** by Selectman Meli to approve Town Clerk recommendation of designating the Sagamore Fire Station 3 as Precinct 2 voting location and to discontinue the use of Hoxie School as the prior holding place for Precinct 2. **Vote 5-0.**

**b. Mashnee Island**

**i. Discussion of public use scenarios**

Open Space Committee and the Community Preservation Committee – both committees stand ready and willing to meet in joint session (with M. Leitzel, C. Moore, and one or two Selectmen to act as liaisons) for further discussion.

**ii. Ex officio representation of BOS**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to appoint Mary Meli as an ex officio representation of the Board of Selectmen. **Unanimous vote.**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to appoint Don Pickard as an alternate as representation of the Board of Selectmen. **Unanimous vote.**

**Licenses and Permits**

**a. Baseball Parade**

Selectman Sloniecki **moved and seconded** by Selectman Meli to approve Annual Opening Day Parade on April 24, 2010 at 10:00 pm per routing slip. **Vote 5-0.**

**b. Bass Ackwards Race**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Kingman Yacht Club 13th Annual Opening Day Parade on July 31, 2010 from 2:00 pm – 6:00 (estimated attendance of 200) pm per routing slip. **Vote 5-0.**

**c. Bobcat of Boston - South – Transfer of Class I Auto Dealers License**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Bobcat of Boston request for Transfer of Class I Auto Dealers License per routing slip. **Vote 5-0.**

**d. Knotty Brew – Common Victualer License [food]**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Knotty Brew request for common victualer license hours of operation (Monday – Thursday, 5:00 pm – 11:00 pm) per routing slip. **Vote 5-0.**



**e. March of Dimes**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve March of Dimes request for March of Dimes Babies to install three (3) tents in the Park on June 27, 2010 from 8:00 am – 10:00 am (estimated attendance of 800) *with fee* per routing slip. **Vote 5-0.**

**f. McWade-Holmes Wedding**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve wedding ceremony request on July 24, 2010 from 4:00 pm – 5:00 pm (estimated attendance of 120) *with fee* per routing slip. **Vote 5-0.**

**g. National Marine Life Center Fund Raiser**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve National Marine Life Center request for Fund Raiser public ceremony at the Buzzards Bay Park for June 12, 2010 (rain date of June 13, 2010) from 11:00 am – 6:00 pm, including wavier of fee, but imposing \$50 deposit (estimated attendance of approximately 150) routing slip. **Vote 5-0.**

**Review of Town meeting articles**

Tabled to next week meeting.

**TA Comment**

2010 Town Award received from Comm Am Cause – visit to Therese Murray.

DPW and Storm damage – no real major town related issues; trees down; lost set of stairs at Sagamore Beach; Barlow's Landing Road and County Road – tree down.

Monument Beach Crossing – Leitzel, TA Guerino and Mr. Pierson working with Commonwealth and the RR to get permanent railroad crossing (some costs Town will be responsible – placing holder prior to the ATM for budgetary issues).

Other water related issues – Archives Building roof leak; looking into permanent fix.

Community Building – roof leak near basketball court; instructed Lisa Plant to contact Jim Wenzel for a permanent fix.

Town Money Energy Efficiency Use – p/t contract Energy Coordinator for a year.

Representative Patrick notice on loss in State Aid - \$361,000. Since then Senator Murray's office stated a 4% reduction, resulting in \$197,00 for State Aid and \$52,000 Unrestricted. Any recommendations will be forwarded to the Selectmen, if any.

Landfill Business Model Working Group – 2 applicants and will come before the Board in the future.

Zoning Articles – Planning Board to come before the Selectmen after their hearings with their recommendations to the Selectmen.

**Other Selectmen's Business**

Mealy – Energy Committee meeting; Food Pantry always looking for donations; complete Consensus forms; Sr. Mgmt Board meeting at Blg. 1805 on Camp Edwards.

Meli – fundraiser at the Trowbridge Tavern.

Sloniecki – After Prom Party raised approximately \$2,000; attended meeting on New Building Code at the Cape Codder – residential (stretch code discussion); inquired about Old Plymouth Road.

Pickard – attended the 8<sup>th</sup> Hero's Breakfast in Hyannis; Selectmen and Counselor's meeting; Marie Oliva request for Elder Service on Cape Cod – volunteered to do a route; traneum moorings (discussion for SHC and Harbormaster) – TA Guerino will discuss with T. Mullen.

Ford – believed motion exceeded the agenda re: Phillips Road. Waiting for Atty. Troy's opinion before moving forward. [site visit raised].

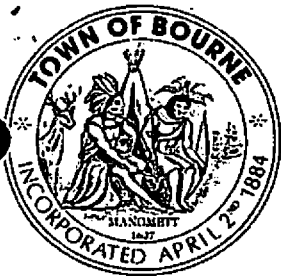
Selectman Mealy **moved and seconded** by Selectman Sloniecki for TA Guerino to request Atty. Troy's written opinion re: Phillips Road. **Vote 5-0.**

**Adjournment**

Selectman Pickard **moved and seconded** by Selectman Sloniecki to adjourn.

**Unanimous vote.** Meeting adjourned at 9:45 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice AMENDED



Date

Tuesday  
March 23, 2010

Time

5:45 P.M.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

5:45 to 7:00

1. Call meeting to Order
2. Personnel matter and Labor Contract - The Board may vote to go into Executive Session

Items 3 - 7:00 - 7:15

3. Moment of Silence for our Troops
4. Salute the Flag
5. Public Comment - Non-Agenda Items
6. Minutes
7. Correspondence

8. Dr. Joyce Harrington - Peace Builders

9. Licenses and Permits:

a. Public Hearing - Underground Gasoline Storage - 7:15 p.m.

b. Route Slips:

1. Annual Easter Egg Hunt

2. Gianna's House Walkathon

3. Farmers Market

4. Swift Memorial Church Parade

c. 2010 Seasonal Liquor renewals and accompanying licenses

- Jarvis, Inc., d/b/a Chart Room
- KKP, LLC, d/b/a The Sagamore Inn
- Lobster Trap Fish Market, Inc., d/b/a The Lobster Trap Fish Market and Restaurant
- Betty Ann's Dairy Freeze
- East Wind Lobster
- Lazy Sundaes Ice Cream
- Seafood Shanty, Inc.
- Whistle Stop Ice Cream Co., Inc.
- Cataumet Light Mini Golf

2010 MAR 19 PM 3 51  
TOWN CLERK'S OFFICE  
BOURNE, MASS.

10. Appointments

- a. Landfill business model working group
- b. Appointment of Paul O'Keefe to Cape and Vineyard Electric Coop. (request by Town Administrator)

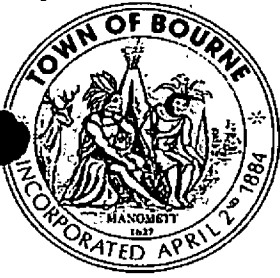
11. Review of Town Meeting Articles

12. Other Selectmen's business:

13. Adjourn

## **Future Selectmen's Meeting Topics**

- Commuter Rail discussion – re: grant
- Phillips lane and beach access – Towns requirements and Counsel's opinion/guidance
- Establish date for Bourne Braves ceremony
- Review of Local Comprehensive Plan



## Board of Selectmen Meeting Notice



Date

Tuesday  
March 23, 2010

Time

5:45 P.M.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

5:45 to 7:00

1. Call meeting to Order
2. Executive Session –Personnel matter and Labor Contract.

Items 3 – 7:00 – 7:15

3. Moment of Silence for our Troops
4. Salute the Flag
5. Public Comment – Non-Agenda Items
6. Minutes
7. Correspondence

8. Dr. John Harrington – Peace Builders

9. Licenses and Permits:

a. Public Hearing - Underground Gasoline Storage – 7:15 p.m.

b. Route Slips:

1. Annual Easter Egg Hunt

2. Gianna's House Walkathon

3. Farmers Market

4. Swift Memorial Church Parade

c. 2010 Seasonal Liquor renewals and accompanying licenses

- Jarvis, Inc., d/b/a Chart Room
- KKP, LLC, d/b/a The Sagamore Inn
- Lobster Trap Fish Market, Inc., d/b/a The Lobster Trap Fish Market and Restaurant
- Betty Ann's Dairy Freeze
- East Wind Lobster
- Lazy Sundaes Ice Cream
- Seafood Shanty, Inc.
- Whistle Stop Ice Cream Co., Inc.
- Cataumet Light Mini Golf

2010 MAR 19 AM 11 35  
TOWN CLERK'S OFFICE  
BOURNE, MASS

10. Appointments

- a. Landfill business model working group
- b. Appointment of Paul O'Keefe to Cape and Vineyard Electric Coop. (request by Town Administrator)

11. Review of Town Meeting Articles

12. Other Selectmen's business:

- a. Appointment to Landfill Working Group
- b. 4<sup>th</sup> of July Parade – Vendors

13. Adjourn

## **Future Selectmen's Meeting Topics**

- Commuter Rail discussion – re: grant
- Phillips lane and beach access – Towns requirements and Counsel's opinion/guidance
- Establish date for Bourne Braves ceremony
- Review of Local Comprehensive Plan



OK to  
Release  
3/30/10

**Board of Selectmen Executive Session Meeting Minutes – March 23, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

5:45 pm.

Selectman Ford **moved** and **seconded** by Selectman Meli to go into Executive Session pursuant to the General Law Chapter 31 Sec. 23B, Paragraph 1 and to reconvene in open session. **Roll call: Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes; Ford – yes.**

Discussion the employee. has waived right to counsel. Also discussed labor contracts.

**Adjournment**

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to adjourn. **Roll call:**

**Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes; Ford – yes.** Meeting adjourned at 7:05 pm.

Respectfully submitted - Lisa Groezinger, sec.

2010 MAR 31 PM 11 01  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Board of Selectman  
Executive Session  
March 23, 2010

2012 MAY 23 PM 4 20

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Attendees:**

John Ford, Chairman  
Jamie Sloniecki, Vice Chair  
Mary Meli, Clerk  
Stephen Mealy  
Donald Pickard  
Thomas Guerino, Town Administrator

The meeting convened at 6:25 p.m.

After some discussion, the Board of Selectman requested that the Town Administer work on the following areas regarding his reputation and character:

- Delegation and follow-up: The TA has a reputation for trying to do everything himself – focusing on delegation and follow-up would lead to assignments being completed and therefore alleviating possible stressful situations.
- Using his staff to their full potential: Rumors of staff conflicts seem to have resulted in the staff not being used to their full potential – correction of this situation will result in a more efficient Town Administrators office.
- Time management: The TA has the reputation of spending too much time on too many committees spreading himself too thin and therefore not being as effective as possible.
- Maintain professional manner at all times: The TA has the reputation of being too "friendly" with some staff resulting in a less than professional relationship.
- Communication: The TA has the reputation of "talking too much" which sometimes results in negative situations. Also, he has the reputation of not communicating pertinent information to the BOS.

Weaknesses in the above-mentioned areas have resulted in difficulties with the general operation of the Town. The BOS feels that it is imperative that the Town Administrator make progress in these areas in order to restore his reputation and character in order to be more effective and efficient.

The meeting adjourned at 7:52 p.m. with a unanimous roll call vote.

Released 5  
3-28-10 TMC

**Board of Selectmen Executive Session Meeting Minutes – March 23, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532.**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

*release*

**Meeting called to order**

5:45 pm.

Selectman Ford **moved and seconded** by Selectman Meli to go into Executive Session pursuant to the General Law Chapter 31 Sec. 23B, Paragraph 1 and to reconvene in open session. **Roll call: Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes; Ford – yes.**

Discussion the employee. has waived right to counsel. Also discussed labor contracts.

**Adjournment**

Selectman Sloniecki **moved and seconded** by Selectman Meli to adjourn. **Roll call: Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes; Ford – yes.** Meeting adjourned at 7:05 pm.

Respectfully submitted - Lisa Groezinger, sec.

2010 APR 1 AM 11 42  
TOWN CLERK'S OFFICE  
BOURNE, MA 02532

Board of Selectmen Executive Session Meeting Minutes – March 23, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532

\*\*\*\*\*

Attendance

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

2012 MAY 23 PM 4 20

TOWN CLERK'S OFFICE  
BOURNE, MASS

*Encumbered*

Meeting called to order  
5:45 pm.

Selectman Ford **moved** and **seconded** by Selectman Meli to go into Executive Session pursuant to the General Law Chapter 31 Sec. 23B, Paragraph 1 and to reconvene in open session. Roll call: Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes; Ford – yes.

Discussion the employee. has waived right to counsel. Also discussed labor contracts.

**Adjournment**

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to adjourn. Roll call: Pickard – yes; Sloniecki – yes; Meli – yes; Mealy – yes; Ford – yes. Meeting adjourned at 7:05 pm.

Respectfully submitted - Lisa Groezinger, sec.

**Board of Selectmen Meeting Minutes – March 23, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

7:00 pm.

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

**Approval of minutes**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve minutes of March 16, 2010 as submitted. **Vote 5-0.**

**Public Comment**

Joe Carreira requested 4<sup>th</sup> of July Parade changed to Sunday July 4, 2010 due to conflicts.

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to approve amend original motion to change to the Bourne 4<sup>th</sup> of July Parade from 3<sup>rd</sup> to the 4<sup>th</sup> of July with same stipulations as in the original motion. **Vote 5-0.**

Joyce Lorman on Quinn Bill re: Police – funding is in collective bargaining.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

**Dr. Joyce Harrington – Peace Builders**

Expanded policy and protocol with the Police Department on cyber bullying.

Asking for a Proclamation declaring Peace Builders Month during the month of May and to consider saying the Pledge before Selectmen meetings during the month of May.

TA Guerino will have paperwork for next meeting.

**Licenses and Permits**

a. **Public Hearing – underground gasoline storage**  
Chm. Ford opened public hearing at 7:35 pm.

TOWN CLERK'S OFFICE  
BOURNE, MA 02532  
2010 MAR 31 AM 11 01

Chrisco Realty of Bourne. KKC/Hess Corporation storage license for two (2) 20,000 gallon underground storage tanks for the sale of gasoline and diesel fuel. This is to be used in conjunction with the gasoline service station.

Al Lautenbacher on behalf of applicant.

TA Guerino stated three issues the Selectmen required to address prior to hearing:

1. Ballards around tank areas be steel and not PVC material - corrected
2. No U-turn sign at signal at the campground – completed by Mass. Highway
3. Lighting directed downward – Planning Board approved recessed lighting

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve request Chrisco Realty of Bourne, KKC/Hess Corporation storage license for two (2) 20,000 gallon underground storage tanks for the sale of gasoline and diesel fuel. This is to be used in conjunction with the gasoline service station at 343 Scenic Highway, Buzzards Bay. **Vote 5-0.**

**b. route slips**

**i. Annual Easter Egg Hunt**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Heather Pezzone request for Annual Sagamore Beach Easter Egg Hunt on March 27, 2010 (rain date April 3, 2010) from 8:30 am – 12:00 pm per routing slip. **Vote 5-0.**

**ii. Gianna's House Walkathon**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Gianna's House, Inc. request for Fundraising walkathon on April 17, 2010 from 8:30 am – 12:00 pm (estimated attendance 25+) per routing slip. **Vote 5-0.**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve the request to waive fees with stipulation of a deposit of \$100 collected and returned upon completion of said Walkathon. **Vote 5-0.**

**iii. Farmer's Market**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Farmer's Market request for Fridays July 2, 2010 through October 29, 2010 (except during Scallop Festival) from 10:00 am – 2:00 pm per routing slip. **Vote 5-0.**

**iv. Swift Memorial Church Parade**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Swift Memorial Church request for 100<sup>th</sup> Anniversary Parade on May 16, 2010 at 11:00 am per routing slip. **Vote 5-0.** [*License held - contact Fire & Police*].

**c. 2010 Seasonal liquor renewals and accompanying licenses**

- i. Jarvis, Inc., d/b/a Chart Room & KKP, LLC, d/b/a The Sagamore Inn**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve 2010 Seasonal Liquor, Food and Entertainment License renewal for Jarvis, Inc., d/b/a Chart Room and The Sagamore Inn per routing slip. **Vote 5-0.**

**ii. Lobster Trap Fish Market, Inc., d/b/a The Lobster Trap Fish Market and Restaurant**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve 2010 wine and malt Seasonal Food and General License renewal for Lobster Trap Fish Market, Inc., d/b/a The Lobster Trap Fish Market and Restaurant per routing slip. **Vote 5-0.**

**iii. Betty Ann's Dairy Freeze, East Wind Lobster, Lazy Sundaes Ice Cream, Seafood Shanty, Inc., Whistle Stop Ice Cream Co.**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve 2010 Seasonal Food and General License renewal for Betty Ann's Dairy Freeze, East Wind Lobster, Lazy Sundaes Ice Cream, Seafood Shanty, Inc. and Whistle Stop Ice Cream Co., Inc. per routing slip. **Vote 5-0.**

**iv. Cataumet Light Mini Golf**

Selectman Sloniecki moved and seconded by Selectman Mealy to approve 2010 General Amusement License renewal for Cataumet Light Mini Golf per routing slip. **Vote 5-0.**

**Appointments**

**a. Landfill Business Model Working Group**

Selectman Sloniecki moved and seconded by Selectman Pickard to appoint William Ware to the Landfill Business Model Working Group for a term ending June 30, 2010. **Vote 5-0.**

**b. Appointment of Paul O'Keefe to Cape and Vineyard Electric Coop. (request by TA)**

Selectman Sloniecki moved and seconded by Selectman Pickard to appoint Paul O'Keefe to the Cape and Vineyard Electric Coop for a term to end June 30, 2010. **Vote 5-0.**

**Review of Town Meeting Articles**

**Article 32 – Acceptance of Statues, Chapter 41, Section 105 – Trustees of Soldier's Memorials**

Chm. Ford read into the record Town Counsel opinion, addressing two concerns: a) The need to adopt said Chapter; and b) Care and control of building is vested with the Selectmen or if Town votes (2/3 vote to transfer custody) otherwise.

Selectmen heard the arguments from both the pros and cons of said Article.

Michele Ford, Chm. of FinCom, does not think FinCom came away with a positive action towards the article at their meeting last night. Elinor Ripley suggests taking wording out after the word "Center" in the Article and let Mr. Carrara work with TA Guerino and Lisa Plant re: an agreement.

Selectmen to postpone Article 32 until get clarification of Town Counsel.

Article 11 - Quorum

FinCom reduce quorum to 100 members. Bylaw Committee unanimously approved.

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to support Article 11 as submitted. **Vote 5-0.**

Article 12 – Articles by Lottery

No change, except Special Town Meeting has been added. Bylaw Committee has approved unanimously.

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki to support Article 12 as submitted. **Vote 5-0.**

Article 13 - Appointments

On hold. may or may not appear in the Warrant as it is waiting Town Counsel opinion.

Article 14 – Reappointment - Committees

Relates to the unexcused absences.

Selectman Sloniecki **moved** and **seconded** by Selectman Pickard to endorse Article 14 as submitted. **Vote 4-1** with opposing vote from S. Mealy.

Article 15 – Salary Administration Plan

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to delete Article 15 from the Town Warrant. **Vote 5-0.**

Article 25 – Business Licenses

On hold. Bylaw Committee approved unanimously.

Article 17 – New Access Road

Private petition article. BFDC still in process of designing said road.

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki to endorse and approve Article 17 as submitted. **Vote 5-0.**

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki for a five-minute recess. **Unanimous vote.**

Article 18 – Removal of Fire Chief from Civil Service



Template was a result of research by Nancy Sundman of Article put on Town Meeting Warrant.

Pickard – see if Town will vote and hire outside from Section 31 of MGL; solicit lateral transfers at the same time.

The next time Civil Service Exam will be given is March 2011 (sign up by December 2010).

Selectmen heard pros and cons to said Article.

Selectman Pickard **moved** and **seconded** by Selectman Meli to endorse and approve Article 18 as submitted. **Roll call – Pickard – yes; Sloniecki – yes; Mealy – yes, Ford - no.**

Article 1 – Regular Required Authorizations

TA Guerino reviewed for public.

Article 2 – Elected Officials Salaries

TA Guerino reviewed for public.

Article 3 – Regular Annual Expenses

TA Guerino reviewed for public.

Article 4 – Sewer Department

TA Guerino reviewed for public.

Article 5 – Chapter 90

TA Guerino reviewed for public.

Article 6 – Reserve Fund

TA Guerino reviewed for public.

Article 7 – ISWM

TA Guerino reviewed for public.

Article 8 – Committee Reports

Article 9 – Revolving Fund

Article 10 – Capital Outlay

Article 16 – Long Term Solid Waste Agreements

For terms up to 15 years.

Article 19 – Shellfish Propagation

\$20,000 current out of General Fund.

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki to recommend the inclusion in the Town Warrant and for approval of Articles 1, 2, 4, 5, 6, 7, 8, 9, 16 (as amended), and 19. **Vote 5-0.**

**Other Selectmen's business**

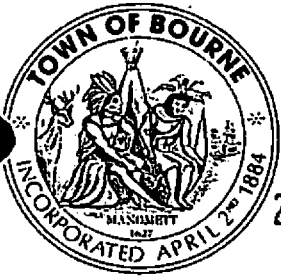
Mealy – attended recent Shore & Harbor Committee meeting

Meli – fundraiser raised \$2,700

**Adjourn**

Selectman Sloniecki **moved** and **seconded** by Selectman Pickard to adjourn. Meeting adjourned at 10:20 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



2010 MAR 26 PM 1 55

TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Tuesday  
March 30, 2010

Time

6:15 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

6:15 – 7:00 (Items 1) Call to order

1. Board may enter executive session for the purposes of on-going litigation
2. Moment of Silence for our Troops (Items 2 – 5 - 7:00 -7:15)
3. Salute the Flag
4. Public Comment – Non-Agenda Items
5. Minutes
6. Correspondence
7. Bob Troy, Town Counsel
8. Sandy Pond Road Culvert/Herring run.

9. Licenses and Permits:

- a. Helping Hands Thrift Shop – St. Teresa's Church Prop – Junk Dealers Lic.
- b. Scallop Festival – One Day Liquor
- c. Brook-Neil – Use of Monument Beach Parking Lot

10. Appointments:

- a. Historic Commission – Alternates

11. Mark Tirrell, Diane Flynn & Skip Barlow – 100<sup>th</sup> Celebration

12. Town meeting and article review continuation

13. Supplemental position determination

14. Budget discussion

15. Other Selectmen's business

16. Adjourn

**Board of Selectmen Meeting Minutes – March 30, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*2010 JUL 7 AM 9:44

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

TOWN CLERK'S OFFICE  
Bourne, MA

**Meeting called to order**

7:07 pm.

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

**Public Comment Non-Agenda Items**

J. Mulvey read into record the Town Report of 2003, page 329 of the passing of Article 1, indicating that "... that building, upon completion will be under the care, custody and control of the Trustees ..."

B. Johnson - 2010 census.

C. Miller - SHC Open Public meeting re: Bassets Island moorings on April 22, 2010.

J. O'Brien - requested clarification on Fire Chief Position from TA Guerino (strong chief).

**Approval of minutes**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve and release executive minutes of March 23, 2010 as submitted. **Vote 5-0.**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve minutes of March 23, 2010 as submitted. **Vote 5-0.**

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

TA will submit letter on behalf of the Board thanking Donald Jacobs for his service to the Town.

**Bob Troy, Town Counsel**

Discussion on controversy relating to the Town not providing documents sought by local newspapers. Atty. Troy response re: legal position of the Town dated March 29, 2010 briefly reviewed.

Discussion held on exposure of private information related to health related and HIPPA.

**Sandy Pond Road Culvert/Herring run**

Ownership is questionable, but road mostly on the Plymouth side is deteriorating, causing run off running into the pond:

DPW put material to slow run off and TA Guerino discussed with Asst. Town Manager and Town Engineer in Plymouth – review and get back to TA Guerino. Due to the concerns from citizens and Town's own public safety issues, asking for reports:

M. Leitzel - road in discussion is not a Town road, however, the Herring Run has historical value and the Town has obligation to preserve and make sure it runs properly.

R. Tellier - road is a gravel surface resulting in erosion. DPW regarded and refilled the washouts. Due to not being recognized a Town road; there is not a lot of expenditure. DPW does its best to keep safe. An engineer would need to determine cost of repairing – approximately under \$50,000.

B. Mulaney - possible to utilize some of the Division of Marine Fisheries (DMF) money for repairs.

Discussion on weight limits (currently 12 tons); Town of Sandwich.

President of Herring Pond Watershed Association – concerned with run off; Area of Critical concern (ACEC); resident commented on one lane, impossible for two cars to pass.

S. Mealy - who is responsible for culvert and can we find entities to help with repairs? Can Town put a weight limit on the bridge?

TA Guerino look into BSC or other engineering for preliminary engineering work; speak with Police Chief on Town weight limit on culvert.

**Licenses and Permits**

- a. **Helping Hands Thrift Shop – Corpus Christi Church Prop – Junk Dealers Lic.**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Junk Dealers License request for Helping Hands Thrift Shop at St. Teresa's Church property per routing slip. **Vote 5-0.**

**b. Scallop Festival – One Day Liquor**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve One Day Liquor license request of Cod Region Canal Commission request for the Scallop Festival on 9/24/10 from 10:00 am – 10:00 pm; 9/25/10 from 10:00 am – 10:00 pm; 9/26/10 from 11:00 am from 10:00 pm per routing slip. **Vote 5-0.**

**c. Use of Monument Beach Parking Lot**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Mullen-Neil request of use of Monument Beach Parking Lot for wedding (estimated attendance of 100 guests) on 7/10/10 from 4:30 pm – 11:00 pm per routing slip. **Vote 5-0.** *[Applicant – signage]*

**Appointments**

**a. Historic Commission – Alternates**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to appoint Gioia Dimock, Neil F. Langille as Historic Commission Alternates for a term ending June 30, 2010. **Vote 5-0.**

**Mark Tirrell, Diane Flynn & Skip Barlow – 100<sup>th</sup> Celebration (2014)**

Proposal to the Selectmen re: Centennial Celebration of the Opening of the Cape Cod Canal in 2014 given to the Selectmen.

J. Sloniecki – put together a Charge moving forward.

**Town meeting and article review continuation**

Article 25 – Business Licenses

Bylaw sponsored by Town Clerk.

Purpose of Article is to identify who is operating a business, and making sure they are licensed - mirroring State law.

Selectman Sloniecki **moved** and **seconded** by Selectman Ford to support Article 25 – Business Licenses on the 2010 Annual Town Warrant. **Vote 5-0.**

Article 26 – Community Preservation Committee – Operating expenses

CPC unanimously recommended \$30,000 for administrative and operating expenses.

Selectman Sloniecki **moved** and **seconded** by Selectman Pickard to support Article 26 – CPC Administrative and operating expenses on the 2010 Annual Town Warrant. **Vote 5-0.**

Article 27 – Community Preservation Committee

CPC unanimously recommended projects:

1. Bourne Housing Affordable Trust – Affordable Housing Specialist - \$51,500
2. Bourne Housing Authority – upgrade electrical service in Continental apartments - \$100,000

3. Bourne Housing Authority – filed but withdrawn; wanted to concentrate on the electrical upgrade; enough funding to continue into the next fiscal year
4. Historic - \$20,000 to continue binding of permanent records; storage
5. Preservation – \$5,592 for restoration foundation on Briggs-McDermott House
6. Capital Outlay
  - a. \$100,000 - Town Hall restoration and preservation (windows and gutters at Town Hall);
  - b. \$22,689 – Archives, continued digitization of records and restoration

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to support Article 27 – CPC projects on the 2010 Annual Town Warrant. **Vote 5-0.**

Article 32 -

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to remove Article 32 from the Annual Town Warrant. **Vote 5-0.**

**Special Town Meeting Warrant**

Article 5 – Historic Center repairs

Waiting to know amount (permanent fix) - coming out of Undesignated Funds.

Article 1 – Railroad at Monument Beach

Article 2 – Repair and Upgrade

Article 6 – Town Meeting Articles

Article 7 – Article 3 and Article 7 of 2009 ATM

Article 8 – Unpaid Bills

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki to endorse Article 2 in the amount of up to \$125,000 for the purposes to endorse; and to approve Article 6; Article 7; and Article 8. **Vote 5-0.**

Article 3 – Bourne Zoning Bylaws

Submitted by petition.

Article 4 – Zoning Bylaws

Extending B2 zone at St. Theresa's church

**Supplemental position determination**

TA Guerino limit overtime budgets to an approximately 50% +/- of the current year (not current year appropriated) and work with FinCom on the Reserve Funds.

Budget discussion

TA Guerino doesn't feel a need for a PE at ISWM due to changes in management structures; however, the Town needs a Human Resources Director (\$65,000 - \$85,000 annual salary).

TA Guerino also recommends adding the position of Accountant (\$55,000 - \$75,000).

Discussion held on not being the time to add both positions; however TA Guerino is advocating both.

S. Mealy – suggested exploring Barnstable (using their Business Manager for Schools and for the Town). TA Guerino will explore with the School Committee (long range plan). He will email information to the Selectmen.

TA Report

Water levels are high but cannot help individual residents – result of no place for the water to go. There has been also some municipal water damage.

Planning Articles (Zoning) presented to the Board on April 13, 2010 meeting.

S. Mealy – next meeting agenda re: the Chief's position in the Civil Service.

Other Selectmen's business

Mealy – MMRC airing on TV; Bourne Blood drive in Community Bldg; Restoration Plan for Textron MMR to three Upper Cape towns – plan review 4/6/10

Pickard – Elder Services on Cape Cod (Meals on Wheels).

Ford – attended Shellfish working group meeting; Trustees meeting.

TA Guerino to send 2003 Annual Town vote re: Trustees on care and custody of building (as stated by J. Mulvey in tonight Public Comment).

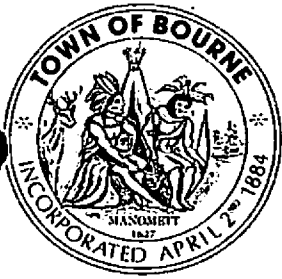
April 8, 2010 – Public hearing re: Holmstead Ave. and Holmstead Extension at Town Hall.

Adjourn

Selectman Pickard moved and seconded by Selectman Sloniecki to adjourn. Meeting adjourned at 10:25 pm.

Respectfully submitted - Lisa Groezinger, sec.





# Board of Selectmen Meeting Notice AMENDED



Date

Tuesday  
April 6, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-6) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence
6. Peace Builders Proclamation

7. Amendment to the Shellfish Regulations to close three areas for the relay of shellfish

8. Herbicide spraying on utility ROW moratorium discussion

9. Chamber of Commerce – License Plate Revenue Distribution

10. Fire Chief's position in the Civil Service

11. Town Administrator's Report

12. Licenses and Permits:

A. Hen's Cove Wedding

13. Other Selectmen's business

A. Discussion on plans for Bourne Braves ceremony

B. Budget discussion finals

C. 2014 Canal Centennial Board of Selectmen membership

14. Adjourn

2010 APR 6 PM 11 02

2010 APR 6 PM 11 02



## Board of Selectmen Meeting Notice

APR 6 PM 4 18 AMENDED

TOWN CLERK'S OFFICE  
Bourne, MA 01939



Date

Tuesday  
April 6, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-6) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence
6. Peace Builders Proclamation

7. Amendment to the Shellfish Regulations to close three areas for the relay of shellfish

8. Herbicide spraying on utility ROW moratorium discussion

9. Chamber of Commerce – License Plate Revenue Distribution

10. Fire Chief's position in the Civil Service

11. Town Administrator's Report

- a. budget
- b. civil service recruitment
- c. water damage to PD

12. Licenses and Permits:

A. Hen's Cove Wedding

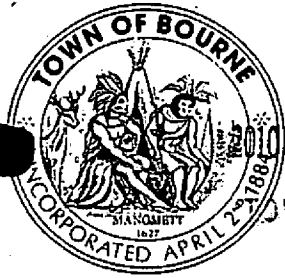
13. Other Selectmen's business

A. Discussion on plans for Bourne Braves ceremony

B. Budget discussion finals

C. 2014 Canal Centennial Board of Selectmen membership

14. Adjourn



## Board of Selectmen Meeting Notice



APR 2 AM 11 22

TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Tuesday  
April 6, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-6) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence
6. Peace Builders Proclamation
7. Amendment to the Shellfish Regulations to close three areas for the relay of shellfish
8. Herbicide spraying on utility ROW moratorium discussion
9. Chamber of Commerce – License Plate Revenue Distribution
10. Fire Chief's position in the Civil Service
11. Town Administrator's Report
12. Licenses and Permits:
  - A. Monk's Park Wedding
13. Other Selectmen's business
  - A. Discussion on plans for Bourne Braves ceremony
  - B. Budget discussion finals
  - C. 2014 Canal Centennial Board of Selectmen membership

14. Adjourn

**Board of Selectmen Meeting Minutes – April 6, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

7:07 pm.

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

**Public Comment Non-Agenda Items**

R. Schofield announced the rebate program Cape Light Compact. Rebates available 4/22/10 – 5/5/10 or until funds will run out. [www.massave.dot/gax](http://www.massave.dot/gax) for more information; Green Energy Park open forum on Wed. 4/14/10 at 5:30 pm – Energy Committee will also participate; Energy Coordinator Richard Elrick was hired in the Town of Bourne.

J. O'Brien inquired of the working session between BOS and FinCom to establish a final budget. (TA Guerino stated no date is certain at this time, but somewhere between 30 – 45 days is the time frame ISWM is expecting a draft report from Comm. Management Resources).

Mr. O'Brien also asked about the ISWM Business Model Working Group.

**Approval of minutes**

Selectman Mealy moved and seconded by Selectman Meli to approve minutes of March 30, 2010 as submitted. **Vote 5-0.**

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item B Town's Chapter 90 apportionment for FY2011 is \$468,639; a \$19,000 increase of the previous years.

**Peace Builders Proclamation**

Dr. Harrington read into the record the Peace Builders Proclamation.

2010 JUL 7 AM 10 44  
TOWN CLERK'S OFFICE

Selectman Mealy **moved and seconded** by Selectman Meli to accept the Proclamation relative to the new Harassment Policy addressed as the Peace Builders, declaring the month of May being Peace Builders Month. **Vote 5-0.**

Selectman Ford **moved and seconded** by Selectman Meli that the Selectmen sign the Peace Builders Proclamation. **Vote 5-0.**

**Amendment to the Shellfish Regulations to close three areas for the relay of shellfish**  
Selectman Mealy **moved and seconded** by Selectman Meli to adopt the Shellfish Regulation Amendment No. 2010-2 to close three areas for the relay of shellfish as outlined by the Director of Department of Natural Resources (Phinney's Harbor, Winsor Cove; and Little Bay East Oyster Bed) as outlined. **Vote 5-0.**

**Herbicide spraying on utility ROW moratorium discussion**

TA Guerino stated the Cape Cod Commission come on with a one-year moratorium. TA Guerino stated the Board would have to make the determination.

Selectman Pickard **moved and seconded** by Selectman Meli to endorse recommendation of Bourne Board of Health to support the one-year moratorium of NSTAR's application dated March 26, 2010. **Vote 5-0.**

**Chamber of Commerce – License Plate Revenue Distribution**

Chamber of Commerce is looking to reformulate the distribution of the Cape and Islands license plate proceeds to include the local chambers of commerce.

Selectman Mealy **moved and seconded** by Selectman Meli to endorse the Chamber of Commerce License Plate Revenue Distribution. **Vote 5-0.**

A letter of support will be sent to the legislature and the Chamber of Commerce.

**Fire Chief's position in the Civil Service**

S. Mealy read into record why he supported Article to put on Annual Town Warrant and his position. (A copy of which is attached hereto).

S. Mealy, D. Pickard, M. Meli and J. Sloniecki are in support of taking Fire Chief position out of Civil Service; J. Ford is not in support of taking Fire Chief position out of Civil Service.

Several members of the public commented on their own positions of the Fire Chief.

**Town Administrator's Report**

**a. Budget**

- County Retirement
  - i. 8% was budgeted; came in at 12% (\$91,000) going into FY12.
- Vocational School

- i. Budget up an additional \$100,000 – budget has not yet been finalized.

- **Fire Department**

- i. FD in full complement, minus the Fire Inspector position
- ii. \$425,000 budgeted for unusual events for each Fire and Police Departments with regard to OT.

TA Guerino survey of area Chiefs; come back to BOS with numbers at next meeting.

- **HR Director**

- i. Position budgeted in current budget.

Smaller budget changes briefly reviewed; also reviewed Sources and Uses adjustments.

D. Pickard wants to see more Selectmen input with regard to Department Head contracts; Parking enforcement on Phillips Road. Mr. Pickard commented on the method of increasing wages by the Town Administrator.

TA Guerino requesting direction from the Board regarding placement of money in current budget. The \$125,000 for summer officers had been removed in FY09.

**b. Civil Service recruitment**

TA Guerino looking to run a concurrent system:

- Under Civil Service, everyone who met criteria would have to be assessed at the Assessment Center – there is an additional cost; and
- If Town Meeting pulls out of Civil Service, process would be to: advertise, set up a team of professionals for interviewing; collect resumes; call down to a certain number and bring down to final three; final list to the Board of Selectmen.

Selectman Mealy **moved and seconded** by Selectman Ford recommendation to move forward in proposed course of action from TA Guerino in both local and statewide lists. **Roll call: Pickard – yes, Sloniecki – yes; Meli – yes; Mealy – yes; and Ford – yes.**

**c. Water damage to PD**

Damage on the west end of the station (locker room, evidence room), which is not covered by insurance. Mold testing needed and will work with County Health Department.

J. Sloniecki asked how long is the Town going to stay in this building the way it is. TA Guerino commented on how the Capital Outlay Committee will come to the Selectmen.

C. Miller suggested the Coady Building for the Police Station.

**Licenses and Permits**

**a. Hen Cove's Park wedding**

Selectman Sloniecki moved and seconded by Selectman Meli to approve Christine McGowan's request for a Wedding at Hen Cove's Park on July 31, 2010 from 4:00 pm – 5:45 pm (estimated attendance – 50) per routing slip. **Vote 5-0.**

**Other Selectmen's business**

**a. Discussion on plans for Bourne Braves ceremony**

TA Guerino requesting ideas of the Board to be emailed to him moving forward.

**b. 2014 Canal Centennial Board of Selectmen membership**

Selectman Sloniecki moved and seconded by Selectman Mealy to appoint Mary Meli to the 2014 Canal Centennial Board of Selectmen membership. **Vote 5-0.**

Pickard – computer class on liquor training – can Board address?

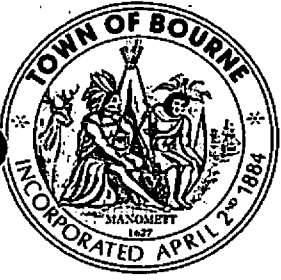
Ford – Corps of Engineers paving schedule for Marine Life Center to be done in May; due to the material costs, it was suggested that the Engineers contact TA Guerino;

**Adjourn**

Selectman Pickard moved and seconded by Selectman Sloniecki to adjourn. Meeting adjourned at 10:00 pm.

Respectfully submitted - Lisa Groezinger, sec.





## Board of Selectmen Meeting Notice



Date

April 8, 2010

Time

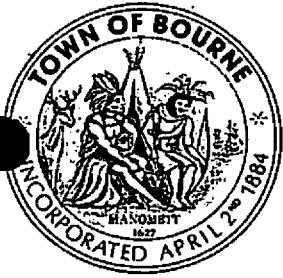
7:00 p.m.

Location

Bourne Town Hall

Order of Assessment of Betterments for the Repair and Resurfacing  
Homestead Road and Homestead Road Extension.

2010 APR 7 PM 4 19  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Selectmen Meeting Notice

2010 APR 9 PM 2 53

TOWN CLERK'S OFFICE

10.30.2010



Date

Tuesday  
April 13, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Adopt Order of Betterments – Homestead Avenue & Homestead Ave., Ext.

7. Mary Jane Mastrangelo – Capital Plan and Committee Activity update

8. Planning Articles (Zoning)

9. Cape Cod Commission Appointment

10. Board signing the Annual and Special Town Meeting warrants

11. Public parking (sign removal where resident parking sticker are by Monument Beach-discussion only)

12. Licenses and Permits:

- a. Madmikes Auto Sales – Class II Car Dealers License
- b. 5k Road Race – Sagamore Colony Club
- c. Common Victualer - Cartwheels II Snack bar

13. Other Selectmen's business

- a. Town Administrator's Annual review.

14. Town Administrator's report

15. Adjourn

**Board of Selectmen Meeting Minutes – April 13, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman (excused)

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

7:00 pm.

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

**Public Comment Non-Agenda Items**

Robert C. Jones suggested a pig roast event after the 4<sup>th</sup> of July Parade (4<sup>th</sup> of July Parade committee was in favor); willing to fix the plumbing of the restrooms.

Jerry O'Brien commented on Article 15 on the ATM with regard to the 15-year ISWM Article.

**Approval of minutes**

Selectman Pickard moved and seconded by Selectman Meli to approve minutes of April 6, 2010 as submitted. **Vote 4-0.**

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item D – Local Census: 1-866-872-6868 will be added to the Town website.

**Adopt Order of Betterments – Homestead Avenue & Homestead Ave, Ext.**

Selectman Meli read into record Order.

Selectman Ford moved and seconded by Selectman Mealy to adopt and sign the Order of Betterments – Homestead Avenue and Homestead Ave, Ext as written. **Vote 4-0.**

**Mary Jane Mastrangelo – Capital Plan and Committee Activity update**

Committee undertook five tasks:

1. Highest and Best Use Evaluation
2. CPC funding
3. Police Site Evaluation

TOWN CLERK'S OFFICE  
2010 APR 21 PM 12 41

4. Grant Funding
5. Facilities Manager

**Planning Articles (Zoning) – C. Moore and C. Farrell**

**STM**

Article 2 – Waterways Repair and Upgrade (Red Brook Harbor)

Scott Zane, Kingman Yacht Center, and John Whitman – change of zoning of marina and adjacent 5-acre parcel to protect Red Brook Harbor at no expense to the Town. Planning Board final vote 5-4 in favor of Article.

Article 3 – Marine Overlay District

Article is not changing the zoning. The underlying zoning will remain the same (B-2), allowing greater density.

Discussion held.

S. Mealy **moved** and **seconded** by Selectman Meli to recommend approval of Article 3 in the Special Town Meeting Warrant. **Vote 4-0.**

Article 4 – Extend B-2 Zone in S. Sagamore

Planning Board voted 8-1 to approve.

**ATM**

Article 20 - 3343 Interim Egress Control

Add sunset date (changed from June 1 to June 1, 2020) on bylaw with regard to egress control on Scenic Highway and Sandwich Road.

Article 23 – Nonconforming Affordable Lots

Proposed by Housing Partnership – non-conforming lots separated and used for Affordable Housing.

Article 22 – Back lot Subdivision

Created to strengthen the back lot.

Article 23 – Shape Factor

Article - WACS

Separated commercial from residential.

Article – 2722 - Technology Campus Access

Contingent on Assembly of Delegates – proposing an effective date of November 1, 2010.

Article – 2744 – Setbacks of Technology Campus

Giving Planning Board authority to reduce setbacks.

Article 29 - 4335 – Height

Allow increase of height at the Technology Campus

Article - Change to definition of the Technology Campus

Limited access.

**Cape Cod Commission Appointment**

Selectman Ford **moved and seconded** by Selectman Pickard to appoint Michael Blanton to the Cape Cod Commission as Town of Bourne representative for a three-year term.

**Vote 4-0.**

**Board signing the Annual and Special Town Meeting warrants**

Selectman Ford **moved and seconded** by Selectman Mealy that the Board sign Annual and Special Town Meeting warrants. **Vote 4-0.**

**Public parking (sign removal where resident parking stickers are by Monument Beach – discussion only).**

Determined not cost effective at the present time. TA Guerino stated that if the Board wishes to move forward, the current Board either rescind or amend an action that a former Board has taken action upon (add to April 27, 2010 agenda).

**Licenses and Permits**

**a. Madmikes Auto Sales – Class II Car Dealers License**

TA Guerino will address Board of Health comment; and to put license on next meeting.

**b. 5k Road Race – Sagamore Colony Club**

Selectman Pickard **moved and seconded** by Selectman Ford to approve Sagamore Colony Club request for 5k Road Race on August 7, 2010 from 11:00 am – 12:00 pm (estimated attendance 200) per routing slip. **Vote 4-0.**

**c. Common Victualer – Cartwheels II Snack bar**

Selectman Pickard **moved and seconded** by Selectman Mealy to approve Cartwheels 2 Snack bar request for Common Victualer License per routing slip. **Vote 4-0.**

**Other Selectmen's business**

**a. Town Administrator's Annual review**

Chm. Ford reviewed procedure.

Meli – Health & Wellness Expo on 4/14/10; Fundraiser on 4/17/10 Country & Western Night.

Mealy – 4/20/10 meeting at Eastham Town Hall with regard to NStar spraying of herbicides and pesticides

Ford – 4/22/10 meeting of Shore & Harbor Committee regarding Red Brook Harbor; Comcast Annual Capital Equipment purchase expenditures; Notification of Buzzards Bay

Water - \$123,484; will attend Eagle Scout ceremony on 4/24/10; TA Guerino will take 2% increase split over 12-month period; Transparency on ISWM (4/27/10 meeting); TA Guerino sent letter to Mr. Ellis with regard to ISWM; TA Guerino to get clarification from Town Counsel with regarding to Selectmen's role on finances; Planning Board and Board of Health - televised periodically.

**Town Administrator's Report**

Efficiency Committee – Mr. Meyer discuss committee's activities.

Comcast – renew 10-year agreement and hold a public hearing at the end of May regarding ascertainment.

Coast Guard Petty Officer Guarino requesting to use Stone School for various exercises.

Selectmen meeting with FinCom on 4/26/10 for final budget review at 7:00 pm.

Minor changes to the budget given UCT adjustments – moving forward with HRD with regard to the Fire Chief position on local assessment both promotional and Statewide on Assessment Center and will have a committee to make selection.

PE at ISWM position – deadline is May 5, 2010. TA Guerino recommends setting up a committee for screening candidates.

Newspaper article with regard to Estuaries Project out of UMass Dartmouth – Town contract was cancelled.

Homestead Road – draining work beginning next week. Reverse 911 to neighborhoods so they know it's beginning.

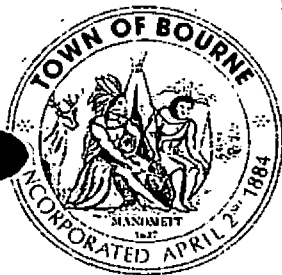
TA Guerino to draft letter to Mr. Pearson relative to the costs to the Train station.

Final budget handed out to the Selectmen.

**Adjourn**

Selectman Pickard **moved and seconded** by Selectman Mealy to adjourn. Meeting adjourned at 9:37 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



Date

Tuesday  
April 20, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: April 13, 2010
5. Correspondence
6. Peter Meier – Efficiency Committee report and guidance.
  - a. Request for appointment – Mr. Ken Legg

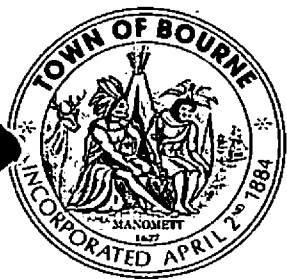
7. Licenses and Permits:

- a. 7:15 p.m. Aboveground Gasoline Storage – Taylor Point Marina
- b. Madmikes Auto Sales – Class II Car Dealers License (continued from 4/13/10)
- c. Lavoie Wedding – Monument Beach Parking Area
- d. Cox Wedding
- e. Wales – Parking Pocasset River
- f. Cove Lane – Order of Taking

8. Other Selectmen's business

- a. final town meeting tune-up
- b. Shore Road parking near Monument Beach (amendment to previous order)
- c. other

9. Adjourn



## Board of Selectmen Meeting Notice



Date

Tuesday  
April 27, 2010

**AMENDED**

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Licenses and Permits:

- a. 7:15 p.m. Ryan Family Amusements – Year Round Beer & Wine License
- b. Wales – Parking Pocasset River – continued from 4/20/10
- c. July 4<sup>th</sup> Reenactment – Use of Town Property – Gazebo area
- d. Mattei Wedding – Buzzards Bay Gazebo

7. 7:30 – 8:30 – ISWM – overview of operations and programs

8. Appointments:

- a. Efficiency Committee

9. Cove Lane – Order of Taking

10. Town Administrator's Report

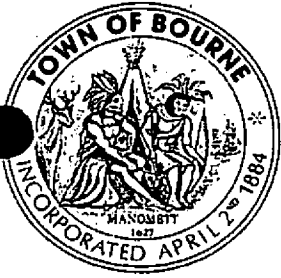
11. Other Selectmen's business

- a. Sign Annual Election Warrant

12. Adjourn

2010 APR 27 PM 3 25  
TOWN CLERK'S OFFICE  
Bourne, Massachusetts





## Board of Selectmen Meeting Notice



Date

Tuesday  
April 27, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Licenses and Permits:

- a. 7:15 p.m. Ryan Family Amusements – Year Round Beer & Wine License
- b. Wales – Parking Pocasset River – continued from 4/20/10
- c. July 4<sup>th</sup> Reenactment – Use of Town Property – Gazebo area
- d. Mattei Wedding – Buzzards Bay Gazebo

7. 7:30 – 8:30 – ISWM – overview of operations and programs

8. Appointments:

- a. Efficiency Committee

9. Cove Lane – Order of Taking

10. Town Administrator's Report

11. Other Selectmen's business

12. Adjourn

2010 APR 23 PM 3 55  
TOWN CLERK'S OFFICE  
1-877-238-2383

**Board of Selectmen Meeting Minutes – April 27, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*2010 May 13 PM 3:19\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

TOWN CLERK'S OFFICE  
Bourne, MA

John A. Ford, Jr., Chairman  
Jamie Sloniecki, Vice Chairman  
Mary Meli, Clerk  
Stephen F. Mealy  
Don Pickard

**Meeting called to order**  
7:00 pm

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

**Public Comment Non-Agenda Items**

C. Miller and the Shore & Harbor Committee's meeting of last week with regard to the their vote to not recommend putting a mooring field at Bassets Island.

**Approval of minutes**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve minutes of April 20, 2010 as submitted. **Vote 4-0-1** with abstention from M. Meli.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

**Licenses and Permits**

**a. Ryan Family Amusements – Year Round Beer & Wine License**

Selectman Mealy **moved** and **seconded** by Selectman Pickard to approve Ryan Family Amusements request of a Year Round General On Premises License for the sale of Wine & Malt Beverages (Monday – Saturday from 11:00 am - 1:00 am; and Sunday from 10:00 am – 1:00 am) per routing slip. **Vote 4-1** with opposing vote from J. Sloniecki.

Atty. Paul Tardif for applicant and Robert P. Nichols Proposed Manager in attendance.

**b. Wales – Parking Pocasset River – continued from 4/20/10**

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to approve Jeff Wales request for of one day parking across from Pocasset Marina on June 5, 2010 from 1:00 pm – 11:00 pm with possibility of some vehicles parked until 6:00 am on June 6, 2010 per routing slip. **Vote 5-0.**

**c. July 4<sup>th</sup> Reenactment – Use of Town Property – Gazebo area**

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to approve July 4<sup>th</sup> Parade Committee request for use of Town property on July 4, 2010 from 11:30 am - per routing slip and wave fees and deposit. **Vote 5-0.**

**d. Mattei Wedding – Buzzards Bay Gazebo**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Karen Mattei request for use of Town property for a wedding on May 22, 2010 from 3:30 pm – 5:00 pm - per routing slip. **Vote 5-0.**

**ISWM – overview of operations and programs** - A copy of presentation is attached hereto.

TA Guerino is working on a final draft of ISWM protocol for presentation to the Selectmen.

Board of Health, for the record, was not a party to the biological treatment to prevent H2O generation at the landfill.

The public questioned the odor issues and the experimental technology with regard to the biological treatment.

Moving forward, Dan Barrett will ask Mr. Boyd of Hydros, Inc. to come before the BOS, BOH, FC, TA and ISWM meeting after discussions tonight. In addition, TA Guerino will invite Mr. Goins.

TA Guerino requested from Selectmen to change the ISWM Business Management Plan from May 11, 2010 with tentative meeting on May 13, 2010.

**Appointments**

**a. Efficiency Committee**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to appoint Don MacPhee to the Efficiency Committee for a term to expire June 30, 2010. **Vote 5-0.**

**Cove Lane – Order of Taking**

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to approve and sign the Order of Taking of 0 Cove Lane. **Vote 5-0.**

**Other Selectmen's business**

**a. Selectmen vote of Article 15 – ATM**

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki to Indefinitely Postpone Article 15 in the 2010 Annual Town Meeting. **Vote 5-0.**

**b. Selectmen comments**

Sloniecki – explained his opposing vote with regard to Ryan Amusements.  
Ford – attended BOH meeting, Little League Parade.

**c. Sign Annual Election Warrant**

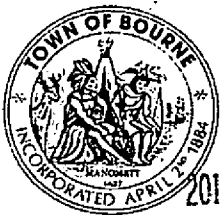
Selectman Sloniecki **moved** and **seconded** by Selectmen Meli to reconvene Selectmen regular meeting to sign the 2010 Annual Election Warrant. **Vote 5-0.**

Selectman Sloniecki **moved** and **seconded** by Selectman Meli to approve and sign the 2010 Annual Election Warrant. **Vote 5-0.**

**Adjourn**

Selectman Pickard **moved** and **seconded** by Selectman Sloniecki to adjourn. Meeting adjourned at 10:30 pm.

Respectfully submitted - Lisa Groezinger, sec.



**Board of Selectmen  
Meeting Notice  
AMENDED**



2010 APR 30 AM 11 52  
TOWN CLERK'S OFFICE  
EVERETT MASS

Date

Monday  
May 3, 2010

Time

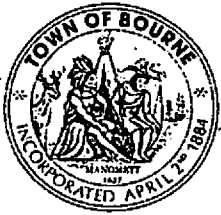
6:30 p.m.

Location

Bourne High School  
Conference Room  
(across from Library)

1. Call to Order
2. Town Meeting
3. Affordable House - Lip Program – 6 Flintlock
4. Other business
5. Adjourn

Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice



2010 APR 29 AM 9 28

TOWN CLERK'S OFFICE

Date

Monday  
May 3, 2010

Time

6:30 p.m.

Location

Bourne High School  
Conference Room  
(across from Library)

1. Call to Order
2. Town Meeting
3. Other business
4. Adjourn

Thomas M. Guerino  
Town Administrator

**Board of Selectmen Meeting Minutes –May 3, 2010 – 6:30 P.M.**

**Bourne High School**

**Bourne, MA**

2010 JUL 7 AM 9 45

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

6:38 P.M.

In preparation for Town meeting the Board discussed article 15 of the Annual Town Meeting, regarding long-term contract authority for ISWM. The Finance Committee is proposing to provide oversight by the BOH and Selectmen for such long-term contracts in the motion that will be made by the Finance Committee.

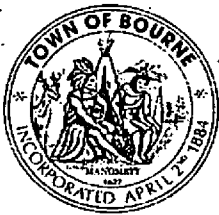
MOTION: Mr. Sloniecki moved that the Board of Selectmen concur with the Finance Committee recommendations on article 15 of the Annual Town Meeting with the provisions stating that the BOH and BOS will have to concur with the Town Administrator's recommendations on any long term contracts. The MOTION was SECONDED by Mr. Pickard and unanimously agreed to by the Board.

MOTION: Mr. Sloniecki moved that the Board of Selectmen endorse and sign off of the LIP as proposed by Habitat for Humanity, Cape Cod and that the Town Administrator send a letter of support with the LIP approval. The MOTION was SECONDED by Mr. Mealy and unanimously agreed to by the Board.

The meeting will remain in session until the conclusion of the Special and Annual Town meeting.,

Respectfully,

Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice



2010 APR 29 AM 9 28

TOWN CLERK'S OFFICE

Date

Tuesday  
May 4, 2010

Time

6:30 p.m.

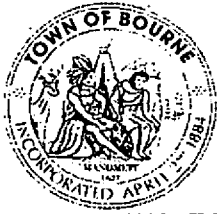
Location

Bourne High School  
Conference Room  
(across from Library)

1. Call to Order
2. Town Meeting
3. Other business
4. Adjourn

Thomas M. Guerino  
Town Administrator





## Board of Selectmen Meeting Notice



2010 MAY 7 PM 1 51 AMEND

TOWN CLERK'S OFFICE  
BOURNE, MASS.

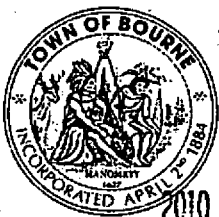
### Selectmen's Meeting

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday May 10, 2010	6:00 p.m.	Bourne High School Conference Room (across from Library)

1. Call to Order
2. Possible Executive Session pursuant to Mass. General Law Chapter 39, section 23B (1 b)
3. Town Meeting
4. Other business
5. Adjourn

---

Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice



2010 APR 29 AM 9 28

TOWN CLERK'S OFFICE

### Executive Session

Date

Monday  
May 10, 2010

Time

6:00 p.m.

Location

Bourne High School  
Conference Room  
(across from Library)

1. Call to Order
2. Town Meeting
3. Other business
4. Adjourn

Thomas M. Guerino  
Town Administrator

**Board of Selectmen Meeting Minutes –May 10, 2010 – 6:00 P.M.  
Bourne High School  
Bourne, MA**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator - Robert S. Troy, Town Counsel

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

6:09 P.M.

MOTION: Mr. Sloniecki moved that the Board of Selectmen enter into executive session, pursuant to Massachusetts General Law Chapter 39, Section 23B, subsection 1. the motion was SECONDED by Mr. Pickard and via a roll call vote as recorded below was unanimously concurred. Mr. Troy reported that the employee to be discussed this evening had been duly notified and had signed a waiver of notice and attendance.

Mr. Ford, yes: Mr. Sloniecki, yes: Ms. Meli, yes; Mr. Pickard, yes; Mr. Mealy arrived at 6:23 P.M.

Mr. Troy reported to the Board on the results of recent investigation undertaken by his office in regards to a sexual harassment case and his recommendations of how to proceed.

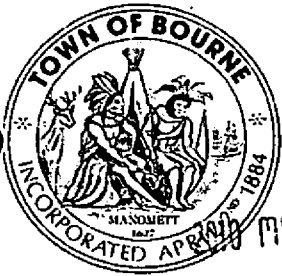
The Board agreed to meet again in Executive Session at 7:00 on May 19<sup>th</sup>.

MOTION to adjourn the Executive Session was made by Ms. Meli and SECONDED by Mr. Pickard. By a unanimous vote take by roll call as depicted below, the Board adjourned the Executive session and proceeded to the Annual Town Meeting.

Mr. Ford, yes: Mr. Sloniecki, yes; Ms. Meli, yes: Mr. Pickard, yes: Mr. Mealy, yes.

The Executive session adjourned at 6:52 P.M.

TOWN CLERK'S OFFICE  
2010 MAY 26 PM 3 05



## Board of Selectmen Meeting Notice



Date

Tuesday  
May 11, 2010

TOWN CLERK'S OFFICE  
MAY 7 PM 1 47

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Peace Builders Pledge
4. Public Comment – Non-Agenda Items
5. Minutes
6. Correspondence
7. Licenses and Permits:
  - a. 7:15 Buzzards Bay Tavern – Liquor License – Food License
  - b. Deb's Veggie Depot – Common Victualer [food] License
  - c. Marconi Club – One Day Liquor
  - d. McDonalds – Common Victualer – Change in Ownership
8. ISWM Business plan presentation – George Aronson
9. Town Administrator's Report
10. Other Selectmen's business
  - a. annual review compilation of TA - report.
11. Adjourn

**Board of Selectmen Meeting Minutes – May 11, 2010  
Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*2010 JUL 7 AM 9 45\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

TOWN CLERK'S OFFICE

BUZZARDS BAY, MA

**Meeting called to order**

7:00 pm

**Moment of Silence/Salute to the Flag/Peace Builders Pledge**

**Public comment – Non-agenda Items**

None.

**Approval of Minutes**

Selectmen Sloniecki **moved** and **seconded** by Selectmen Mealy to approve minutes of April 27, 2010 as submitted. **Unanimous vote.**

Homestead Road public hearing minutes of April 8, 2010 as submitted for record by TA Guerino.

**Correspondence**

Selectman Meli read correspondence into the record. Copies of correspondence are held in Town Administrator's office.

TA Guerino stated receiving from Town Clerk a correspondence from Michelle Tasanari, Director of Legal Counsel for Elections Division of the Commonwealth to let everyone know that the Special Election for Senator Brown – the Town incurred \$24,835.00 of additional costs due to the Special Election, and the Commonwealth has reimbursed the full amount to the Town.

Chm. Ford received a note from Fran , a member of the Library Trustees with regard to the Coady School possible library in the future. TA Guerino will forward to the Chairman of the Capital Outlay Committee.

## **Licenses/Permits**

### **a. Deb's Veggie Depot (Common Victualer Food License)**

Selectman Mealy **moved** and **seconded** by Selectman Sloniecki to approve Deb's Veggie Depot request for a Common Victualer Food license (Deborah K. Larson) per routing slip. **Vote 5-0.**

### **b. Buzzards Bay BBQ Liquor License and Food License (7:15 pm hearing)**

Chm. Ford opened hearing. TA Guerino stated previous routing slip stated 'no business license at Town Clerk's Office'; license since approved and submitted for Chm.'s signature and routing slip has been changed to reflect information this afternoon. Atty. Ford O'Connor for applicant.

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Buzzards Bay request for Liquor License and Food License per routing slip. **Vote 5-0.**

For the record, Asacks store owner does not object to licenses, however, parking across the street is for shoe customer parking only; all others will be towed.

### **c. Marconi Club – One day liquor license**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve Marconi Club request for One Day liquor license on July 18, 2010 from 11:00 am – 5:00 pm per routing slip; with stipulation to meet with the Fire Department. **Vote 5-0.**

### **d. McDonalds**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve McDonalds (370 MacArthur Boulevard) request for Change in Manager as requested per routing slip. **Vote 5-0.**

## **ISWM Business Plan – George Aronson**

Phil Goddard, ISWM, provided updated PowerPoint to the Selectmen; also Mr. Aronson's presentation (copies of which are attached hereto).

Mr. Aronson will discuss how ISWM to acquire solid waste (Phase I); and long term site development plan (Phase II). Emphasis is on Phase I.

Chm. Ford inquired about mining a closed landfill (MSW) that has been inactive for a while. It works great from the 1950's or 1960's when there was not a lot of attention to put a lot of waste in the smallest space possible. If going back to a landfill from the 1990's, there is a lot of attention putting the most waste in the smallest space possible, mining will not get you much and maybe not worth doing.

Chm. Ford inquired about what happens if you have one ash customer and he either goes out of business or does not want to do business. It is a timing aspect, and it is something the Town makes happen.

Chm. Ford commented that in 2015 the Commonwealth will go from 16 to 5 landfills, and inquired why go into a lot of contracts now and not have the space available in 2015. In terms of preserving space while it is available (MSW option), the Town will decide how much revenue it will need to generate to cover costs.

Pickard inquired about the technology: a) aerobic digestion - pulling gas out and putting residual material in landfill; and b) making fuel out of solid waste).

Chm. Ford stated reading about a \$30M process that takes MSW (food supplies from restaurants) in Germany and Canada. The byproduct can be sold to landscapers and does not go into the landfill.

Chm. Ford inquired about leachate on MSW cost vs. landfill. It is a trade off; put more material is a lesser space.

Chm. Ford commented on \$70/ton rate and how Town can ship by rail and be a break even cost. The key point for the Town is that if the Town is interested and understands the issues of an MSW landfill, which is harder to manage than a dirt landfill, there is a reward that goes with the risk.

Chm. Ford inquired how the Town can be competitive with a company that takes product and produces electricity. SEMASS boiler has tremendous wear and tear costs. Two factors: a) SEMASS significant risk being locked into an electricity contract which expires in 2015; and b) SEMASS cannot charge year round and have to cover their cost.

Chm. Ford commented on having a private partnership, the liability and permit would remain with the Town of Bourne.

Mr. Aronson asked if there is a mandate directive to give to town professionals to engage and are there absolutes in terms of choices or full latitude to town professionals on those issues.

TA Guerino inquired about where is the risk factor in inorganics (dirt) vs. organics waste (MSW)? The Town would have to do a risk analysis and look at pathways – potential ways that something can cause a problem. Organics typically have more pathways than inorganics.

TA Guerino stated that Bourne is now included on the Cape Cod towns, and asked the Board which of the options they want to look at moving forward.

Chm. Ford asked Mr. Aronson which option he would go with in regards to MSW vs. Ash. Mr. Aronson is confident that either way can be managed to the same level of safety. It is a trade off of money and effort. As far as ash, you know what you are getting; MSW changes over a period of time.

Chm. Ford also asked about odor control. MSW is definitely more of a challenge.

Mealy commented on Cape Cod MSW fill the stock and the landfill availability space in 2022. This is not reflective on something that is predetermined as of yet. If continue today, and have to go out three (3) years, the other two (2) years with the options presented tonight can also go out.

Pickard inquired about how many mirphs are in Massachusetts. The distinction between pure recycling mirph (Springfield, and four or five others) and dirty mirph. With regard to dirty mirth, not yet any true mirphs that qualify in Massachusetts. The closest is in Nantucket.

Pickard inquired about the cost of a pure recycling MRF's building with equipment. Seven or eight figures, depending on how much processing; dirty mirph would be more than that. He also asked it if would be profitable to have a private entity (using 25 acres) to build either a dirty or recycling mirph. Arsonon is skeptical of the dirty mirph, but notes options to look at with recycling mirph. There may be technology risks that a vendor is better taking than the Town.

Mealy asked how is the Town of Bourne going to approach putting together a plan in the next three (3) months and how, comprehensively, to provide to the public? Mr. Arsonon's recommendations: 1) having town professionals engage with Covanta on parallel paths; 2) with professionals engaged, they have to come back and have decisions made a thorough process that is timely and works. If there are guidelines to be made, let's go after the Cape Cod MSW because that is the highest value.

Jerry O'Brien requests to define the real risks.

Phil Goddard commented on the previous question of definition, there are spreadsheets on the 2002 Business Plan levelized analyses of various scenarios. MSW (leveraging with Cape towns) asked by Chm. Ford.

Mary Jane Mastrangelo stated the question to answer first is the what (policy) – what do we want the landfill to do now between 2015; 2015 and after. What are the Selectmen's and Town's financial goals for the landfill? She also stated that the 25 acres is not all available – what space is available before going out for RFP's.

TA Guerino inquired of a short term risks. This is something the policy makers have to consider. Parallel paths are important and that the analysis has to consider two other key risks: 1) what impacts are fully funded; and 2) the technology risks.

Charley Miller stated he likes the MSW portion; commented on turnover in Town population; concern of the Town's dependency on money ISWM brings in.

John Redman inquired about the MOU and if it is a mechanism to lock out competitive bidding.



Stanley commented on the landfill being a business, and wants the Board to make a decision for today and the future as quickly as possible. What Selectmen want out of the facility will make his decision of inorganic vs. organic.

Joyce Larmon concerned with the extra cost of tonight's presentation, as it was given previously. She commented on the Town looking into collection contractors to save money. She cautioned the Town when looking at contracting with Covanta on dirt, as Covanta will want Bourne to develop the landfill as quickly as possible to wipe out their competition.

TA Guerino commented on the need for closure and post closure costs in the per ton disposal costs. He asked Mr. Arsonon to follow up on the rate issue. Number of other waste management facilities and look at rates high \$70's and low \$80's. Renewals are below \$70. This is where the market is now and \$70's is a conservative rate.

Joyce Larmon asked if the Town is willing to take a risk with Covanta.

Meli stated that TA Guerino can talk with Covanta, but she asked what the next step is.

Chm. Ford responded by suggesting a workshop between the Selectmen, Finance Committee and Board of Health. TA Guerino stated getting a partnership of the three (3) Boards together or a Subcommittee of the three (3) Boards together.

TA Guerino recommends Bourne continue to engage Commonwealth Resource Management to assist in said joint meeting moving forward. Chm. Ford agrees.

Pickard inquired about the timeline of General Manager Position. TA Guerino responded by saying interviews will take about 1-2 weeks, then another 5-6 weeks before have position filled.

James Mulvey stated that the Board shall develop leadership. He also inquired about closing of landfills in the region.

Phil Goddard clarified transfer stations and how currently are experiencing a shortfall is something to think about.

TA Guerino commented on ownership and partnership hybrids to keep in mind as what goes in and comes out of the facility.

TA Guerino will coordinate a date for next week or first week in June, 2010.

Sloniecki commented on cost of Capital projects and his concern is that if we don't use some revenue, burden of cost falls on the taxpayers. He requests that if the Town does not fund projects from ISWM, how much it is going to cost the taxpayers. TA Guerino stated that the amount of Capital projects is more than what the landfill will be able to undertake on the Town's behalf.

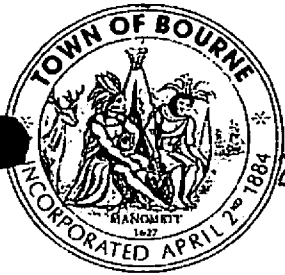
Mary Jane Mastrangelo commented on ISWM moving into the DPW; the need to evaluate in terms of trash and longevity.

**Town Administrator's Report**  
None at this time.

**Other Selectmen's Business**  
Annual review computation of the Town Administrator will be put off another week.

**Adjourn**  
Selectman Pickard moved and seconded by Selectman Pickard to adjourn. Meeting adjourned at 10:30 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice

2010 MAY 12 PM 1 00

TOWN CLERK'S OFFICE  
TOWN HALL



Date

Wednesday  
May 19, 2010

Time

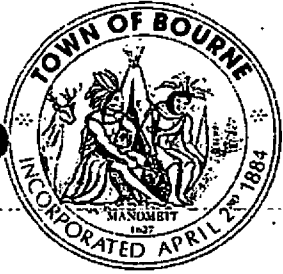
7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

- 1) Call meeting to order
- 2) Possible Executive Session
- 3) Adjourn

Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice

2010 MAY 19 AM 8 38

TOWN CLERK'S OFFICE

BOURNE, MASS.

**AMENDED**



Date

Wednesday  
May 19, 2010

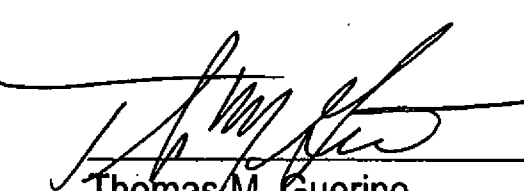
Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

- 1) Call meeting to order
- 2) Possible Executive Session
- 3) Annual review compilation of TA - report
- 4) Adjourn

  
Thomas M. Guerino  
Town Administrator



## Board of Selectmen



Date

Wednesday  
May 19, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

No  
Minutes

2010 JUL 7 AM 11 04  
TOWN CLERK'S OFFICE  
Bourne, MA

Board of Selectman

Executive Session

May 19, 2010

2012 MAY 23 PM 4 21

Bourne Veterans Memorial Community Center

239 Main Street, Buzzards Bay

TOWN CLERK'S OFFICE

BOURNE, MASS

\*\*\*\*\*

**Attendees:**

John Ford, Chairman

Donald Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephan Mealy

Robert Troy, Town Counsel

Ana Gomez-Blanchfield, ESQ

Mr. Ford convened the Executive Session of the Board of Selectman (BOS) meeting at 6:00 p.m. to discuss non-union personnel. Roll call vote was taken: Mr. Sloniecki – yes, Mr. Pickard – yes, Mr. Ford – yes, Ms. Meli – yes, and Mr. Mealy – yes. He noted that Mr. Guerino has waived his right to counsel. Mr. Troy explained that Ms. Gomez-Blanchfield was retained to explore alleged statements and actions made by Mr. Guerino in association with a few members of the Bourne Fire Fighters.

Ms. Gomez-Blanchfield spoke to several members of the Fire Department and reviewed electronic mail correspondence over the past three years. It was concluded that, at times, Mr. Guerino did not use the best judgment when making some statements to Fire Department employees. She stated that Mr. Guerino's management style may leave the Town vulnerable in some cases and suggested he receive further training and noted that she hoped that he has already learned from past indiscretions. She added that Mr. Guerino was quite willing to answer any questions and she felt he was honest and forthcoming during the interview process.

Mr. Pickard made a motion to adjourn at 6:45 p.m. and roll call vote was taken: Mr. Sloniecki – yes, Mr. Pickard – yes, Mr. Ford – yes, Ms. Meli – yes, and Mr. Mealy – yes.

**Johnson, Barry**

**From:** Guerino, Thomas

**Sent:** Thursday, May 20, 2010 6:41 AM

**To:** All Selectmen; Johnson, Barry

**Cc:** Marzelli, Linda

2010 MAY 20 PM 12 43

TOWN CLERK'S OFFICE

**TOWN OF BOURNE**

**Town Administrator**

**24 Perry Avenue**

**Buzzards Bay, MA 02532**

**Phone 508-759-0600 x 304 -**

**Fax 508-759-0620**

☐ Text Box: Thomas M. Guerino  
tguerino@townofbourne.com

**TO:** THE HONORABLE BOARD OF SELECTMEN  
THE HONORABLE TOWN CLERK

**FROM:** THOMAS M. GUERINO – TOWN ADMINISTRATOR

**RE:** VACATION SCHEDULE

**DATE:** MAY 20, 2010

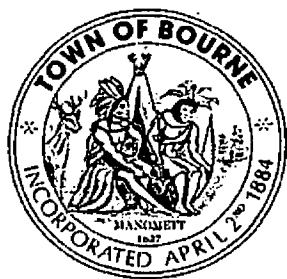
**Via:** electronic mail

Pursuant to the Town of Bourne Charter, as amended, I am notifying the Board and Town Clerk that I will be away on vacation during the week of May 24, 2010. I will return to the office mid-morning on June 1, 2010. Finance Director Linda Marzelli will act on my behalf during my absence.

As always, should an emergency arise, I am available by cell phone, land line, or electronic mail or by contacting the Vernon Police Department.

**Cc:** Linda Marzelli

5/20/2010



## Board of Selectmen Meeting Notice



Date

Tuesday  
May 25, 2010

Time

6:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

6:00 Call to order

Possible Executive Session

7:00-7:15 p.m. – 7:15 (Items 1-5)

1. Moment of Silence for our Troops
2. Salute the Flag
3. Peace Builders Pledge
4. Public Comment – Non-Agenda Items
5. Minutes – regular and Executive session minutes approval (May 3 & May 10)
6. Correspondence
7. Bob Schofield – Cable Advisory Committee update and notice of public hearing (ascertainment hearing) for cable television agreement.
8. Discussion regarding Phillips Road parking ban to 600 Feet from the current 300 feet. — no vote at this meeting - discussion only.
9. Licenses and Permits:
  - a. Fantasy Limo – [3] Public Livery License
  - b. Wicked Sweets – Common Victualer [food] License
  - c. MB Civic Assoc – Craft Fair & Yard Sale
  - d. Sagamore Beach Colony Club – [4] One Day Liquor
  - e. MS Society – One Day Liquor
  - f. Mass Maritime Academy – [3] One Day Liquor
10. Appointments:
  - a. Cape Cod Water Protection Collaborative – Peggy Fantozzi – Reappt.
  - b. Cape Cod Regional Transit Authority – Thomas Guerino – Reappt.
  - c. Cultural Council – Cheney
  - d. Planning Board Associate member - Matheson
11. Other Selectmen's business
  - a. Process for Board reorganization

TOWN CLERK'S OFFICE  
2010 MAY 21 PM 2 58



- b. Board member to serve on ISWM =G.M. interview Committee
- c. Establish goals sessions
- d. Selectmen's summer schedule

12. Adjourn

**DRAFT MINUTES**

2012 MAY 23 PM 4 21  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Minutes of the Board of Selectmen Executive Session: May 25, 2010**

1. The meeting of the Board of Selectmen was called to order at 6:00pm. with Board members Ford, Sloniecki, Mealy and Pickard present.

2. Chm. Ford stated that pursuant to MGL Chapter 39; 23B (6) the Board will be going into Executive Session for the purpose of considering the purchase, exchange, lease or value of real property and will be re-opening in public session and invited Barry Johnson, Chair of the Community Preservation Committee (CPC) and member of the Open Space Committee (OSC); Richard Anderson, member of the Open Space Committee (OSC) and CPC; and Atty. Craig Jordan of Town Counsel Troy's office into the session.

MOTION: moved by Mealy and seconded by Sloniecki to go into Executive Session for the above-stated purpose and to re-open in public session. Roll Call Vote: Ford-yes; Sloniecki-yes; Mealy-yes; Pickard-yes.

3. Johnson reviewed with the Board the Appraisal process and report that has been prepared by Certified Appraiser Joseph Clancy, Clancy Appraisal Co. of Falmouth, Mass.. Said Appraisal was done for the purpose of appraising fourteen (14) parcels of vacant land and fee in road for Leeward Road and Channel Road located on Mashnee Island as depicted on a map prepared by Mike Lietzel of the town Engineering office. This same process was reviewed at a Joint Meeting of the OSC and the CPC held on May, 19, 2010.

3. After reviewing the presented materials, a MOTION was made by Sloniecki and seconded Mealy that the Board accept the joint recommendation of the OSC and the CPC that is to be presented to Atty. Thomas Latanzi – representative of the owners of the property Mashnee Island Group, LLC. – an offer sheet in the amount of \$1,500,000.00 for the purpose of acquiring the fourteen (14) vacant parcels as depicted on the plan prepared by the town Engineering Department (attached as Exhibit #1 to these minutes) located on Mashnee Island AND to offer the amount of \$56,500 for Fee in Road for Leeward Road and Channel Road again as depicted on the referenced plan. Total amount to be included in the Offer Sheet is: \$1,556,500.00

Roll Call Vote: Ford-yes; Sloniecki-yes; Mealy-yes; Pickard-yes.

4. MOTION: made by Pickard and seconded by Mealy to direct Town Counsel Troy on behalf of the town to prepare the Offer Sheet for the Selectmen's

Page 2.

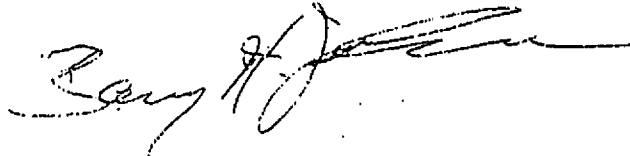
signature that is to be presented to the Mashnee Island Group, LLC. for their review and consideration.

Roll Call Vote: Ford-yes; Sloniecki-yes; Mealy-yes; Pickard-yes.

5. MOTION: moved by Mealy and seconded by Pickard to adjourn the Executive Session at 6:35pm. and to re-open in public session.

Roll Call Vote: Ford-yes; Sloniecki-yes; Mealy-yes; Pickard-yes.

Minutes prepared by Barry H. Johnson

A handwritten signature in cursive script, appearing to read "Barry H. Johnson", with a long horizontal flourish extending to the right.



# TOWN OF BOURNE

Bourne Town Hall  
24 Perry Avenue  
Buzzards Bay, MA 02532  
Phone: (508) 759-0600



## MEETING AGENDA

### Joint meeting with the CPC, Selectmen and Open Space Committee

**Date:** May 25, 2010  
**Place:** Bourne Veterans Community Building, 239 Main St., Buzzards Bay  
**Time:** 6:00 pm

#### AGENDA ITEMS:

- Executive Session: for the purpose of considering possible land acquisition(s) for the purchase, exchange, lease or value of real property.
- Any other business.

2010 MAY 20 PM 2 35  
TOWN CLERK'S OFFICE  
BOURNE, MA

**Board of Selectmen Meeting Minutes – May 25, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

**\* 2010 AUG 11 PM 5:18 \*\*\*\*\***

**Attendance**

**TOWN CLERK'S OFFICE**  
Linda Marzelli, acting on behalf of Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman  
Jamie Sloniecki, Vice Chairman  
Mary Meli, Clerk  
Stephen F. Mealy  
Don Pickard

**Meeting called to order**

7:00 pm

**Moment of Silence for our Troops/Salute the Flag/Peace Builders Pledge**

**Public Comment Non-Agenda Items**

Charley Miller and the VFW Schedule with regard to Memorial Day.

Jerry O'Brien raised issue with regard to the price of fuel at Taylor's Point.

**Approval of minutes**

Sloniecki **moved** and **seconded** by Meli to approve minutes of May 3, 2010 as submitted.  
**Vote 5-0.**

Sloniecki **moved** and **seconded** by Meli to approve and release executive session minutes of May 10, 2010 as submitted. **Vote 5-0.**

Sloniecki **moved** and **seconded** by Meli to approve and release executive minutes of October 20, 2010 as submitted. **Vote 5-0.**

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

**Cable Advisory Committee Update – Bob Schofield**

Purpose to review the performance of the current Cable Television operator (Comcast) doing its current license term and to hear testimony on the future cable-related needs and interests of the Bourne Community. Interested parties are encouraged to attend.

Announced a public ascertainment meeting on June 2, 2010 with regarding the Cable Television Agreement (10 yr contract is up in May, 2011). Atty. Epstein will be hired for assistance with said agreement. One of the main issues is that they are getting out of the local TV business.

Jerry O'Brien inquired about RCN as competition. RCN (located in Westwood) was not on the Cape in the past but is now.

#### **Discussion on Phillips Road Parking Ban**

At a previous meeting, BOS endorsed an extension additional 300 ft. to the North on Phillips Road. At that time, there was question whether proper notice was not given to the public at the time. Mealy would like to propose no parking be extended. All changes Planning Board raised prior have been addressed.

Chm. Ford added he requested another discussion because of the action of the vote. Atty. Troy was present at the time of said vote and requested rescheduling another discussion. Some of items Chm. Ford requested a Site visit. There is document of an access between 149 and 153. ConCom had 'public access' signage and have since been taken down. He is asking the Board to reconsider their previous vote, noting area is a public way and would hate to see Bourne lose said access.

Chief Baldwin did a report check – noted very few calls by the residents of said road. It is considered a low profile area if residents do not complain. Issues in the past with people on the beach; as far as the parking, he feels you use town funds to make a private road and keep residents off the public beach.

Meli requested copies of said report for the next meeting and find out what the Town tried to do the last time and move forward.

Chm. Ford wants to identify the problem, and work with residents and Police Chief and address individually with signage. He stated wanting to work to balance the needs of residents needs and the people of the Town.

Pickard would like to see the DPW make access way wider. Site visit with Police Chief and Highway Superintendent; perhaps no parking on one side.

Mealy raised issue of previous complaints by residents brought to the Board. He also inquired about the gate. Chief Baldwin stated it is not his intension to lock the gate at this time.

Linda Marzelli will set up Site Visit between DPW, Police Chief and the Selectmen.

Charley Miller commented on a Federal requirement for a license, means anyone fishing will be better controlled.

#### **Licenses and Permits**

##### **a. Fantasy Limousine Service**

Table to the next meeting.

**b. Wicked Sweets**

Sloniecki moved and seconded by Mealy to approve request as submitted per routing slip. Vote 5-0.

**c. Monument Beach Civics Association (MBCA) Craft Fair**

Sloniecki moved and seconded by Meli to approve request for outdoor kids' outdoor crafts fair and yard sale to be held on May 29, 2010 from 9:00 am – 12:00 pm per routing slip. Vote 5-0.

**d. Sagamore Beach Colony Club – one day liquor license**

Sloniecki moved and seconded by Meli to approve request for four (4) individual one-day liquor license for beer and wine only on the following dates: 7/8/10 from 6:00 pm – 10:00 pm; 7/17/10 from 5:00 pm – 11:00 pm; 7/24/10 from 6:00 pm – 11:00 pm; and 8/13/10 from 6:00 pm – 11:00 pm per routing slip. Vote 5-0.

**e. MS Society – one day liquor license**

Sloniecki moved and seconded by Meli to approve one day request for beer and wine license on June 26, 2010 from 1:00 pm – 6:00 pm per routing slip. Vote 5-0.

**f. Mass Maritime Academy – Luther Fitzinger**

Sloniecki moved and seconded by Mealy to approve request for three (3) one-day liquor license for the following dates: 6/18/10 from 5:00 pm – 11:00 pm; 9/24/10 from 5:00 pm – 11:00 pm; and 9/25/10 from 11:30 am – 7:00 pm per routing slip. Vote 5-0.

**Committee appointments**

**a. Cape Water Protection Collaborative**

Sloniecki moved and seconded by Mealy to reappoint Peggy Fantozzi to the Cape Water Protection Collaborative for a term to expire June 30, 2012. **Vote 5-0.**

**b. Cape Regional Transit Authority**

Tabled to the next meeting of June 1, 2010.

**Other Selectmen's business**

**a. Selectmen's Proposed Summer Schedule**

June

June 1, 2010;  
June 8, 2010; and  
June 22, 2010;

July

July 13, 2010; and  
July 27, 2010;

August

August 10, 2010; and  
August 24, 2010;

September

September to resume weekly meetings with discussion meeting on every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday with one-topic Workshop each month.

Sloniecki request to have office be notified of summer schedule and schedule license requests appropriately.

Pickard inquired about Goal Sessions. Chm. Ford stated schedule between summer and September meetings.

Mealy moved and seconded by Sloniecki to approve Selectmen's Summer Schedule. Vote 5-0.

**Other Selectmen's Business**

- a. Barnstable County Home Consortium Advisory Council will expire next month (June, 2010) and the Selectmen will move forward. Linda Marzelli in TA Guerino's behalf to contact Judith Riordan.
- b. Joint meeting between Planning Board and Selectmen for appointment for Planning Board Associate Member on June 1, 2010.
- c. Cape Cod Senior Residents - resident turning 100 and celebrating on July 18, 2010. Sloniecki and Meli will attend to present certificate.

Meli – working with Anne Wilde on a service to work with the Council on Aging with regard to grocery shopping for elderly, kicking off in July. Please contact Mary Meli.

Ford – attend restoration of Aputuxet building; attended volunteer breakfast for Council of Aging; attended Trustees of the Community Bldg.; Selectmen Reorganization for June 1, 2010.

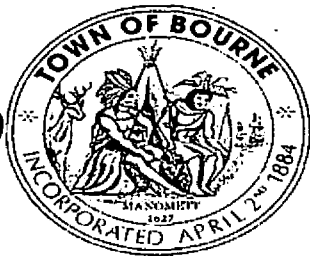
Sloniecki – make an official request to Stop & Shop to discuss why property not being utilized as a shopping center.

Ford – member of Board to sit on the Selection Committee; asked Board if willing to serve and include intent to interview potential candidates for General Manager of the ISWM landfill.

Sloniecki **moved** and **seconded** by Mealy to adjourn. Unanimous vote. Meeting adjourned at 9:30 pm.

Respectfully submitted - Lisa Groezinger, sec.





## Board of Selectmen Meeting Notice

2010 JUN 1 AM 10 48  
Amended

TOWN CLERK'S OFFICE  
BOURNE, MASS



Date

Tuesday  
June 1, 2010

Time

6:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

6:00 Possible Executive Session – Labor Contracts

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes – regular
5. Correspondence

6. Reorganization of Board of Selectmen

7. Joint Meeting with Planning Board and Board of Selectmen to appoint an Associate Planning Board Member to fill a vacancy.

8. Licenses and Permits:

- a. Fantasy Limo – Public Livery License (3) vehicles
- b. Save Bourne Sports – Use of Town Property
- c. McQueen Wedding – One Day Liquor
- d. Bay End Farm – Common Victualer's License [food]
- e. 7:15 p.m. Cranberry's LLC – Liquor License

9. Appointments:


- a. Cultural Council – Cheney
- b. Cape Cod Regional Transit Authority – Thomas Guerino – Reappt.
- c. ISWM Search Committee – General Manager

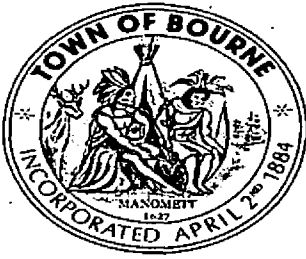
10. Other Selectmen's business

- a. Town Administrator's evaluation

2010 MAY 31 PM 9 33  
TOWN CLERK'S OFFICE  
BOURNE, MASS

11. Adjourn

  
Linda Marzelli  
Acting Town Administrator



## Board of Selectmen Meeting Notice



Date

Tuesday  
June 1, 2010

Time

6:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

6:00 Possible Executive Session – Labor Contracts-

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes – regular
5. Correspondence

6. Reorganization of Board of Selectmen

7. Joint Meeting with Planning Board and Board of Selectmen to appoint an Associate Planning Board Member to fill a vacancy.

8. Licenses and Permits:

- a. Fantasy Limo – Public Livery License (3) vehicles
- b. Save Bourne Sports – Use of Town Property
- c. McQueen Wedding – One Day Liquor
- d. Bay End Farm – Common Victualer's License [food]

9. Appointments:

- a. Cultural Council – Cheney
- b. Cape Cod Regional Transit Authority – Thomas Guerino – Reappt.
- c. ISWM Search Committee – General Manager

10. Other Selectmen's business

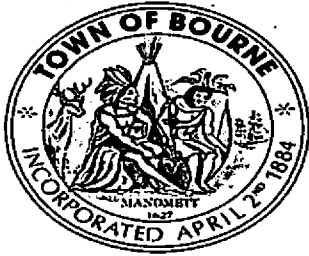
- a. Town Administrator's evaluation

2010 MAY 28 PM 12 19

11. Adjourn

---

Linda Marzelli  
Acting Town Administrator



## Board of Selectmen Meeting Notice



Date

Tuesday  
June 1, 2010

Time

6:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

6:00 Possible Executive Session – Labor Contracts

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes – regular
5. Correspondence
6. Reorganization of Board of Selectmen
7. Joint Meeting with Planning Board and Board of Selectmen to appoint an Associate Planning Board Member to fill a vacancy.
8. Licenses and Permits:
  - a. Liquor License Hearing – Buzzards Bay Tavern
  - b. Fantasy Limo – Public Livery License (3) vehicles
  - c. Save Bourne Sports – Use of Town Property
  - d. McQueen Wedding – One Day Liquor
  - e. Bay End Farm – Common Victualer's License [food]
9. Appointments:
  - a. Cultural Council – Cheney
  - b. Cape Cod Regional Transit Authority – Thomas Guerino – Reappt.
  - c. ISWM Search Committee – General Manager
10. Other Selectmen's business
  - a. Town Administrator's evaluation

TOWN CLERK'S OFFICE

2010 JUN 28 PM 11 49

11. Adjourn

  
Linda Marzelli  
Acting Town Administrator

**Board of Selectmen Meeting Minutes – June 1, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

2010 AUG 11 PM 6:18  
\*\*\*\*\*

**Attendance**

THOMAS M. GUERINO'S OFFICE  
Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Jamie Sloniecki, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Don Pickard

**Meeting called to order**

7:07 pm

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

**Public Comment Non-Agenda Items**

R. Schofield stated the Cable Committee meeting will be held later this week.

C. Miller commented on the Veterans' Poppy Drive and the Monk's Park.

Joyce Lorman inquired about an anonymous letter sent to her with regard to Town Employee pay raises.

**Approval of minutes**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to approve and encumber executive session minutes of May 25, 2010 as submitted. **Vote 4-0-1** (Meli abstention).

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

**Reorganization of Board of Selectmen**

Selectman Sloniecki **nominated** Mary Meli as Board of Selectmen – Clerk and was **seconded** by Selectman Mealy. **Unanimous vote.**

Selectman Sloniecki **nominated** Donald Pickard as Board of Selectmen – Vice Chairman. and was **seconded** by Selectman Mealy. **Unanimous vote.**

Selectman Sloniecki **nominated** John A. Ford, Jr. as Board of Selectmen – Chairman and was **seconded** by Selectman Mealy. **Unanimous vote.**

**Joint Meeting with Planning Board and Board of Selectmen to appoint Associate Planning Board Member to fill a vacancy**

Due to quorum issue on the Planning Board's behalf, meeting will be rescheduled to June 8, 2010.

#### **Licenses and Permits**

##### **a. Fantasy Limo**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to approve Fantasy Limo, Inc. request of public livery license for three (3) vehicles per routing slip, the permittee is required to provide Planning Board with locations of where vehicles are garaged and have the vehicles inspected by the Police Department. **Vote 5-0.**

##### **b. Save Bourne Sports**

Tabled to a future meeting as application has not been received to date.

##### **c. McQueen Wedding**

Tabled to the June 22, 2010 meeting. Insurance liability in applicant's name is required.

##### **d. Bay End Farm**

Selectman Pickard **moved and seconded** by Selectman Meli to approve Common Victualer's License (food) request per routing slip (BOH inspection). **Vote 5-0.**

##### **e. Cranberry's LLC – Liquor License Hearing**

Selectman Mealy **moved and seconded** by Selectman Pickard to continue hearing to June 22, 2010 at 7:15 pm. **Vote 5-0.**

#### **Appointments**

##### **a. Cultural Council**

Selectman Pickard **moved and seconded** by Selectman Mealy to appoint Ms. Marie T. Cheney to the Cultural Council for a term to expire June 30, 2013. **Vote 5-0.**

##### **b. Cape Cod Regional Transit Authority – Thomas Guerino Reappt.**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to reappoint Thomas Guerino as Bourne representative to the Cape Cod Regional Transit Authority for a term to end June 30, 2011. **Vote 5-0.**

##### **c. ISWM Search Committee – General Manager**

Selectman Sloniecki **moved and seconded** by Selectman Mealy to appoint John A. Ford, Jr. as Selectmen representative to the ISWM Search Committee – General Manager to a term to end April 30, 2011. **Vote 5-0.**

#### **Other Selectmen's Business**

##### **a. Town Administrator's evaluation**

Chm. Ford read into record. (A copy of which is attached hereto).

TA Guerino thanked Selectmen for work that went into the evaluation.



Pickard asked interested parties to notify TA Guerino by letter or e-mail re: Charter Review Committee.

Mealy requested summary of the previous Charter Review Committee accomplishments be put on the website.

Pickard and Meli – attended the Memorial Day tribute.

Mealy – meeting of June 2, 2010 Phillips Road site visit.

**Adjourn**

Selectman Sloniecki **moved** and **seconded** by Selectman Pickard to adjourn. Meeting adjourned at 8:55 pm.

Respectfully submitted - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice

MAY 28 AM 10:30

TOWN CLERK'S OFFICE  
BOURNE, MASS.



Date

Wednesday  
June 2, 2010

Time

3:00 p.m.

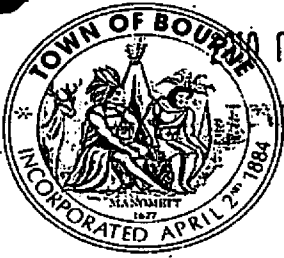
Location

Phillips Road/Beach Access  
169 Phillips Road  
Sagamore Beach

## AGENDA

Site Visit for upcoming Beach Access/Parking discussion on Selectmen's  
Agenda scheduled for June 8, 2010.

John A. Ford, Chm.



MAY 26 PM 3 12

CLERK'S OFFICE  
Bourne, MA  
**Board of Selectmen  
Meeting Notice**



Date

Wednesday  
June 2, 2010

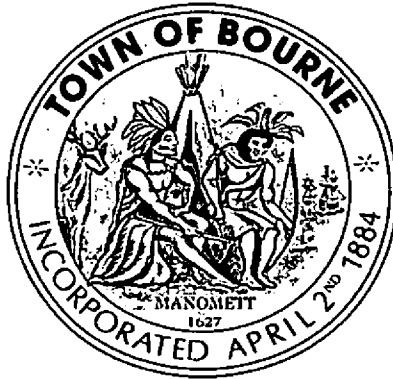
Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

1. Open meeting
2. Bourne Cable Television Ascertainment Hearing
3. Other business
4. Adjourn



**AMENDED**

**BOARD OF SELECTMEN**

**MEETING NOTICE**

**Joint Meeting between the Board of Selectmen, Board of Health, Finance Committee, ISWM and George Aronson**

**DATE**

**Thursday  
June 3, 2010**

**TIME**

**7:00 p.m.**

**LOCATION**

**Bourne Middle School Library  
Media Center  
77 Waterhouse Road, Bourne**

**Landfill "Summit" to discuss development of future business plan.**

**Other business**

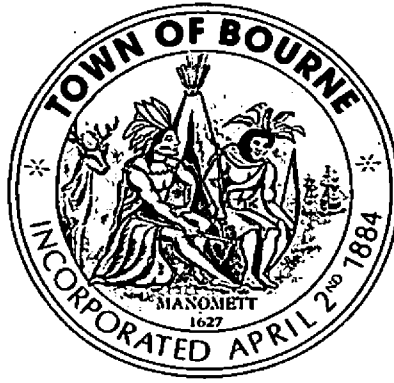
**Thomas M. Guerino  
Town Administrator**

**Date: June 2, 2010**

**Town Clerk  
Selectmen**

2010 JUN 2 PM 4 16  
TOWN CLERK'S OFFICE

2010 MAY 26 PM 1 47  
TOWN CLERK'S OFFICE  
BOURNE, MA



## **BOARD OF SELECTMEN**

### **MEETING NOTICE**

**Joint Meeting between the Board of Selectmen, Board of Health, Finance Committee, ISWM and George Aronson**

<b><u>DATE</u></b>	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
Thursday June 3, 2010	7:00 p.m.	Bourne Middle School Library Media Center

**Landfill "Summit" to discuss development of future business plan.**

  
**Linda Marzelli**  
**Acting Town Administrator**

**Date: May 26, 2010**

**Town Clerk  
Selectmen**

**Board of Selectmen Meeting Minutes – June 3, 2010**  
**Bourne's Middle School**  
**Landfill "Summit"**  
**Bourne, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman  
Don Pickard, Vice Chairman  
Jamie Sloniecki  
Stephen F. Mealy  
Mary Meli (excused)

**Meeting called to order by Chairman Ford at 7:00 pm.**

1. The Board of Selectmen, Finance Committee and Board of Health received a presentation from George Aaronson to commence discussion on the future plans and business model for the landfill, (A thorough set of minutes will be provided by the Health Director)

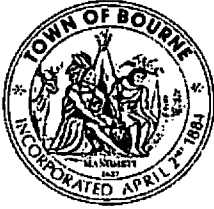
2. Other business.

Mr. Sloniecki made a MOTION to amend the vote of the Selectmen on June 1, 2010 and reconvene the liquor hearing for Cranberry's LLC Year Round Liquor License on June 8, 2010 at 7:15 as opposed to June 29<sup>th</sup>. The MOTION was seconded by Mr. Pickard and unanimously agreed to by the Board.

Respectfully submitted,

Thomas M. Guerino  
Town Administrator

TOWN CLERK'S OFFICE  
2010 SEP 27 AM 11 57



Cynthia A. Coffin  
Health Agent

## **TOWN OF BOURNE BOARD OF HEALTH**

**24 Perry Avenue  
Buzzards Bay, MA 02532**

**Phone (508) 759-0615 x 1**

**Fax (508) 759-0679**



Board of Health minutes 6-3-2010 7:00 PM- Bourne Middle School Library  
Joint meeting with Board of Selectmen and Finance Committee  
Landfill Summit

Board of Health members present: Kathy Peterson, Stanley Andrews, Galon Barlow, Donald Uitti, and Carol Tinkham. Also present-Cynthia Coffin, Health Agent

Also present were:

Tom Guerino, Town Administrator,  
Board of Selectmen: John Ford, Jamie Sloniecki, Donald Pickard and Stephen Mealy

Finance Committee: Mary Jane Mastrangelo, John Redmond, Bill Fox, Michelle Ford and others.

Mr. Guerino opened the meeting. George Aronson gave a presentation to the Board of Selectmen on the Five-Year Plan for the Future of the Landfill and it was decided that a summary of this presentation should be given to the Finance Committee and the Board of Health with discussion after the presentation on goals for the future of the landfill site. The future of the landfill has to be charted that is both safe for Public Health and is financially secure and has the support of the municipality. The staff at the landfill also needs to know that they have the support of the elected and appointed Boards that will have the oversight over the landfill operation.

Mr. George Aronson polled the audience to see what departments/ committees were represented at the table tonight. Mr. Aronson stated that he would review the presentation that had been given to the Board of Selectmen and would try to condense that two hour presentation to about five minutes. He will speak to objectives and process and then turn the meeting over to a moderated discussion to address the questions regarding the future of ISWM.

ISWM is more than a landfill. It is a transfer station, a recycling center, compost/organics area, basic infrastructure, space for more development, and an area where landfill gas can be available for beneficial use. The whole picture needs to be kept in mind.

Slide 4 shows that the town is now at the 'fork in the road'. Phase I is to acquire waste with tips fees that generate cash to meet the targets and to maximize the value of what's there while minimizing business risks. Then Phase II will be the long term development plan for the site. There are lots of ways that Phases I and II will interact.

Slide 5 –The question is where can the Town get stable, long term contracts for waste. The town can fight the market or look for long term contracts from nearby stable sources such as the processed bottom ash from Covanta (SEMASS) which combusts about a million tons per year of solid waste and about 200,000 tons per year end up as bottom ash. That ash needs to go to a landfill. The main landfill now is the Marion/Carver landfill but that has limited capacity. That is why some of the material presently is brought to the Bourne Landfill. There is the possibility that more could be brought to Bourne and this is one of the options that the Town needs to look at. Another opportunity is that in 2015, many of the contracts between the Cape Cod towns and Covanta will expire. Covanta has presented a proposal to the Cape Towns to extend the contracts for another 15 years. Most Towns at this point have not accepted this contract. If Bourne is interested we could accept that waste as an alternative to Covanta and this is the time to explore that opportunity. Covanta has put forth a proposal with a July 1, 2010 deadline but that deadline will probably be extended.

Slide 6 – The Town needs to discuss which option is best. There are four ways to characterize the options. One consideration is an MSW landfill bringing in municipal solid waste versus a 'dirt' landfill which brings in inert material such as ash. The ash has been burned and doesn't have any organic material and is easier to handle in many ways than the solid waste. Another thing to consider is how long the Town wants the landfill to last and what else can be done on the site to extend the life or to replace the landfill when it is full to capacity. The third question is financial; how much money is the Town, or for what services, is the Town looking to the landfill to provide. The fourth issue is risk and rewards. What would the Town risk for extra value and what would the Town give up for stability?

Slide 7 – MSW vs. dirt. MSW includes materials that decompose. There are organics. There are more issues with gas, leachate, and odors. This material is also less dense and you can get less material into the available space. With a dirt landfill you have less odors, less gas, and less overall effort to do the controlling and it is more dense, but the prices per cubic yard can be less than with MSW. If Covanta offers ash at a higher rate that would be great but that probably won't happen. There will probably be a trade off with the money on one end and the effort on the other.



The basic premise is that the faster we put material into the landfill, the shorter the landfill life. The less you take in, the longer you stretch out the life, but the less revenue comes in up front. Slide 9 – Shows how to compare the waste flows and the potential for financial impacts. There are a lot of opportunities and a lot of challenges as well. The summary slide is Slide 10. The MSW from the Cape Cod towns offers the largest potential for financial reward, but this is not available until 2015. Therefore the Town would need to develop a strategy for long term after 2015 and a strategy to get from today to 2015. With Covanta the Town will get stability but at a reduced value. There will still have to a long term commitment to make that happen. The decision time is now.

The goal and objectives are to identify and understand at an individual level from each Board as to what are the tradeoffs and what are the preferences and what are the priorities, what are the must have decisions on MSW vs. 'dirt' landfill, and all the implications of that, feeling about the life of the landfill, financial goals and what types of risks are the Town willing to take and what are the rewards. After this meeting the Town will have some direction on where it wants to go. The Town professionals needs some direction as to whether to approach Covanta or the Cape Towns or maybe neither. The Town professionals need the direction of the Boards to put forth a proposal based on a consensus. The concerns and issues of each Board need to be addressed as the Town goes forward. Finally the Town needs to agree on methods for approval, monitoring, oversight and communication. These are the issues that are essential. Tonight's objectives are to identify areas of consensus and disagreement; define the subgroup and schedule for follow-up; and agree on how to manage unsolicited vendor proposals. There are a lot of private vendors that feel that they can help out and many proposals are coming forward to the Town at this time. These proposals cannot sidetrack the process. The vendors cannot push the process; the Town needs to be in control. The Town needs to agree on how these vendor proposals will be reviewed. Tonight there should be a moderated general discussion on what the future of the landfill will be.

Mr. Aronson asked the attendees to look at their handout that has some detailed questions for discussion. The first item was regarding the Processed Bottom Ash from SEMASS. John Ford, Selectmen, stated that he believes that it is important that the Town diversify. The Town could go after all the waste on the Cape and then SEMASS could drive the prices down. The could go after the waste on the Cape and also take the bottom ash, especially where we can use the ash for cover. The Town can continue to look for other sources at the same time. Bill Locke (FinCom) asked what Covanta's options were if everyone turns them down. Mr. Aronson said that if the Towns signed with ISWM instead of Covanta, Covanta still has rail access and could go elsewhere for customers. They would look all over the Boston area and maybe could drop prices to bring in customers for further away. It would become a competitive market and they have a great incentive to avoid that happening. Time is an issue and there is pressure on Covanta. If the contracts are not signed, they will need to find other sources. Mary Jane Mastrangelo (FinCom) said that she felt it was imperative that the first discussion be on goals.

The goal part, what do we want ISWM to do for the Town, is the framework for how we will go forward. Whether we want Covanta's ash or MSW will be a process of the business model working group to research, but until the Board of Health and the Finance Committee say that we want ISWM to contribute how ever much money to the Town, to pay for curbside, etc. then the Town has no framework to make decisions. Carol Tinkham (BOH) asked whether there were any environmental concerns regarding taking the bottom ash or MSW. Mr. Aronson stated that the Bourne landfill is designed to take either bottom ash or MSW. Between the MSW and the ash, MSW does have organics and it has the potential to create odors, more leachate, gas and more work to handle, but control can be accomplished if the resources are put into it. MSW does take a bigger cost and a bigger effort. Mr. Goddard stated that the ash is tested regularly and it is homogeneous. Residential trash is well known but it is definitely more heterogeneous. Ms. Tinkham asked if Mr. Aronson had a feeling on which would be better environmentally looking at the bigger picture. Mr. Aronson stated that both could be handled at our landfill with proper staffing and resources, but he stated that the Town has to allocate the resources to get everything done. John Redmond (FINCOM) asked if there wasn't a moratorium on new burning facilities in Massachusetts and asked if this wasn't because the State was not convinced that the burning is environmentally safe. He asked if all these products that are now being burned will be considered environmentally safe five years down the road. Mr. Goddard that his understanding is the main reason for the moratorium is that Massachusetts's Governor and other governors had a mercury initiative to reduce the mercury in the atmosphere. One of the concerns was the mercury containing devices in household trash waste stream that might be volatilized during combustion. To address this the moratorium was put in place in 1990. Mercury is now banned from household trash disposal. The Town of Bourne has a collection program called Universal Waste. The landfill takes mercury thermometers and replaces them with digital thermometers. The intent is to reduce the mercury in household products as well. This includes fluorescent bulbs as well. The SEMASS plant itself has invested new control technologies to remove upwards of 90-95% of mercury emissions coming out of the plant. There may be other technologies down the road too. The regulators have looked at ash and have found it to be very stable. In other states ash is reused as fill and other materials. Massachusetts does not allow this though. The products that are burned in the plant are the same products in household trash anyway. On a relative scale, the ash is a reduced volume of the same products. Mr. Redman stated he thought that the ash collected from the scrubbers at the plants is considered hazardous waste. Mr. Aronson stated that this is not the case. The Covanta plant treats their ash so that it meets standards. There might be an occasional exceedance of a threshold, but nothing that he knows of. There was a discussion about the Salem Plant but it was discussed that this is a coal plant. Mr. Dan Barrett stated that he had worked for SEMASS for a couple of years working their CMW landfill. Their ash has been tested for 20 years. That testing is no longer required by the DEP but they do it anyway. The dangerous materials are combusted and then the volatiles don't exist. When the ash comes to the landfill the VOC's are no longer there. Heavy metals may still be in the ash, but the ph of the ash is adjusted so that nothing will leach out of the ash.

The pH is kept above 7, to a very basic level. He reiterated that other parts of the world use the ash for a variety of uses. The ash is very stable and will not present a long term public health issue. Mr. Goddard stated that the Town was looking at both fly ash and bottom ash. Bottom ash is what is left at the bottom of the grate and it shakes out like gravel material versus the fly ash that is from the electrostatic precipitator. The two types of ash are not mixed. The bottom ash has less volatiles. Mr. Galon Barlow stated that the BOH has looked at the ash situation and the Town is approved to currently take ash. The BOH was satisfied with the testing that had been done on the ash. Mr. Barlow stated that the dollar issue is the big issue. The Town gets its money from the community host fee. He stated that the fee is \$3.15 per ton this year. Mr. Mastrangelo stated that the fee changes every year. Mr. Barlow asked if the Town would get the same \$3.15 whether we take ash or MSW. Mr. Aronson answered yes; but stated that the additional question was whether enough revenue was being generated to cover the all expenses associated with the landfill from the tip fee coming in.

The expenses must include labor and site operation and also monies designated for new cells and future work at the landfill. Monies have to be set aside for closure of any cells too. This all depends on the negotiated price. Mr. Barlow asked if part of the negotiated price could be our disposal of waste at SEMASS. Mr. Aronson stated that it certainly could be. Mr. Goddard showed a handout with priority order of operations which will be factored into the models. Ms. Mastrangelo stated that everyone had to agree on the priorities. Mr. Goddard stated that the host fee is really a tax. It's actually a tax on private facilities and the Town, thru homerule petition, had the legislature pass the law for our facility. This is a benchmark item no matter what model the Town has. Ms. Mastrangelo stated that the host fee and the cost for recycling should be in different categories. Mr. Guerino stated that if the Town generated 6,000 tons of municipal waste in Bourne, and if we used a \$70.00 per ton figure for disposal at our facility, the cost would be \$42,000 were the Town to go to outside for the same type of disposal. This number can be looked at as the discussion goes forward.

Ms. Peterson stated that the five-year plan is great but that the Town needs to get back to whether the Town would support the General Manager when he/she comes to us with choices or options for operation. Ms. Peterson stated that the Town is losing time. The General Manager has to make decisions and come to the Boards for votes. Mr. Aronson stated that the Town needs to know what is off the table before the options for the Town are looked at. Ms. Peterson stated that right now everything is on the table and we are trying to look at the FinCom issues, BOH issues, the Selectmen and there are too many questions. Mr. Sloniecki stated that the Town needs to decide how long do we want the landfill to last. This decision needs to be made. Do we want the landfill to still be there for our grandchildren or do we want to fill the landfill by 2030? Once this decision is made then we will be able to answer other questions. Mr. Sloniecki stated that he would be happy if the landfill could continue until 2040, but maybe the Town would need to take less MSW and pack it solid with processed bottom ash.

He stated further that if the Town could go to 2040, we would be able to preserve curbside pick up for the residents and that is his greatest concern. One FinCom member stated that he felt that the most important issue was not the longevity of the landfill but the profitability. Of course the protection of public health has to be part of the equation. The Town needs to maximize the profitability. Mr. Sloniecki that he agreed with Mr. Barlow's comment about negotiating post closure disposal as part of any contract with SEMASS. Mr. Pickard stated that the Town needed a vision statement. He stated that odor control is key as is curbside pickup, closure and post closure costs. The group needs to get to a point of one vision for the landfill. Mr. Ford stated that the Town needs to protect the future of the landfill especially in light of the different disposal costs comparing transfer stations, SEMASS, and our on landfill fees. Mr. Ford stated that the DOR lets the Town take money out of the enterprise fund for administrative costs. If we were to make more money we might not be able to get more money out of that enterprise fund. The regulations on enterprise fund generally state the fee is supposed to match the use. Town Counsel has to determine whether additional funds could be taken out of the enterprise fund. He would still like to make the money but we have to make sure we have the ability to access that money for other uses. Mr. Aronson stated that one of the questions that needs to be answered is if there is a reserve fund for say post closure disposal, how can that accrue to the Town's benefit. Mr. Aronson stated that in 1987 the tipping fees hit \$70.00. Disposal costs have actually gone down since then in real terms. Disposal costs could actually go down in the future. We need to have a play book that covers all the options.

Mr. Guerino stated that as the Town looks out there is the possibility of expansion of the site with all the required site assignments by the Board of Health. He stated that although there is the July 1 deadline regarding Covanta and the Cape Towns, the County has engaged Camp, Dresser, and McKee to put together a waste analysis for the Cape Towns to see what their options are. It is Mr. Guerino's understanding from talking to the Commission that they will be issuing an RFP on how waste can be handled. He doesn't believe that the July 1 date is as important as it was six months ago. Mr. Aronson stated that the Town would still need to have come to a decision on how we want to move forward in order to respond to an RFP. Bourne could also approach the CCC ahead of the RFP.

Ms. Mastrangelo stated that the Selectmen's office appointed a working group to look at different business models. This working group needs direction on what the Town's goals are especially as they relate to the life of the landfill and the desired monetary gain. She feels that this is one of the things that needs to be decided from tonight's meeting. Mr. Mealy (Selectman) stated that everyone should keep in mind that the Town might not have a landfill in 5 years. The DEP could decide that Bourne can't operate the landfill for as long as we might like to. There might be issues with allowing it to remain open. The Town needs a fall back position. Maybe the Town will decide to turn the landfill into a mega transfer station. In 25 years the Town could have a huge mountain of material depending on a membrane to protect our sole source aquifer. The permit limit of 600 tons per day allows us to bring a lot material into this landfill. It is key that the goal for this landfill is determined first.

The capital issues are what need to be addressed especially looking toward our future. Ms. Mastrangelo stated that we need to find what alternative models would provide the most financial benefit to the Town. Mr. Guerino stated that we need to look at environmental soundness too. Mr. Barlow stated that the landfill is already half full and it's been permitted this way for about 10 years. He doubts the landfill will last until 2040. The Town needs a goal for the second half; to do some projects and get some things done at least to leave our grandchildren something besides a whole in the ground with garbage. A FinCom member asked if Bourne lost the other Cape towns is there other MSW from off Cape Towns. Mr. Aronson stated that right now waste is coming in to Bourne from other than Cape towns. Mr. Barrett is spending a lot of time working on those kinds of contracts. The Town needs to be able to make a long term commitment to take that waste as this will bring us the better prices. We have to provide certainty to those long term customers. The FinCom member stated that it will be important to be able to do our expenditures and to maintain our infrastructures from our landfill revenues.

Ms. Peterson stated that the working group needs to have guidance on what the Town is looking for. Perhaps we should put out an RFP for just recycling to just give us an idea of what comes in. The working group can't be expected to interview every company that comes to the Town with an idea. Mr. Barrett stated that the aquifer issue is addressed by the state of the art landfill design. The Town has monitoring wells all around the site and they are tested quarterly. If a leak was ever found, there is a schedule from DEP to follow. There would be a capping of that area. The theory is 'nothing in, nothing out.' Mr. Barrett is very confident that the leak would be stopped. Mr. Barrett also stated that he has worked in many different Towns. One Town set money aside from the landfill operation and had money in perpetuity from the interest. This is how they paid for their disposal costs. They also had money left over and they started a recycling program and paid for other infrastructure. If the Town wants the operation to last for another 40 years, then this is also another operation. If the Town gives Mr. Aronson the guidance tonight as to how long the Town wants the landfill to last and how much we want the landfill to generate and over what period of time, then Mr. Aronson can create a spreadsheet to show all the options. Mr. Aronson stated that the easy part is running the numbers; the hard part is getting the direction. Mr. Barlow asked again how long people want the landfill to last. Mr. Sloniecki said, 25 years. Mr. Goddard stated that everyone has to take into consideration that the landfill site is a 100 acre site. There are a variety of things that the Town can do. We could fill the landfill in 5 years but we could still do other things to make money for continued operations. Mr. Goddard said that the Town has to decide whether it is an issue that the landfill just needs to be physically open or is it for just monetary reasons. This is the heart of the matter. Mr. Mealy stated that it is more important to decide what we want for the landfill. Mr. Barlow stated that we need to make a decision and not just talk for another hour without coming to any agreement. Ms. Mastrangelo asked why some people are saying that we want the landfill to last for another 25 years. Is it because we want the financial benefit to the Town? If we want 3 million dollars of financial benefit to the Town for 25 years and we could do something for 5 years that would give us the capital that we could live off the interest of for 25 years, would that work.

Therefore the minimum goal would be 25 years of landfill operation unless we can come up with a financial alternative that would provide that financial benefit to the Town for 25 years. Mr. Guerino stated that we need to look at the operation. The Town could take 1000 tons per day, if permitted, and market that tonnage somewhere else, and still make sure that we are not doing 600 tons per day ourselves. We could have the landfill last 10 or 50 years but it depends on the landfill operation. The 'hole in the ground' is only one part of the landfill operation. Mr. Goddard stated that the Town is at a crux right now. We are in the fork in the road with Covanta looking for contracts and we could be an alternative to that. We could partner with the other Towns and then negotiate to get a better deal on the ash with Covanta. ISWM has to negotiate with other parties and the Town needs leverage to do that negotiation. This is the guidance ISWM needs. Is the Town saying that it is okay to put up the air space to take other towns' trash as a negotiating leverage understanding that if it doesn't work out we still have to honor those contracts? Someone asked how long of a contract most municipalities would be looking for? Mr. Aronson answered that some towns have 20 year contracts, but that is not a magic number. North Andover had very high tipping fees and when their 20 year contract was up, nobody signed up with them again. Some people signed 3-5 year contracts just to get out of the contract with Andover. Generally 10-15 years is the common thing. Mr. Barrett stated that the length of the contracts are diverse. The question is do we put up a minimum amount of tonnage. Most towns want to know if we will let them out of that minimum if they are able to increase their recycling. The towns want that flexibility. Mr. Barrett stated that most towns he deals with are looking for shorter contracts now. Mr. Aronson said that the longer contracts in the late 1980 were due to the bankers because you couldn't fund the facilities that were being built without those sources of revenue for the life of the loan. When SEMASS hits 2015 and have paid off of most of their debt, they are in a position to be more flexible. If the Town wants to look at part of the landfill site to put up a new facility to look at the waste coming in, i.e. processing for fuel, anaerobic digestion, etc, that vendor is going to need financing and that vendor will be looking for a long term contract. Mr. Sloniecki asked Mr. Aronson if there was a dollar value he could place on ISWM. Mr. Aronson stated that there is a way to determine this but it is a complicated process. Most of the first offers for vendors are probably low. Michelle Ford (FinCom) made a suggestion that we want an operation in perpetuity providing sufficient revenue to cover up to 100% of the Town's capital requirements on an annual basis, while be operated in such a way to cover it's own expenses; contribute to, if not fully pay for, curbside collection (whether we do it ourselves or pay someone else to do it as part of a contract) and have this done in an operation that spreads some of the financial, contractual, and operational risk so that we are not 100% dependent on 15 Cape Towns for 10 years. In addition it has to be an environmentally optimal solution. There needs to be long term option whether we fill up the remaining air space or not. Mr. Goddard asked for a dollar figure for the 'capital costs'. Ms. Ford stated that it is however the Town decides to apply its capital—to debt service or to pay it up front. Mr. Goddard stated that there is a future buildout design that shows an area that we are getting proposals on for anaerobic digestion, gasification of wood, and similar proposals. We are in a strong position to move forward and look at these other technologies so that we have a diversified mix of income streams.

The scale will be moving and the town will be in a position to manage more tonnage than we are able to handle currently just because of traffic issues. The DPW would have to move. The Cape Towns will go out for an RFP soon and Covanta is moving forward without us. Mr. Goddard said that if the Town was okay with the landfill itself just lasting for another 10 years, but with the site itself could produce money in perpetuity, that helps ISWM and Mr. Aronson develop some bookends on which to develop a long term plan. Ms. Ford said that 100% may be too lofty a goal but we need to fund all our capital projects. We have to plan for building a new DPW, Fire Station, Police Station and if we can use the landfill site as a resource to pay for those costs, while paying for our annual capital needs as well, and still as citizens have trash and recycling curbside pickup, then we will have done well for the residents of the Town. Mr. Aronson said that three key words are 'perpetuity', 'diversification', and 'contribution to capital'. Mr. Goddard stated the host fee we pay is the minimum by law. Ms. Mastrangelo suggested 5% of the Town's operating budget for capital needs. This year that would be 2.5 million but that would increase each year as the operating budget increased. Mr. Goddard stated that it helps to be able to factor in this figure, in addition to the ISWM closure costs, post closure costs, debt service, etc. and to be able to build a model around that. DOR will also have to be involved in these discussions at some point. Mr. Aronson said that at least he now has a financial target so that when the options are put together, he will have figures to work with. Ms. Ford stated that the operational plan has to be diversified enough so that there is a fall back if one piece doesn't work. Ms. Peterson said that to diversify, the Town officials need to make a commitment to give the landfill the resources to make sure that environmentally the town is protected. We have to put the money out to make the money. Ms. Peterson stated that presently ISWM is not operating with the maximum amount of people and we are asking them to go out and develop plans for diversification but we need to be willing to give ISWM enough people to be able to do the job. Ms. Mastrangelo stated that part of the plan will include adequate staffing to maintain the operation for whatever proposal is being made. Ms. Ford stated that the staffing needs could change depending on what the landfill is doing. Mr. Mealy stated that the Town may decide that we don't want to operate a landfill anymore. Mr. Goddard stated that they will proceed with the idea that the Town still wants to have the enterprise fund.

Mr. Redman (FinCom) asked if the Town also should work on a figure for working capital. Mr. Goddard suggested 2 months of operating expenses cash flow. Ms. Peterson stated that the Selectmen need to decide what the Town wants. Ms. Mastrangelo stated that the Town has a policy for free cash and stabilization and we should have a similar policy for ISWM. The Town could say that we want 10% of the operating budget should be held as an unrestricted reserve, not related to the closure reserve, that would be a figure to work with. Mr. Guerino stated that this is similar to what the Selectmen do for the health insurance costs. The Selectmen put together a policy that the Town will have a four months average of what we normally pay on a monthly basis to the health insurance company in the bank so that if we run into high claims we have the cash flow to take care of it. The Town could do a similar policy for the landfill. Mr. Aronson stated that the industry standard is usually 2- 4 months.

It depends on seasonality and other factors. Mr. Goddard said that we should put 3-4 months of working capital and build that into the model. Mr. Goddard stated that there are many vendors coming in. One of the waste streams is biosolids from wastewater treatment plants. This material would not be landfilled but would be used to make energy in other ways. Wastewater plants and treatment is a huge issue on the Cape and could be a tremendous business opportunity, such as with a digester with food waste and it could be self-sufficient. Mr. Mealy stated that nothing should be taken off the table in light of all the technologies out there. Mr. Ford stated that the Selectmen need to talk to the Department of Revenue to see whether we can do everything we want thru the enterprise fund. Mr. Goddard stated that he thinks we can have a higher host fee. Ms. Mastrangelo asked what our goal for the next two year? Mr. Barrett said that most of the alternative technologies will not be developable or operable within the next 5 years. The Town still needs to get out there now and figure out what we want to do in the next 5 years. Mr. Barrett went out to say that, for example, if the Town wanted 5 million, he could get that kind money out of the landfill but it would take care of the air space for 2015 and knock Bourne out of any consideration for any long term contracts for handling Cape town waste. This is just an example. Mr. Barrett stated that Mr. Aronson will start modeling various scenarios. Ms. Mastrangelo stated the Town also needs a short term plan to get us to 2015 if we decide to go that way. Mr. Barrett said that the models will give the Town officials the information on various ways the Town could proceed. The host community fee is the best way to get money back to the community. Mr. Barrett would like to see the Town do that backwards. If the Town were to put 2 million next year in retained earnings after all ISWM commitments are paid in full, then decide how much does ISWM wants to give back to the Town, say 1 million, then turn around and look at how many tons we will take next year, say 175,000—then divide 1 million by 175,000 and it will give you a number that could be attached to the \$3.15 host fee. This would allow the Town to move forward with money in the bank. The only problem will be budgeting for the next year. Mr. Guerino stated that the Town would be a year behind for the first two years but then would be able to estimate based on the volume. Ms. Peterson asked why the group was sitting here when Mr. Barrett already had all this information. Mr. Mealy stated that we are here to address the long term issues. Mr. Barrett stated that the Town has several options. The Town of Bourne is in a tremendous position. We have options for a recycling facility, a transfer station, a landfill, gas to energy production and other land available for other technologies. There is even a piece of land to the south that could be acquired. Mr. Barrett went on to say that if we make a commitment to take a certain tonnage then we better be sure that we can meet our commitment. If we set contracts to take that amount of waste but we don't have to landfill it, we can find ways to divert that waste. We could then become a broker. We can ship it out. There are many options. Ms. Ford stated that this is why she was very careful to say 'the operation' that will be a combination of several components. Not everything should be based on one type of operation. Mr. Goddard stated again that ISWM needs to know if the Town wants ISWM to go to the other Cape Towns to work on getting agreements to manage their waste and then jointly go to SEMASS to negotiate some type of agreement.



Mr. Locke (FinCom) stated that we should look back to what Ms. Mastrangelo said which was to work within the working group that is already functioning and that a Board of Health member should be part of that group. Mr. Barlow stated that the Town has to stay within the current environmental conditions and tonnage that have already been set for the landfill. Any increased tonnage would have to be approved by the Board of Health. Mr. Barlow stated that the working group already has a member serving on the working group. Mr. Aronson summarized that we have the current limits that the Board of Health has already signed off on, we have an understanding that ISWM will be able to staff up to meet the environmental impacts that need to be controlled, and now have some direction on the financial side, as well as a statement of understanding that nothing is 'off the table' but that the Town would like to see some specific options for further consideration. Mr. Aronson wanted to have a specific subgroup identified that will be the group to review the models and proposals and he also wanted to know how unsolicited proposals would be dealt with. Mr. Guerino stated that Mr. Pickard is chairing a working group that goes through the unsolicited proposals as they come in. The landfill staff and the Selectmen are not being bombarded by these unsolicited requests. Mr. Aronson suggested a standard set of inquiries for every vendor in order to do a better evaluation. Mr. Goddard said that there is a company coming to the Town that wants to talk about solar, another about anaerobic digestion, and another about gasification of wood, but all these have permit issues. The Town needs ISWM input to review any of the proposals. Mr. Pickard stated that he would rely heavily on Mr. Barrett and Mr. Goddard during any review of the proposals. Mr. Pickard stated that there will be a scheduled presentation on June 10<sup>th</sup> at 7 PM on Plankton Power- taking the carbon dioxide from the flare emissions and using it to grow algae to make biodiesel. On June 15<sup>th</sup>, 4:45 PM, there is a company interested in placing solar panels on the capped portion of our landfill (as well as others). Mr. Guerino stated that there is also a public utility interested in taking scrubbed gas, the methane, and pipe it directly to the lines feeding homes. Mr. Goddard stated that they have been approved by National Grid. Ms. Mastrangelo said that Mr. Barlow made a point about the existing site assignment conditions and that any proposal will have to include what the Town would need to do as far as permitting and site assignment. Mr. Goddard stated that the option for anaerobic digestion will also be another presentation in the future. Ms. Mastrangelo asked if there is a time frame for evaluating all these options. Mr. Barrett reiterated that while some of the technologies are not available now there are a couple that are ready now. These few require little space and meet the state's moratorium on gas. They could get on line very quickly. The working group will be tasked at looking at all these technologies. Mr. Aronson said that there needs to be a followup to this meeting. Mr. Guerino stated the Selectmen have to discuss this and make a policy decision on who will deal with a follow up to this meeting. There may need to be a separate committee for final review of these technologies. Mr. Goddard stated that years ago when there was a business model when the Town decided to go away from C&D to MSW there was a group of people to look at the pros and cons of different options. Mr. Goddard said that there needs to be a group to look at the figures. Mr. Goddard stated that ISWM needs the latitude to be able to go to the Selectmen in other towns and begin discussions on waste handling. Ms. Mastrangelo said that she thinks the Town needs to do some of the number crunching first.

Then we can deal with presenting a deal to the other towns. We will know our own financial goals. Mr. Aronson said that he does have enough information to start working on figures and goals. It was reiterated that we also need to work on the checklist for company reviews. Ms. Peterson stated that Mr. Pickard's group also needs to know what can be done under the present site assignment. Mr. Goddard requested thru the Town Administrator to the Board of Selectmen that within the next month there could be direction on a group, whether its this group or a smaller subgroup that could meet with Mr. Aronson to start working on the numbers. Mr. Mealy would like Mr. Aronson meet with this same group that has met tonight. Mr. Redman said that he thinks it should be a smaller group at first. He went on to say that oversight and communication are really key and that communication has been lacking and that oversight has been a problem. FinCom really needs a financial report on the day to day operation. The Finance needs a better way to monitor the daily operation. Mr. Goddard stated that the Town had worked with a Mr. Bliss before; he is a CPA. Mr. Redman said that it is hard to review the landfill without some financial reporting tools. Mr. Andrews would like to see the various landfill options presented with a discussion as to the financial benefit versus the community liability. The needs and the protection of the community as a whole should be looked at.

Mr. Goddard suggested that perhaps in a couple months the larger group could be reconvened so that the full Boards can take their votes. Mr. Jim Mulvey (citizen) said, as an observation, that he comes up with two factors – one is uncertainty and one is certainty. The certainty is that the value of the land will only increase. He also feels that the Town should stay flexible because there are too many figures that are not predictable including regulations. The Town needs to be able to change based on changing circumstances. Mr. Mealy wondered if one member from each Board could be on the working group and then the full group could meet in mid July. Mr. Goddard stated that Mr. Pickard's group already has many presentations coming before that group. There was discussion that the next large group meeting could be in late July. There would be a meeting of Mr. Pickard's group before that time. Others could attend this subgroup meeting. Mr. Andrews stated that Mr. Pickard's group is already made up of members of various individual Boards and Committees. There is already membership for the Finance Committee, the Board of Selectmen, the Capital Outlay Committee, and the Board of Health. The members can report back to each of their own Boards. Mr. Goddard stated that there will be some subgroup meeting in late June and then a full meeting of those present tonight around mid to late July. Mr. Ford stated that there should also be a member of the Energy Committee. Ms. Peterson stated that each Board should have an alternate for the working committee. Mr. Goddard stated the Mr. Aronson would be doing a summary of the meeting and getting it out to everyone. Mr. Andrews made a motion to adjourn. Ms. Peterson seconded. It was unanimous. The meeting adjourned at 9:05 PM.

Taped and typed by Cynthia A. Coffin, Health Agent

**Respectfully submitted by the Bourne Board of Health**

**Kathleen Peterson** \_\_\_\_\_

**Stanley Andrews** \_\_\_\_\_

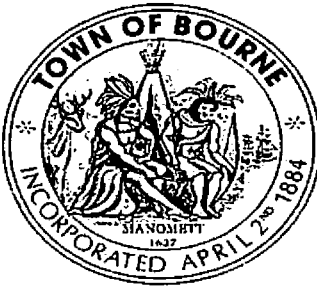
**Galon Barlow** \_\_\_\_\_

**Donald Uitti** \_\_\_\_\_

**Carol Tinkham** \_\_\_\_\_

2010 JUN 4 PM 3 12

TOWN CLERK'S OFFICE  
BOWEN ROAD



## BOARD OF SEWER COMMISSIONERS

**DATE**

Tuesday  
June 8, 2010

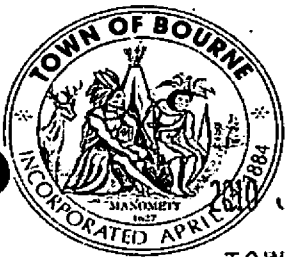
**TIME**

6:00 p.m.

**LOCATION**

Bourne Veterans  
Community Center  
239 Main Street  
Buzzards Bay, MA 02532

1. Call to Order
2. Reorganization of Sewer Commissioners
3. Approve Minutes: February 9, 2010
4. Presentation by Frederick J. Miekke Jr. re: Optimus Senior Living Group (Perry Avenue proposal)
5. Re-activate Sewer/Wastewater Advisory Committee under the jurisdiction of the Sewer Commissioners
6. Set estimated Sewer Rates for FY2011 (Annual Rates and Water Overage Rates)
7. Status of Collections
8. Other business



## Board of Selectmen Meeting Notice



TOWN CLERK'S OFFICE

**SEWER COMMISSIONERS 6:00 P.M. – Optimus Senior Living Group  
Byron Property – Perry Avenue & set sewer rates (annual & use overage)**

Date

Tuesday  
June 8, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

7:00 Special Joint session with Planning Board for Associate Member Appointment consideration.

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Licenses and Permits:

- a. 7:15 p.m. Cranberry's LLC Year Round Liquor License
- b. David Ingersoll, d/b/a Bay End Farm change from CV to Food Vendor
- c. Request to Block Off Road.

7. Committee Appointments:

- a. Various Committee Reappointments

8. Other Selectmen's business

- a. Phillips Road and parking lot and signage on road beach access – Town's requirements

9. Cable Ascertainment hearing follow-up

10. Adjourn

**Board of Selectmen Meeting Minutes – June 8, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

**2010 JUN 11 PM 7:18 \*\*\*\*\***

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

**Meeting called to order**

7:01 pm

**Joint Selectmen and Planning Board Associate Member Appointment**

Mealy moved and seconded by Sloniecki to appoint Gerald Carney as an Associate Member of the Planning Board. Vote 7 out of 10.

Sloniecki moved and seconded by Pickard to recess the Board of Selectmen meeting. Vote 5-0. Meeting recessed at 7:06 pm.

Meeting re-opened at 7:21 pm.

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

**Public Comment Non-Agenda Items**

Charley Miller raised issue with increased amounts of trash for curbside pick up, and inquired of the requirements on how said trash should be left outside.

**Approval of minutes**

None.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Finch Road – TA Guerino will notify proposed donators that road is not up to specifications, and will notify them of what they need.

Law Enforcement Torch and Special Olympics will be at a future Selectmen's meeting.

Keno for Hess Station (343 Scenic Highway). If any concerns, inform TA Guerino, otherwise it is automatic.

## **Licenses and Permits**

### **a. Cranberries LLC – Richard P. Chapman, Manager – Common Victualer's License**

Atty. Ford O'Connor for applicant.

Pickard moved and seconded by Sloniecki to approve Common Victualer's License as submitted per Richard P. Chapman, Manager per routing slip. Vote 5-0.

### **b. Bay Inn Farm**

Pickard moved and seconded by Mealy to approve Food Vendor's License for David Ingersoll at 400 Head of the Bay Road d/b/a Bay Inn Farm per routing slip. Vote 5-0.

### **c. Valley Path Road - Justine Davis**

Pickard moved and seconded by Mealy to approve Justine Davis request to close a small portion of Valley Path Road for block party on June 12, 2010 from 3:00 pm – 10:00 pm per routing slip. Vote 5-0. Sloniecki noted no comment on routing slip for parking.

For the record, TA Guerino emailed the Board earlier last week relative to the utilization of Monument Beach parking lot by Dr. Ripley on Shore Road and the Board concurred. That will occur on June 12, 2010 as well.

Mealy moved and seconded by Pickard to take Item 8 of the agenda out of order at this time. Unanimous vote.

## **Other Selectmen's Business**

### **a. Parking and signage on Phillips Road Beach access**

Four (4) members of the Board, DPW, Fire Chief and some members of the Planning Board went on a site visit. Board viewed area and looked at parking issues. Working on protocols for the gate.

Discussion of road itself and parking lot in detail. Ken Johnson representing a large group of residents at Phillips Road. At the last discussion back in February, residents are still hopeful the gate will alleviate some of those issues. (A 26-page study done in VA of each county relative to parking to the Board). He believes the previous vote should not change, for safety reasons.

Discussion held on issues of parking all over the Town. Chief Doucette reviewed pictures of parking and determined emergency vehicles could not get through where cars are parked on both sides.

Mealy read into record conditions proposed by the Town in 1998. He asked the Board if they would consider an extension to the North of some distance and if it is found the extension is not necessary, the Board can reduce at a later time. He has urged residents to continue to make phone calls.

Chm. Ford pointed out four accesses (using maps and pictures), indicating plenty of access. Barricades have driven the cars to the Town streets.

Chm. Ford read into record of two (2) Surveys (copies of which is attached hereto) done on June 3, 2010. Although agree a public nuisance, the survey stated not to make new rules to benefit few. He said that the with regard to no parking signs and access signs, each access area should have a sign put back up, take the boulders out and have the Police handle nuisance calls. A compromise would be to restrict parking to one side only.

DPW working on protocol of gate to be installed and will give to the Board before the next meeting.

Pickard moved and seconded by Mealy that the Board of Selectman adopt the following restrictions on Phillips:

- No parking the entire road to Standish Road in a tow zone on the Easterly side of the road
- Resident sticker parking only on the westerly side of the road from the 300 foot north of the parking lot to Standish Road

Vote 5-0.

TA Guerino notified the Board with regard to signage, lot signed back in February, there are:

- Two (2) HP spots signed, hours signed
- Vehicles will be towed is signed
- Lot will be locked is signed.

Chm. Ford requested Rickie Tellier, DPW, to move boulders for access and signage of said access.

TA Guerino noted at a future Selectmen meeting agenda to discuss parking fines increased, but will need to go to a Town Meeting vote.

### **Committee Appointments**

#### **a. Board of Appeals**

Pickard moved and seconded by Sloniecki to re-appoint John W. Priestley, Jr. to the Board of Appeals for a five-year term to expire June 30, 2015. Vote 5-0.

Pickard moved and seconded by Mealy to re-appoint Wade M. Keen to the Board of Appeals to fill a one-year term to expire June 30, 2011 to fill the seat of the late Mr. Robert Gaynor. Vote 5-0.



Pickard moved and seconded by Meli to re-appoint John O'Brien to the Board of Appeals as an Associate Member to a term to expire June 30, 2011. Vote 5-0.

**b. Conservation Commission**

Pickard moved and seconded by Mealy to appoint Martha Craig Reinhart (sp??) through a term to expire June 30, 2013 as a regular member of the Conservation Commission. Vote 5-0.

Pickard moved and seconded by Mealy to re-appointment of Michael Leitzel, Michael Gratis and Associate members for terms to expire June 30, 2013; and to appoint Elizabeth \_\_\_\_\_ Keibala (sp?) for a term to expire June 30, 2013 as a regular member. Vote 5-0.

**c. Constable**

Pickard moved and seconded by Mealy to appoint the following Earl Baldwin, Lee Meresh and Russell Tinkham, Jr. as Constable for terms to expire June 30, 2011. Vote 5-0.

**d. Registrar of Voters**

Pickard moved and seconded by Mealy to re-appoint Penny Bergeson to the Registrar of Voters to a term expiring June 30, 2013. Vote 5-0.

**e. Shore & Harbor Committee**

Pickard moved and seconded by Mealy to re-appoint Richard Libin and R. Hunter Scott to the Shore & Harbor Committee to terms expiring June 30, 2013. Vote 5-0.

**Mass. Mount Insurance**

TA Guerino asked the Board to review paper for discussion at the June 22, 2010 meeting. The Town's agent, Mark Santos will be present to make proposal at said meeting. (A copy of which is attached hereto). Issues TA Guerino raised: Mega would be interested in a multi-fixed fee other than wind insurance; All landfill employers (not office staff) are charged the same rate as those picking up the rubbish on trash truck – a very high rate. TA Guerino is fighting to get the same rate for heavy equipment operators at ISWM that other heavy equipment operators have and have not been successful. This is not a formal proposal.

Chm. Ford asked TA Guerino to look into another way to pay for the services at the landfill.

**Cable Ascertainment Hearing Update**

Chm. Ford stated that the said Hearing had some factors come up. The Comcast Access Studio expenses total in the amount of \$88,985.48. (A copy of which is attached hereto). Chm. Ford read the breakdown into the record.

Access to the Comcast office on Perry Avenue was discussed is something they are reviewing.

Comcast will not be a Town Department, but will have a seat on the Board (non-profit) like most of the other communities.

In negotiations, Chm. Ford stated that their Chm. Robert Schofield stated they have a franchise fee which would be put on the consumer. Mr. Schofield also said that this may not happen.

TA Guerino stated that Atty. Troy sent over an agreement on Mr. Epstein. Atty. Troy gave approval to use Mr. Epstein. He is also going to the County for approval as well.

Mr. Mulvey raised concern with Comcast that they are only to provide access on two 2 channels. They want to divest themselves with the town, which means unless someone picks up the cost, Town will have access to two channels.

Mealy added that the Town has no say on rates, which are set by Federal Regulations; no say on content or break-down on menu of contents. Comcast decided not to fund the local office and staff.

Kay Donovan stated that Verizon has been on Shore Road and believes they are working on something. She also commented on losing Comcast service for an hour.

TA Guerino, in closing, asked the Selectmen to put the Town Administrator's Report further up on the agenda.

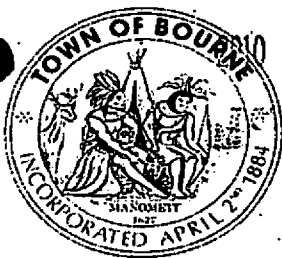
#### **Other Selectmen's Business**

Sloniecki commented on having a better microphone and better way the displays are handled.

#### **Adjournment**

Mealy moved and seconded by Sloniecki to adjourn. Unanimous vote. Meeting adjourned at 10:00 pm.

Respectfully submitted - Lisa Groezinger, sec.



JUN 11 PM 1 23

Board of Selectmen  
Meeting Notice



Date

Monday  
June 14, 2010

Time

7:00 p.m.

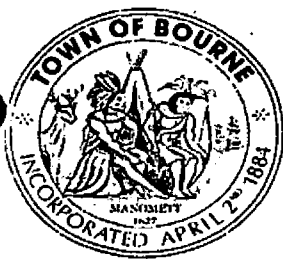
Location

Bourne Middle School  
77 Waterhouse Road  
Bourne

Seminar on the new provisions of the Open Meeting Law with Town Counsel Robert S. Troy

---

Thomas M. Guerino  
Town Administrator



# AMENDED Board of Selectmen Meeting Notice 26



TOWN CLERK'S OFFICE

Date

Tuesday  
June 22, 2010

Time

7:00 p.m.

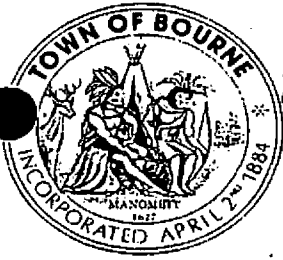
Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence
6. Presentation – Richard Tavares – Special Olympics
7. Mark Santos – Hart Insurance Fy11 proposals
8. Review of the MEP Methodology and Modeling by National Academy of Sciences  
- Request of Orleans Selectmen conduct further review
9. Amendment to ISWM Business Model Working Group membership to include  
Energy Comm. Member
10. Licenses and Permits:
  - a. Buzzards Bay Tavern – entertainment license
  - b. Steven Cooke Philbrick – Taxi License
11. Committee appointments
12. Other Selectmen's business
  - a. Mosquito Control
  - b. Discussion of Vacant buildings (re) use.
  - c. Goals session date establishment

13. Adjourn



2010 JUN 18 **Board of Selectmen**  
TOWN CLERK'S **Meeting Notice**



Date

Tuesday  
June 22, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence
6. Presentation – Richard Tavares – Special Olympics
7. Review of the MEP Methodology and Modeling by National Academy of Sciences  
- Request of Orleans Selectmen conduct further review
8. Amendment to ISWM Business Model Working Group membership to include  
Energy Comm. Member
9. Licenses and Permits:
  - a. Buzzards Bay Tavern – entertainment license
  - b. Steven Cooke Philbrick – Taxi License
10. Committee appointments
11. Other Selectmen's business
  - a. Mosquito Control
  - b. Discussion of Vacant buildings (re) use.
  - c. Goals session date establishment
12. Adjourn

**Board of Selectmen Meeting Minutes – June 22, 2010**

**Bourne's Veteran's Memorial Community Center**

**232 Main Street, Buzzards Bay, MA 02532**

2010 AUG 11 PM 2:18  
\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Stephen F. Mealy

Jamie Sloniecki

**Meeting called to order**

7:00 pm

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

**Public Comment Non-Agenda Items**

Edie Cadoza requested an explanation on the sewer bills. TA stated that the rates in Buzzards Bay are high. Bills went up substantially more when a tertiary system on the Wareham side took out additional nitrates (Bourne has an 18% fixed capital cost annual – did not have on the old plan). Also, prices of all material went up since Hurricane Katrina. Non-Wareham side of assessments has been relatively stable.

TA Guerino further stated that bills and demands went out late. Chm. Ford suggested that at the next Sewer Commissioner Meeting there will be more information. TA Guerino suggested the Sewer Commissioners create a Policy to get the bills out in August and in February.

**Approval of minutes**

Mealy moved and seconded by Pickard to approve minutes of February 16, 2010 as submitted. Vote 3-0-2 abstentions from Meli and Sloniecki.

Pickard moved and seconded by Meli to approve minutes of May 11, 2010 as submitted. Vote 5-0.

Pickard moved and seconded by Meli to approve executive minutes of June 1, 2010 as submitted. Vote 5-0.

Pickard moved and seconded by Mealy to approve minutes of June 3, 2010 as submitted. Vote 4-0-1 abstention Meli.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item H – TA Guerino stated sending to Coreen Moore and will put on a future agenda item for discussion purposes.

Item B – Sloniecki encouraged citizens to check Mass DOT website to follow progress on barrier.

Pickard inquired about the Charter Review Committee. TA stated one person is interested, and TA Guerino will wait on Town Counsel opinion with regard to applicant being able to apply if there is no conflict with another Town committee. TA Guerino will bring said opinion to the Board on July 13, 2010 meeting. Pickard stated to TA Guerino that as an FYI, Ms. Crane's letter is for inquiry only.

Item E – TA Guerino will attend on BOS behalf.

Item J – TA Guerino stated that the water quality report from OTIS is out for public review.

#### **Presentation – Richard Tavares – Special Olympics**

##### **Mark Santos – Hart Insurance FY11 proposals**

Town of Bourne Insurance Presentation by Hart Insurance Agency, Inc. dated June 22, 2010. (A copy of which is attached hereto). There are six (6) differences are only differences between the policies.

TA Guerino asked if MacNamara is included - yes. He also asked if the wind is still as is with Mass Mount - yes. TA Guerino is pleased with the level of effort MEGA (workmen's comp) and recommends the Board will move this way.

Mealy stated that the payment schedule for the next three (3) years is \$690,500 vs. \$778,825 – significant savings.

TA Guerino stated having Hart local, the Town gets day-to-day services and immediate response and answers.

Ford requested TA Guerino review information with Department Heads once accepted.

Sloniecki inquired about what other town is renewing on the Cape – Chatham. TA Guerino added Plymouth County, Seekonk as well.

Sloniecki asked about the deductibles - Brings the gap back down. TA Guerino added that a no-name storm would not have been covered under the Wind Policy.

Sloniecki also inquired about the Town vehicles. All are on the road; plates are being tracked and up-to-date.



Proposal is for the next three (3) years. \$695,000 – if Wind Policy goes up, you will see a number in the budget.

Ford **moved** and **seconded** by Mealy to accept and allow the Town Administrator to enter into a contract between the Town of Bourne and Hart Insurance Agency, Inc. for liability insurance in the amount of \$690,511.73 and as outlined. **Vote 5-0.**

**Review of the MEP Methodology and Modeling by National Academy of Sciences – Request of Orleans Selectmen conduct further review**

TA Guerino stated that the Estuary Study reporting was not what the Town. No money was put back into the budget. Orleans is requesting an independent review of what has gone on with the Estuaries Project. TA Guerino encourages the Selectmen to go along with colleges in Orleans and request a report.

Mealy would like to see an actual modeling data and requests that the Board follow and support Orleans in its request for an independent review to be conducted.

Discussion

Bob Mullinex, is encouraged by the support of the Board requesting information for the last ten (10) years.

George Seaver agrees with conclusion. He added that the MEP could not be used as a reference. TA Guerino added that data (nitrates) would have an implication on how to handle wastewater in the future. If data is flawed or good, the Town has a much better basis for treatments.

Jim Mulvey noted the reluctance of UMASS Dartmouth to supply information and doubts you will ever get the full access. TA Guerino stated there was a full agreement for the study. He will contact Mr. Simini at UMASS.

Meli inquired how much was spent on said study - \$63,000 spent in two (2) years. Work has been paid for, but has not been given the results.

Sloniecki **moved** and **seconded** by Mealy for Bourne to mirror the letter of Orleans dated June 15, 2010 requesting a County sponsored peer review of the Estuaries Project, and to insert a Bourne paragraph, and to bring back to Board for signature. **Vote 5-0.**

**Amendment to ISWM Business Model Working Group membership to include Energy Comm. Member**

Pickard suggested adding a member from the Energy Committee to said Working Group. TA Guerino stated the Board can amend.

Sloniecki **moved** and **seconded** by Pickard to amend the ISWM Business Model Working Group membership to include one Energy Committee Member and to bring back to the Board at their next meeting for signature. **Vote 5-0.**

### **Licenses and Permits**

#### **a. Buzzards Bay Tavern – 3 piece bands – acoustics - entertainment license**

TA Guerino stated Tavern's hours are consistent with other establishments with live music during the week and weekends.

Peter Luciani introduced himself as owner of the property.

Sloniecki **moved** and **seconded** by Meli to approve Buzzards Bay Tavern request for entertainment license per routing slip {Hours: weekends [Fri, Sat, and Sun] from 4:00 pm – 12:30 am; weekdays [Mon -Thurs] from 9:00 pm – 12:30 am}. **Vote 5-0.**

#### **b. Steven Cook Philbrick – taxi license**

Sloniecki **moved** and **seconded** by Mealy to approve Steven Cook Philbrick request for taxi license as submitted per routing slip [note: Farrell inspected and approved vehicle]. **Vote 5-0.**

### **Committee Appointments**

#### Affordable Housing Trust

Pickard **moved** and **seconded** by Meli to reappoint Lee M. Berger, Thomas M. Guerino, Judith A. Riordan, Susan Ross and Stephen Walsh to the Affordable Housing Trust for terms to expire June 30, 2011. **Vote 5-0.**

#### Barnstable County Coastal Resources Committee

Pickard **moved** and **seconded** by Meli to reappoint Tim Mullen to the Barnstable County Coastal Resources Committee for a term to expire June 30, 2011. **Vote 5-0.**

#### Barnstable County Dredge Advisory Committee

Pickard **moved** and **seconded** by Meli to reappoint William Curt Duane and Charles Miller, Alternate, to the Barnstable County Dredge Advisory Committee for terms to expire June 30, 2011. **Vote 5-0.**

#### Barnstable County Home Consortium

Pickard **moved** and **seconded** by Mealy to reappoint Judith A. Riordan to the Barnstable County Home Consortium for a term to expire June 30, 2013. **Vote 5-0.**

#### Bourne Cultural Council

Pickard **moved** and **seconded** by Meli to appoint Liz Brown and Patti Parker to the Bourne Cultural Council for terms to expire June 30, 2013. **Vote 5-0.**

#### Bourne Efficiency/Operations Committee

Pickard **moved** and **seconded** by Meli to reappoint Edward Ellis, Ken Legg, Donald MacPhee, Peter J. Meier and Gerard Kelly to the Bourne Efficiency/Operations Committee for terms to expire June 30, 2011. **Vote 5-0.**

Bourne Financial Development Corp – Board of Directors

Pickard **moved** and **seconded** by Mealy to reappoint Marie Oliva and Michael Giancola to the Bourne Financial Development Corp – Board of Directors for terms to expire June 30, 2011. **Vote 5-0.**

Bourne Housing Partnership Committee

Pickard **moved** and **seconded** by Meli to reappoint Frances Garland Anderegg (at large), Cynthia A. Coffin (BOH – nonvoting), Al Hill (at large), Coreen V. Moore – Town Planner, Susan Ross (at large) and Barbara Thurston – Housing Authority Director to the Bourne Housing Partnership Committee for terms to expire June 30, 2011. **Vote 5-0.**

Bourne Human Services Committee

Pickard **moved** and **seconded** by Meli to reappoint Barbara Thurston – Bourne Housing Authority to the Bourne Human Services Committee for a term to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to appoint Michelle Holmes – At Large member to the Bourne Human Services Committee for a term to expire June 30, 2013. **Vote 5-0.**

Bourne Landfill Business Model Working Group

Pickard **moved** and **seconded** by Meli to reappoint Donald J. Pickard – BOS Representative and William Ware – At Large member to the Bourne Landfill Business Model Working Group for terms to expire June 30, 2011. **Vote 5-0.**

Buzzards Bay Action Committee

Pickard **moved** and **seconded** by Mealy to reappoint Brendan Mullaney to the Buzzards Bay Action Committee for a term to expire June 30, 2011. **Vote 5-0.**

Bylaw Committee

Pickard **moved** and **seconded** by Mealy to appoint Elinor D. Ripley – Finance Committee Representative to the Bylaw Committee for a term to expire June 30, 2013. **Vote 5-0.**

Cable Television Advisory Committee

Pickard **moved** and **seconded** by Meli to reappoint Kathleen V. Donovan, Diane R. Flynn, William G. Locke and Robert Schofield to the Cable Television Advisory Committee for terms to expire June 30, 2011. **Vote 5-0.**

Pickard **moved** and **seconded** by Meli to appoint Thomas O'Reilly and Patrick Sweeney to the Cable Television Advisory Committee for terms to expire June 30, 2011. **Vote 5-0.**

Cape and Vineyard Electric Cooperative

Pickard **moved** and **seconded** by Mealy to reappoint Paul O'Keefe to the Cape and Vineyard Electric Cooperative for a term to expire June 30, 2011. **Vote 5-0.**

Cape Cod Joint Transportation Committee

Pickard **moved** and **seconded** by Mealy to reappoint Rickie Tellier and George Sala – alternate member to the Cape Cod Joint Transportation Committee for terms to expire June 30, 2011. **Vote 5-0.**

Cape Cod Light Compact Committee

Pickard **moved** and **seconded** by Meli to reappoint Robert E. Schofield and Elizabeth Caporelli – Alternate member to the Cape Cod Light Compact Committee for terms to expire June 30, 2011. **Vote 5-0.**

Capital Outlay Committee

Pickard **moved** and **seconded** by Meli to reappoint William Ware – At Large member to the Capital Outlay Committee for a term to expire June 30, 2013. **Vote 5-0.**

Central Information and Liaison Officer for Development

Pickard **moved** and **seconded** by Meli to reappoint Coreen V. Moore to the Central Information and Liaison Officer for Development for a term to expire June 30, 2011. **Vote 5-0.**

Commission on Disabilities

Pickard **moved** and **seconded** by Ford to reappoint Victoria Carr, Nathan Carr and Kendellynn Cavanaugh to the Commission on Disabilities for terms to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Meli to appoint Michael Roberts to the Commission on Disabilities for terms to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Meli to appoint Susan Gallagher to the Commission on Disabilities for a term to expire June 30, 2012; appoint Janice E. Christian, Susan Cygan, and Monice Maurice to the Commission on Disabilities for terms to expire June 30, 2011. **Vote 5-0.**

Community Oversight Group for the Storm Water Management Group Membership of Pollution Task Force

Pickard **moved** and **seconded** by Meli to reappoint E. Harland King, James Mulvey and Leslie Perry to the Community Oversight Group for the Storm Water Management Group Membership of Pollution Task Force for terms to expire June 30, 2011. **Vote 5-0.**

Pickard **moved** and **seconded** by Ford to appoint Stuart Bell, Mort Toomey and Elaine Cook Graybill to the Community Oversight Group for the Storm Water Management Group Membership of Pollution Task Force for terms to expire June 30, 2011. **Vote 5-0.**

Conservation Commission

Pickard **moved** and **seconded** by Mealy to appoint Thomas L. Ligor – Associate Member to the Conservation Commission for a term to expire June 30, 2011. **Vote 5-0.**

Council on Aging

Pickard **moved** and **seconded** by Meli to reappoint Monica Layton to the Council on Aging for a term to expire June 30, 2014. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to appoint Susan Cygan to the Council on Aging for a term to expire June 30, 2014. **Vote 5-0.**

Designer Selection Committee Member

Pickard **moved** and **seconded** by Mealy to reappoint John W. Priestley, Jr. to the Designer Selection Committee for a term to expire June 30, 2011. **Vote 5-0.**

Ethics Liaison

Pickard **moved** and **seconded** by Mealy to reappoint Barry H. Johnson as the Ethics Liaison for a term to expire June 30, 2011. **Vote 5-0.**

Historic Commission

Pickard **moved** and **seconded** by Meli to reappoint Thelma Loring and Jack MacDonald to the Historic Commission for terms to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to reappoint Donald Jacobs to the Historic Commission for a term to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Meli to reappoint Gioia Dimock, Neil F. Langille, Judith A. Riordan and Kathryn L. Harding to the Historic Commission – Associate Members for terms to expire June 30, 2011. **Vote 5-0.**

Local Emergency Planning Committee

Pickard **moved** and **seconded** by Meli to appoint Sue Alma – Transportation, Eve Aseltine, Earl Baldwin – Acting Police Chief, Cynthia A. Coffin – BOH, Daniel L. Doucette – Acting Fire Chief, Christopher Farrell – Director, Philip Goddard – ISWM, Patricia Houde – COA, Stephan Kelleher – MMA Commander, Carole Kibner – Hospital, Beverly Lane – Schools, Chrystal LaPine – Barnstable County Sheriff's Dept., Michael E. Leitzel – Engineering Technician, Brendan Mullaney, Timothy Mullen – DNR, John Pribilla – Owners & Operators, Ann Marie Riley – COA, George Sala – DPW – staff, John M. Stofa – Community Rep, Rickie Tellier, DPW – staff, Michele Tonini – Police, George Tribou – Sewer – staff and Linda M. Zuern – Community Rep to the Local Emergency Planning Committee for terms to expire June 30, 2011. **Vote 5-0.**

Open Space Committee

Pickard **moved** and **seconded** by Meli to reappoint Brian D. Andrews and Jack MacDonald to the Open Space Committee for terms to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to appoint Dr. Jim Sullivan to the Historic Commission for a term to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Meli to appoint Patrick Sweeney to Open Space Committee for a term to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to appoint Mardi Mauney to Open Space Committee for a term to expire June 30, 2012. **Vote 5-0.**

Pickard **moved** and **seconded** by Meli to appoint Janice E. Christian to Open Space Committee for a term to expire June 30, 2011. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to reappoint Michael E. Leitzel, Brendan Mullaney and Coreen V. Moore as Staff members to Open Space Committee for terms to expire June 30, 2011. **Vote 5-0.**

Private Roads Acceptance Committee

Pickard **moved** and **seconded** by Mealy to reappoint Michael E. Leitzel, Coreen V. Moore and Rickie Tellier to Private Roads Acceptance Committee for terms to expire June 30, 2011. **Vote 5-0.**

Recreation Committee

Pickard **moved** and **seconded** by Mealy to reappoint Robert Horne, Roger J. Maiolini and George Sala to Recreation Committee for a term to expire June 30, 2013. **Vote 5-0.**

Pickard **moved** and **seconded** by Meli to appoint Mary Ellen Sanders to Recreation Committee for a term to expire June 30, 2012. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to appoint Atanian Devan to Recreation Committee for a term to expire June 30, 2011. **Vote 5-0.**

Recycling Committee

Pickard **moved** and **seconded** by Mealy to reappoint Meredith Chase and Roger Kemp to Recycling Committee for terms to expire June 30, 2013. **Vote 5-0.**

Route 6A Advisory Committee

Pickard **moved** and **seconded** by Meli to Donald E. Ellis to Route 6A Advisory Committee for a term to expire June 30, 2011. **Vote 5-0.**

Selectmen's Energy Advisory Committee

Pickard **moved** and **seconded** by Mealy to reappoint Virginia Buckley, Elizabeth Caporelli, Thomas Gray Curtis, Jr., H. Alan Daniels, Allyson Bizer Knox, Paul O'Keefe and Robert E. Schofield to Selectmen's Energy Advisory Committee for terms to expire June 30, 2011. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to appoint Chris Kapsambelis to Selectmen's Energy Advisory Committee for a term to expire June 30, 2011. **Vote 5-0.**

Selectmen's Task Force on Local Pollution

Pickard **moved** and **seconded** by Meli to reappoint E. Harland King, James Mulvey and Leslie Perry to Selectmen's Task Force on Local Pollution for terms to expire June 30, 2011. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to appoint Stuart Bell, Mort Toomey and Elaine Cooke Graybill to Selectmen's Task Force on Local Pollution for terms to expire June 30, 2011. **Vote 5-0.**

Sewer/Wastewater Advisory Committee

Pickard **moved** and **seconded** by Meli to reappoint Michael F. Brady, Michael Leitzel, William W. Locke and George W. Tribou to Sewer/Wastewater Advisory Committee for terms to expire June 30, 2011. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to reappoint Peggy Fantozzi – Barnstable County Water Prot. Coll. And Thomas Guerino – TA both as Exofico members to Sewer/Wastewater Advisory Committee for terms to expire June 30, 2011. **Vote 5-0.**

Pickard **moved** and **seconded** by Mealy to appoint Elaine Cook Graybill – At Large and Mort Toomey to Sewer/Wastewater Advisory Committee for terms to expire June 30, 2011. **Vote 5-0.**

Shore and Harbor Committee

Pickard **moved** and **seconded** by Mealy to reappoint Richard Libin and R. Hunter Scott to Shore and Harbor Committee for terms to expire June 30, 2013. **Vote 5-0.**

Special Works Opportunity Program

Pickard **moved** and **seconded** by Mealy to reappoint Susan E. Cronin, Edward Linhares and Kathleen Stubstad to Special Works Opportunity Committee for terms to expire June 30, 2011. **Vote 5-0.**

Street & Traffic Lighting Committee

Pickard **moved** and **seconded** by Mealy to reappoint Robert Schofield, Rickie Tellier, Police Chief and Fire Chief to Street & Traffic Lighting Committee for terms to expire June 30, 2011. **Vote 5-0.**

Upper Cape Regional Transfer Station Board of Managers

Pickard **moved** and **seconded** by Ford to reappoint Dan Barrett and Philip Goddard to Upper Cape Regional Transfer Station Board of Managers for terms to expire June 30, 2011. **Vote 5-0.**

Veterans' Graves Officer

Pickard **moved** and **seconded** by Mealy to reappoint Thomas Barclay to Veterans' as Graves Office for a term to expire June 30, 2011. **Vote 5-0.**

## **Other Selectmen's Business**

### **a. Mosquito Control**

This is not the annual appropriation for gnat fly control at the Town meeting. Rather it is an assessment off the Cherry Sheets and has been such since 1930. FYI – 12 Cape Cod Towns have signed on, the Chatham Town Manger is on vacation and has not responded, not has Falmouth at this point in time.

TA Guerino stated a 2% increase. This is an increase of \$1,700 bringing the total to approximately \$8,400. Given the financial dilemma, he brings forth to the Board for a determination.

Mealy asked why the increase and what would happen if the Town does not agree.

Ford recommends to table until get more information.

TA Guerino will bring back information to the Board at the next meeting with respect to the \$1,700.

### **b. Discussion on vacant buildings re: use**

TA Guerino stated the Capital Outlay Committee hired a consultant for the Town's Highest and Best Use Study with regard to Town properties. Report was provided to COC. Their recommendation is to sell the school building. A Town Meeting vote is required to allow sale of property.

TA Guerino recommends the Outlay Committee come before the Board to explain process to the board and why came up with recommendation that they have. TA Guerino will get copies of the Best Use Study to the Board members.

### **c. Goal session date establishment**

TA Guerino recommendation for goal session date. July 14, 2010 at 6:30 PM after the regular meeting on July 13, 2010. TA Guerino will facilitate meeting.

July 13, 2010 at 6:30 pm Executive Session with Town Counsel – reconvene meeting re: BOS and TA's authority begins and ends.

June 29, 2010 is the workshop.

## **TA Report**

Director's position of COA – applications due on July 9, 2010.

Human Resources Director – application due on July 22, 2010

TA Guerino asks to draft a letter on the Board's behalf to Mr. Luce, who has retired, for his work for the Town.

TA Guerino, Ford, Andrews interviewed individuals for the position of General Manager at ISWM, and has offered the position to Peter McNabb. TA Guerino will be meeting



with him next Monday morning for finalities. A Press Release will be sent out after TA meeting with Mr. McNabb for the Board. Additionally, Dan Barrett will assume the position of Assistant General Manager for Operations and Marketing. TA will report back to the Board.

#### **Selectmen's Business**

Mealy - provided copy of the 2010 Ground Water Clean Maps to TA Guerino and additional copies will be given to TA Guerino with addresses and to be mailed; All decisions have been made and are in place for clean up at Otis; Hearing of the Cape Cod Commission on June 24, 2010 at 3:00 pm at 1<sup>st</sup> District Court; Falmouth experienced drinking water issues, and requests through BOH of the plan the Town of Bourne has on how to address a similar situation. He also requests copies of responses from Water Districts - if not, a good opportunity to get collected through the BOH. Communications Plan on how our Town would make the announcement - TA Guerino stated table top exercises had been done. Cynthia Coffin of BOH has a sophisticated protocol and will have Ms. Coffin come before the Board to discuss; Stop & Shop inquiry (suggested putting up on website for response) - TA Guerino will follow up.

Meli - discussed the Bourne Community Boating.

Pickard - inquired about parking with near St. Margaret's with regard to the 4<sup>th</sup> of July Parade - TA stated the Parade Committee is working with the church. TA Guerino added that the Community Building will be open during the parade, as a couple of paid employees will be working.

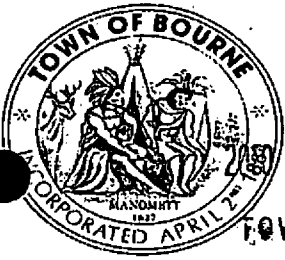
Sloniecki - BYB hosting Cal Ripkin Tournament in mid July at the Pocasset Field.

Ford - attended dinner for retiring teachers; attended the Licensing Committee meeting for liquor licenses with regard to updates in liquor laws.

#### **Adjourn**

Selectman Sloniecki **moved** and **seconded** by Selectman Mealy to adjourn. Meeting adjourned at 9:40 pm.

Respectfully submitted - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice

JUN 18 PM 4  
TOWN CLERK'S OFFICE  
BOURNE, MA



Date

Wednesday  
June 23, 2010

Time

7:00 p.m.

Location

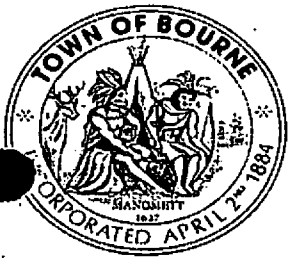
Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

## Agenda

1. Open Meeting

Possible Executive Session - Police Contract Negotiations

Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice



Date

Wednesday  
July 14, 2010

Time

6:30 p.m.

Location

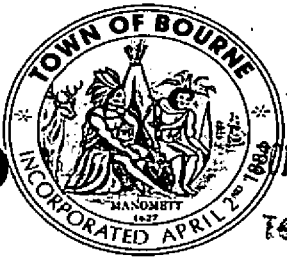
Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

2010 JUL 9 PM 1 32  
TOWN CLERK'S OFFICE  
BOURNE, MA

### AGENDA

1. Open Meeting
2. Board of Selectmen Goal Session
3. Adjourn

  
Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice



2010 JUN 25 PM 4 08

TOWN CLERK'S OFFICE  
AMENDED

Date

Tuesday  
June 29, 2010

Time

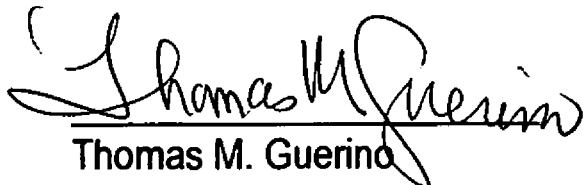
6:30 p.m.

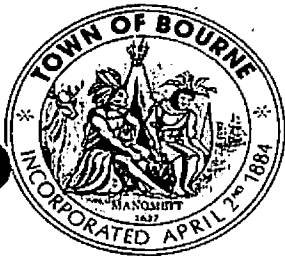
Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

### AGENDA

1. Call meeting to order
2. Possible Executive Session - Ongoing litigation and personnel / labor contracts
3. Workshop with Bob Troy re: Duties and responsibilities of Board of Selectmen and the Town Administrator per Charter and State Statute.
4. Other Business
5. Adjourn

  
Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice



Date

Tuesday  
June 29, 2010

Time

6:30 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

### AGENDA

1. Call meeting to order
2. Possible Executive Session - Ongoing litigation and personnel / labor contracts
3. Workshop with Bob Troy re: Duties and responsibilities of chief Executive Officer and Chief Administrator Officer per Charter
4. Other Business
5. Adjourn

Thomas M. Guenno  
Town Administrator

2010 JUN 25 PM 11 06  
TOWN CLERK'S OFFICE  
Bourne, MA

**Board of Selectmen Workshop Minutes – June 29, 2010**

**Bourne's Veteran's Memorial Community Center**

**2010 AUG 11 PM 4:18  
239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**TOWN CLERK'S OFFICE**

**Attendance:**  
Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman  
Don Pickard, Vice Chairman  
Mary Meli, Clerk  
Jamie Sloniecki (excused)  
Stephen F. Mealy

**Meeting called to order**  
7:35 pm

**Workshop with Bob Troy re: Duties and responsibilities of Board of Selectmen and the Town Administrator per Charter and State Statute**

Introduction by Atty. Troy. This is a timely session about to go through a second Charter revision.

When 2001 Charter was originally wrote, it was the feeling of not going to the level of Town Manager, but a Town Administrator. Original Charter thought by naming the position, it would diminish the authority of said position.

Not true:

1) Powers and duties Section 4.6 of the TA state that position has the same powers as Town Managers. The TA exercises theoretical powers is a function of person to exercise;

2) Practicality - A lot is a function of agreement between BOS and TA and about how TA exercise powers. Theoretical, if there is disagreement between BOS and TA, the TA has the upper hand. Atty. Troy feels it should be the same as the appointed power, BOS act as a majority. The TA has the most powerful position in theory and practice.

TA Guerino said it takes four (4) votes to appoint position and four (4) votes to remove out of position. Atty. Troy stated not being in favor of the four (4) votes as some problems about selecting people have emanated. The BOS has to compromise. Atty. Troy recommends the BOS should look at the Charter to change.

Atty. Troy stated that the last Charter Review had provision re: Charter Compliance Commission and crimes against the Commission. He thought said provision would end up with a lot of actions and it was the opposite. No problems.

Atty. Troy stated that the key provisions are in Section 4.6 Powers and Duties – TA has clearly delineated powers that the TA has. This is on track with what Tow Managers

have. BOS have a lot of authority that is not as specific, but general. TA does what the Selectmen say as far as goal and policy making.

The TA has a day-to-day administration. Policies with the BOS – it is their job to instruct the TA. BOS deals with agencies through the TA. In terms of broad outlines, the key tension is between goal setting and policies and day-to-day.

All executive powers are given to the BOS. General executive authority is with the BOS in Section 4.6.

Policy – TA Guerino stated BOS in the past see differently. If a BOS determines that the Town Policy is to move toward a greener municipality (purchasing, renovations), this is an example of a goal and a policy vs. a sub policy. Atty. Troy stated that the BOS states what they want the Town to reflect (Green Policy) and it is then the TA responsibility to carry out the policy.

TA – day-to-day  
BOS – goals and policies

Chm. Ford asked hypothetically, if set a policy of no new hirees. He believes TA would come to the BOS with his case. Would the TA have authority to make a decision? Atty. Troy stated there is a Section in the Charter that requires consultation with the BOS. The BOS can state limited revenue stream and no hire policy. TA is expected to carry out the policy, and if hire someone, communicate with the BOS.

Atty. Troy added that If the BOS is intent on not hiring anyone, and TA continues to hire a string of people; this invites a removal. Something blantent towards the Board, learn to respect authority.

Pickard stated BOS discovered TA Guerino gave a 5% raise half way through which was not reflected in the budget. Troy stated that the TA has to have the authority to make interim adjustments. The difference would be if the BOS set a policy and told the TA to stick to budget. In that situation, it would be a legitimate policy and that is when the TA should come to the BOS.

Ford asked if the BOS can set a policy, think ahead at the beginning of the year, and freeze money. Atty. Troy stated that the TA has authority to negotiate collective bargaining, conferring with the BOS. One areas where the public has not been well served in is collective bargaining units. When in a fiscal crisis, BOS policy is more prominent. If the TA is acting improperly, the BOS owns the problem by omission or negligence. Important that BOS have role.

Meli stated she thinks BOS needs to be very specific and feels that's where the issue sits. TA Guerino stated said salary increase was contractual – to look at salary at a certain point, not the specific amount.

TA Guerino inquired that if the BOS were to say we are going into negotiations; going to set a policy going into said negotiations; and that we will not be able to do nothing but a 0-0-0. Does this negate the Town's ability under bargaining laws to be bargaining in good faith? Atty. Troy stated this may be a "goal". In Section 4.6(j) – on behalf of the BOS. If look at language with regard to collective bargaining, which includes the BOS – person acting as representative. He added about the adjustment of the salary in Section 4.6(m) says if TA fixes compensation within Town limits, the absence of a policy gives authority to the TA.

[Atty. Troy asked if original Charter 2007 is on the Town webpage – document passed at Town Meeting. Troy stated this Charter can be done, Bourne's Charter is done by the Home Rule Petition; which means the Town only gets what the legislature decides to grant. Things can pass at Town Meeting, but unless the legislature decides to do, it doesn't mean it is in Bourne's Charter.

Atty. Troy will look into further. Troy took copy TA Guerino provided to the BOS tonight (2007 Charter). He stated the difference in language between what was handed to him tonight vs. the copy he had was where in Section 4.6, (c) was stricken and every letter is off, and language is the same.

Ford stated that if TA stated raise was contractual, BOS should have been told. This will be discussed in the BOS Goal Session on July 14, 2010.

TA Guerino added there has been three (3) different Boards and all different ideas on what the policy of what the TA should be. TA stated needing to know what the tracks are so everyone is in sync. Ford added that the new Public Meeting Law will help the BOS as well.

TA Guerino stated the Charter Commission reports of 2001, 2002 and 2005 and 2007 are on websites.

Ford inquired about the right to set policies, where the BOS require TA to explain to the BOS if a decision is going to obligate the Town. Atty. Troy stated that the BOS have to fine tune and if there is a reason for the need of information about consultants, the BOS need a clear and specific directive.

Pickard asked TA what the process would be with regard to the Assessment Center for a Fire Chief. TA Guerino responded the need to bring in consultants to help him review two documents, which is prescribed methodology is set by the Commonwealth:

- Review as to if applicant exceeds expectations, etc and mark and score.
- Once have score, open price proposals. If out of whack, would put back out. If it is close, we would go with the proposal deemed most appropriate by the selection panel.



Ford sees that as being a TA every day affair. If multi-year, Atty. Troy said it is a goal and policy for the BOS. He added that if there is a second set of eyes, it helps the issue.

TA Guerino commented on ISWM as they run in bigger numbers, and have authority vested in the BOH (prior to recent Troy opinion). 2006 Town Meeting vote allowing TA to enter into long-term contracts for five (5) years or more with regard to waste. BOS does not want to see long-term, but where is the cut off if the BOS and TA disagree.

Mealy directed TA to Section 5.5(e). The BOS and TA Guerino will discuss at the July 14, 2010 meeting.

Ford stated a smoother policy would be that the BOS have a vote. He thought this is how the cooperation would be between BOS and TA. Atty. Troy stated that that is a reasonable statement. TA Guerino said it would be how the BOS and TA determine where lines are (not always black and white). For example, there hasn't been a Sr. Dept. Head and the Finance Director – it make sense to do so, and carry over into financial contracts, might not have to but makes sense to do (collaborative process – horizontal vs. lateral).

Ford stated that in bad years, it would affect the taxpayers. TA Guerino stated that in the past 15 years or more, there is not a lot of good policy. The more policies, the more procedures and practicals to move forward, the better the policies would be which would be good start for the July 14, 2010 meeting.

Ford stated that if the BOS comes up with some thought and get some good policies, BOS and TA can accomplish something this year.

Meli stated BOS need to expand policies and goals and add objectives. TA Guerino suggested including organizational goals.

Atty. Troy opinion states that a person cannot be on Charter Compliance Committee and Charter Review Committee at the same time. Resign the Charter Compliance if want to serve on the Charter Review Committee. TA Guerino asked Atty. Troy to clarify in a sentence tomorrow. Atty. Troy went on to say that if a person is eligible to be appointed to the Charter Review Committee, he/she must resign the Charter Compliance, but in Section 8.1(b), appoint any one on the Charter Review Committee.

TA Guerino asked if safety person scheduled to work on regular shift, when Committee is scheduled to meet, is the Town obligated to pay overtime to fill a public safety shift so person can attend meetings? Atty. Troy stated absolutely not - under no circumstances should the Town pay for a volunteer position.

Ford said the BOS will put a group together who will review discussions for issues that need to be reviewed by the committee for Troy review.

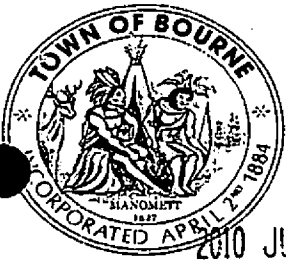
**Other business**

None.

**Adjourn**

Selectman Pickard **moved** and **seconded** by Selectman Mealy to adjourn. Meeting adjourned at 8:40 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice



2010 JUL 9 PM 1 42

Date TOWN CLERK'S OFFICE  
Tuesday 11:42 AM  
July 13, 2010

Time  
6:30 p.m.

Location  
Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

6:30 – 6:40 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 6.3.10 – 6.29.10 – 6.29.10 executive
5. Correspondence
6. Year end account transfer and balances as allowed by Law. – Tom Guerino -  
Linda Marzelli Finance Director. – Vote required.
7. Licenses and Permits:
  - a. 7:15 p.m. Buzzards Bay Tavern – change of description to include outside liquor and food service
  - b. Discussion regarding 10:00 A.M. Sunday opening hours for Chapter 138, Section 12 liquor license holders
8. 7:30 Cape Cod Commission Executive Director –re: Federal Transportation and Planning grant proposal (**TIGER II funding**)– Possible Board Action on application
9. Board Discussion regarding Capital Outlay recommendation to sell of Hoxie and Coady Schools – Process to sell Town Real Property (no action) Presentation by Capital Outlay Committee.
10. Committee appointments:
  - a. Charter Review Committee – discussion and set deadline for applications
  - b. Election Workers – appointments
  - c. Miscellaneous re-appointments

11. Other Selectmen's business:

- a. Mosquito Control Discussion and possible vote – need for additional funds support. – (explanation of need)
- b. Town Administrator increase. (1% July -1% January)

12. Town Administrator's report

- a. Stop and Shop
- b. Board to set fee for General on Premise Liquor License (Bowling Alley)
- c. Update on Fire Chief and other recruitment methods
- d. Affordable Housing – First Right of Refusal (45 High Ridge Road)  
Selectmen action necessary

13. Executive session on Labor contracts re: public safety personnel – No return to public session.

## Future Selectmen's Meeting Topics

- Commuter Rail discussion – re: grant
- Goals Session 7/14/10
- Establish date for Bourne Braves ceremony
- Surplus equipment determination
- Ambulance bills – ( non-collectable or Bourne Resident forgiven)
- Review of Local Comprehensive Plan

**Board of Selectmen Meeting Minutes – July 13, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman  
Don Pickard, Vice Chairman  
Mary Meli, Clerk  
Jamie Sloniecki  
Stephen F. Mealy

**Meeting called to order**  
6:30 pm

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

**Changes per Open Meeting Law – Chairman Ford**

- Weekends and holidays are not counted for posting meetings within 48 hour notice
- Notice of meeting requirement – schedule items of the meeting agenda along with other items to be discussed, giving as much notice to the public
- Clerk will have new area (kiosk) for meetings and posted 24 hours. TA Guerino stated in the interim, in back of Town Hall on handicapped door are posted meetings.
- Meeting conduct – if anyone making a video or recording a meeting must be recognized by the Chm.

**List of Documents**

- Town of Bourne Chapter 77, of the Acts of 2006, Section 1 Municipal Transfers of Appropriations
- Capital Outlay Committee at Board of Selectmen Mtg. July 13, 2010

**Public Comment Non-Agenda Items**

Charley Miller reiterated the Open Meeting Law to the meetings. Clay Pond Road is a dangerous intersection, and would like to see a speed limit sign added once again. He also commented on signs with regard to vegetation growth. Chm. Ford stated TA Guerino will discuss with Chief Baldwin.

Kathleen Donovan also commented on the Clay Pond intersection.

Ron Matheson – Three Mile Look Pathway update and request of support. Town/owned property comes close to the bank which requires a bid (\$45,000 - \$90,000) for a pathway. Mike Blanton applied for CPA funds and is asking BOS support to put in an Article of the Warrant (assuming CPA funds are available), to get bid first for a fixed number per

Clerk Barry Johnson. TA Guerino cautioned that prices of bids are substantially higher with regard to pre-bidding. Chm. Ford directed to initiate with the CPC.

Jim Mulvey suggested the Town get a 5 foot easement from abutter on the adjoining land for a pathway.

**Approval of minutes**

Pickard **moved** and **seconded** by Mealy to approve minutes of June 3, 2010 as amended.

**Vote 4-0-1. (Meli)**

Pickard **moved** and **seconded** by Mealy to approve minutes of June 29, 2010 as submitted. **Vote 4-0-1 (Sloniecki).**

Pickard **moved** and **seconded** by Mealy to approve and release executive minutes of June 29, 2010 as amended. **Vote 4-0-1 (Sloniecki).**

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item H - TA Guerino will draft a thank you letter to Coreen Moore on behalf of the Selectmen with regard to Commonwealth Capital Application 2010. TA Guerino added it is a good depiction on where Bourne is to date.

Item I – TA Guerino stated much of land is in some sort of restrictive covenant.

Item A – TA Guerino stated certain areas that have certain chemicals that have not been required to put in any mitigation programs to date.

**Year End Account Transfer and Balances as allowed by Law – TA Guerino, Linda Marzelli – Vote required (one agenda item)**

Memorial Community Building - from Expense to Salaries  
\$4,667.18

DNR - from Salaries to Expenditures  
\$17,000

Sewer – from Expenses to Salaries  
\$2,667.57

ISWM – from Salaries to Expenses  
\$75,000

Police Dept. - Salaries to Snow & Ice OT - \$51,792.00  
Fire Dept. - Salaries to Snow & Ice OT - \$21,894.57  
Total of \$73,686.57

Police Dept. - Salaries to State & City Assessments  
\$48,208.00

Fire Dept. - Salaries to Unemployment - \$12,711.83  
DPW - Salaries to Unemployment - \$40,000  
Reserve Fund Transfer - \$7,288.17  
Total \$60,000.00

Sloniecki **moved** and **seconded** by Pickard to approve transfers of appropriations as presented by Finance Director. **Unanimous vote.**

TA Guerino stated to the Selectmen that the Year End Closeout Business is less than \$275,000 on a \$53M budget, crediting Department Heads.

**Licenses and Permits**

**a. Buzzards Bay Tavern – Discussion re: change of description to include outside liquor and food service**

Atty. Ford O'Connor for applicant.

TA Guerino stated receiving a phone call from the owner of shoe store and does not want to have parking on his property when his business is closed.

Sloniecki **moved** and **seconded** by Mealy to continue to the July 27, 2010 at 7:15 pm for opportunity of a Selectmen site visit. **Vote 5-0.**

TA Guerino will provide the Board with dates for a site visit. Atty. O'Connor requested Mike Leitzel be present at site visit.

**b. Discussion regarding 10:00 am Sunday opening hours for Chapter 138, Section 12 liquor license holders**

Chm. Ford stated said discussion could take place, earliest at the Selectmen July 13, 2010 meeting per new Open Meeting Law. He added the Pastor of the abutting church does not oppose applicant request.

The consensus of the Board is to reach out to ALL license holders with regard to said extension.

Jim Mulvey requests any Board members who are involved in industry and may not be legitimately able to vote.



**Cape Cod Commission Executive Director – Federal Transportation and Planning grant proposal (TIGER II funding) – possible Board Action on application - Paul Nezwicki, Exec. Dir. of Cape Cod Commission**

Tiger II funding is a 20% match requirement. Federal grant will allow reviewing at both bridges and ancillary roads that feed both bridges. There will be other federal grants coming in the future.

Met with Coreen Moore, and all involved (Cape Chamber, Steering Committee) are in support with moving forward with Bourne proposal for Grant by July 23, 2010.

The Reset team is about implementation - make sure plans are consistent and frame so we can access grants to implement. Cape Cod Commission (CCC) has extended invitation with regard to Buzzards Bay offer through TA Guerino.

Jim Mulvey requested more on an application explain what application consists of and Bourne's obligation. Mr. Nezwicki stated that the pre-application on due July 23, 2010. The match (20%) is an opportunity for Bourne to use work on-going as leverage for additional money through the planning grant. This is the perfect scenario using funds allocated previously.

Joe Agrillo would like to see more facts before obligating Bourne and does not see how the Board can endorse said Project.

TA Guerino stated there would be no money out of Bourne's pocket for the application. Program gives Bourne the opportunity to get \$150,000 out of the DOT and into what planned to do previously, and an opportunity for additional community and economical assistance. This will provide more that what Bourne can do, five times more than what have been able to get.

TA Guerino stated that said Project would make sense when looking at the bridges to look at original plans that are with DOT (Ewell plans) because: 1) it does some good traffic patterns to the Belmont rotary and bypass; and 2) good implementation for the next (additional) phase. If asked, TA Guerino would provide his recommendation to the Selectmen for said Program.

TA Guerino for clarification, set scope on what parameters will be.

Michael Blanton stated this opportunity is inspiring to revitalize Buzzards Bay.

Charley Miller wonder if said Program will benefit Bourne or the rest of the Cape.

Mealy **moved** and **seconded** by Sloniecki that the Selectmen support the Cape Cod Commission with regard to the Tiger II funding; and the additional support of planning expertise of Main Street Buzzards Bay. **Vote 5-0.**

**Board Discussion regarding Capital Outlay recommendation to sell Hoxie and Coady Schools – Process to sell Town Real Property (no action) Presentation by Capital Outlay Committee – Mary Jane Mastrangelo**

Ms. Mastrangelo requested that the Highest and Best Use Study 2010 be put on the Town website.

The sale of these buildings could be of significant value to the Town. There is a potential for \$1.4 - \$1.5M (2009 numbers) of revenue from the sale of the buildings. The sale of the buildings would also free up about \$2M of future capital obligations that will be necessary if the Town repairs these buildings. The Town would also save on the annual operating budget for the ongoing maintenance of these vacant buildings.

The Capital Outlay Committee recognizes the historic value of the buildings. It is their assumption that historic preservation requirements would be part of the negotiation of the terms of the sale.

There are alternatives to be considered. However, the consideration of these alternatives is beyond the scope of the work of the Capital Outlay Committee. The sale of these buildings requires the approval of the Planning Board, the Conservation Commission and the Board of Selectmen.

The Capital Outlay Committee has made their recommendation so that the process of public discussion and input can begin. This is now a policy and budget decision which should be taken over by the Board of Selectmen consideration.

John Redman stated there were no Capital Outlay Committee hesitations on said recommendations.

Mastrangelo suggested the Board have a Fall Special Town Meeting to put info together to go to the Town voters.

Allyson Bizer-Knox stated there are people interested in the buildings (4H Club). She also asked if a non-profit group could lease before the purchase of buildings.

Charley Miller is not in favor of the sale of the buildings (Hoxie in particular).

Liz Henry agrees in getting information out to the public for interest.

Jim Mulvey raised issue of the sale of the buildings are beyond the scope of work of the Capital Outlay Committee. He suggests getting a firm with a scope of work to put a list together. He also stated the acreage of the total site listed. Retaining site for present or future town use is very important.

The Board requests TA Guerino obtain Town Counsel opinion on what is necessary for transfer if that is the way we go; look to Town Depts, Local non profits, Schools and Points of Interest to see if there is any use and make sure what is necessary for the Capital

Outlay to discuss as a joint meeting between the BOS, ConCom and Planning Board; put together a timeline as to what the TA thinks the timeframe would be to address at a Special Town Meeting if necessary. This should be done by a date certain (2 meetings out) to have expectation and might have some other avenues to approach. This will be put on the next meeting's agenda.

#### **Committee appointments**

##### **a. Charter Review Committee – discussion and set deadline for applications**

TA Guerino stated the last committee was a nine (9) member – currently have five (5) applicants [Joe Carrara, Jr., Judy Conron, Jacqueline M. Loring, Charles J. Miller and William Rhatigan].

Chm. Ford would like to reach out to the public for interest to serve. He would like to possibly have brand new members, and see nine (9) members.

Mealy **moved** and **seconded** by Sloniecki to set deadline for applications on Friday, July 23, 2010 at noon to the public time to submit requests to the Board of Selectmen and then make an appt. the following Tuesday. **Vote 5-0.**

##### **b. Election Workers – appointments**

Sloniecki **moved** and **seconded** by Pickard to Selectmen endorse and appoint Election Workers: Ann Gratis, Joan Marsh, Mary Reid, Karen Seiden, Edwin M. Smith, Estelle Blake, Helen Blankenship, Frances Bogden, Clarence Boucher, Ralph Brown, Sally Butler, Eda Cardoza, Barbara Cavanaugh, Wendy Clifford, Mary Cocuzzo, Diane Cremonini, Marie Dimitro, Jane Downing, M. Elizabeth Ellis, Mary E. Ellis, John Garity, Sally Gibbs, Joel Gould, Norma Goulding, Marjorie R. Haddad, Albert Hill, Henrietta Holden, Michael D. Kelley, Kathleen Kelley, Frances Lahteine, Traci Langley, Monica M. Layton, Priscilla Lyons, Joan MacNally, Patricia Maskery, Judith McAlister, k Debi McCarthy, Mary C. McDonough, Penny Myers, Ruth Palo, James Russo, Patricia Saniuk, Richard Sheets, William Thomas, Judith Thrasher, Pauline Townsend, Joann Weinert, Susanne Willey, Arlene Cardoza, Bette L. Puopolo, Beth Adkins-Perry, Eleanor "Ted" Brown, Phillip Burgess, Jan Finton, Lita M. Gasper, Cindy Smith, Carole G. Valeri, and Dorothy Woodside. **Vote 5-0.**

##### **c. Miscellaneous re-appointments**

None.

#### **Other Selectmen's business**

##### **a. Mosquito Control Discussion and possible vote – need for additional funds support (explanation of need)**

TA Guerino spoke with college from Brewster. They put in for the 2% as budget was knocked down by the Commonwealth. Chm. Ford stated this is State money and employees did not get a pay raise. Next year's budgets will be real tight.

Pickard **moved** and **seconded** by Mealy to endorse the 2% increase of the Mosquito Control Project budget. **Vote 5-0.**

**b. Town Administrator increase (1% July – 1% January)**

Ford moved and seconded by Sloniecki that the TA Administrator will receive a 1% salary increase on July 1, 2010 and a 1% increase on January 1, 2011. **Vote 5-0.**

**Town Administrator's report**

**a. Stop & Shop**

TA Guerino and Coreen Moore meeting with owner of plaza and Stop & Shop on July 23, 2010.

**b. Board to set fee for General on Premise Liquor License (Bowling Alley)**

Sloniecki moved and seconded by Mealy to adopt the same fee as other Beer & Wine All Year Licenses in the amount of \$1,100.00. **Vote 5-0.**

**c. Update on Fire Chief and other recruitment methods**

RFR's from consulting groups – grading now and have results to HRD by the end of the week. TA received two (2) bids and Coreen Moore and Finance Director will review contact. HRD will get back to TA Guerino and expects to advertise in August 2010, have someone on board by October 2010.

**d. HD Director**

Applicants closed on July 23, 2010 – 19/20 resumes. Call first set out, moving forward. Announcement with them probably by the end of August.

**e. ISWM**

Offered position to individual. Chosen not to accept position; will re-advertise (next week in the Beacon) and go online and in print.

**f. Railroad crossing**

Railroad crossing – Counsel's revised other thoughts on matter and move forward. No hindrance of crossing he is aware of. TA Guerino will send to the State.

**g. Green Communities Act Forum**

Energy Coordinator Richard Elricht is holding public forum on the Green Communities Act (new stretch code) next week July 20, 2010. Encourages citizens to attend.

**h. Council on Aging Director**

Acceptance of applications ended on July 9, 2010 – 18 resumes. Bring committee together on first round for 6 or 7 applicants. Counsel Director to move forward.

**i. Affordable Housing – First Right of Refusal (45 High Ridge Road) Selectmen action necessary**

Remaining affordable. Done by DHDC standards and the Board needs to vote to authorize to do so.

Mealy **moved** and **seconded** by Sloniecki that the Town exercise it's right under the deed rider to locate an eligible buyer, that the Bourne Housing Partnership will act on behalf of the Town in this effort and that the Partnership work under the guidance and instruction of DHCD in setting the price, terms and completion of the sale. **Vote 5-0.**

**Other Selectmen's Business**

Sloniecki – Save Bourne Sports fundraiser on July 30, 2010 at Bay Point Country Club to supplement sports program. [www.savebournesports.com](http://www.savebournesports.com) for more information.

Mealy – State level or at County or Local level of any means and ways to defend coast ways of any impact relative to oil. TA Guerino is not aware of any, but will seek information. Request of TA Guerino to obtain copies of a quick summary of Town's plans.

**Executive session on Labor contracts re: public safety personnel – No return to public session.**

Pickard **moved** and **seconded** by Sloniecki to move into Executive Session on Labor contracts with regard to public safety personnel and not to return to public session at 9:40 pm. **Roll call: Sloniecki – yes, Pickard – yes, Meli – yes, Mealy – yes, Ford - yes.**

Respectfully submitted - Lisa Groezinger, sec.

Town of Bourne  
Chapter 77, of the Acts of 2006, Section 1  
Municipal Transfers of Appropriations

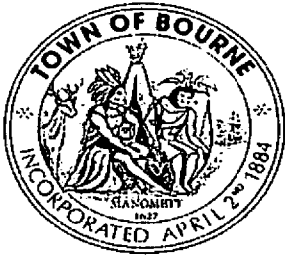
Transfer from the following departmental budgets:

<u>Department</u>	<u>Total Budget</u>	<u>Salaries</u>	<u>Expenditures</u>	<u>3% of Total Annual budget</u>	<u>Limit of transfer Allowed (3% or \$5,000 whichever is greater)</u>	<u>Transfer needed between salaries &amp; expenses</u>	<u>Transfer Needed</u>
Memorial Comm Bldg	\$ 232,523.00	\$ 124,923.00	\$ 107,600.00				
Expended		\$ 129,590.18	\$ 93,478.91				
Est. to year end		\$ -	\$ -				
		\$ (4,667.18)	\$ 14,121.09	\$6,975.69	\$6,975.69	\$ 4,667.18	Transfer from Comm Bldg Expense to Salaries
Dept of Nat'l Resources	\$ 994,227.00	\$ 575,177.00	\$ 419,050.00				
Expended		\$ 535,500.65	\$ 421,535.70				
Est. to year end		\$ -	\$ -				
		\$ 39,676.35	\$ (2,485.70)	\$29,826.81	\$29,826.81	\$17,000.00	Transfer from DNR Salaries to Expenses
Sewer	\$ 744,778.00	\$ 145,259.00	\$ 599,519.00				
Expended		\$ 147,926.57	\$ 495,965.42				
Est. to year end		\$ -	\$ -				
		\$ (2,667.57)	\$ 103,553.58	\$22,343.34		\$2,667.57	Transfer from Sewer Expenses to Salaries
ISWM	\$ 7,811,930.00	\$ 1,690,935.00	\$ 6,120,995.00				
Expended		\$ 1,550,088.40	\$ 6,101,847.09				
Est. to year end		\$ -	\$ -				
		\$ 140,846.60	\$ 19,147.91	\$234,357.90		\$75,000.00	Transfer from ISWM Salaries to Expenses

<u>Department</u>	<u>Total Budget</u>	<u>Salaries</u>	<u>Expenditures</u>	<u>3% of Total Annual budget</u>	<u>Limit of transfer Allowed (3% or \$5,000 whichever is greater)</u>	<u>Transfer needed between salaries &amp; expenses</u>	<u>Transfer Needed</u>
Snow Removal	\$ 222,900.00	\$ 33,735.09	\$ 189,164.91				
Expended		\$ 107,421.66	\$ 189,164.91				
Est. to year end		\$ -	\$ -				
		\$ (73,686.57)	\$ -				Transfer From Police Dept \$51,792.00 Salaries to Snow & Ice OT Transfer from Fire Salaries \$21,894.57 to Snow & Ice OT \$73,686.57
State & County Assess	\$ 2,278,711.00	\$ -	\$ 2,278,711.00				
Expended		\$ -	\$ 2,326,919.00				
Est. to year end		\$ -	\$ -				
		\$ -	\$ (48,208.00)				Transfer From Police Dept Salaries to State & Cty \$48,208.00 Assessments
Unemployment Comp	\$ 120,000.00	\$ -	\$ 120,000.00				
Expended		\$ -	\$ 140,054.40				
Est. to year end		\$ -	\$ 39,945.60				
		\$ -	\$ (60,000.00)				Transfer from Fire Salaries \$12,711.83 to Unemployment Transfer from DPW \$40,000.00 Salaries to Unemployment \$7,288.17 Reserve fund transfer \$60,000.00

Department	Total Budget	Salaries	Expenditures	3% of Total Annual budget	Limit of transfer	Transfer needed between salaries & expenses	Transfer Needed
					Allowed (3% or \$5,000 whichever is greater)		
Police Dept	\$ 3,378,703.00	\$ 3,128,729.00	\$ 249,974.00				
Expended		\$ 3,018,507.23	\$ 210,984.06				
Est. to year end		\$ 9,950.59	\$ -				
		\$ 100,271.18	\$ 38,989.94	\$101,361.09	\$101,361.09	\$51,792.00	Transfer to Snow & Ice Overtime
						\$48,208.00	Transfer to State & Cty Assessments
Fire Dept	\$ 3,246,736.00	\$ 2,901,320.00	\$ 345,416.00				
Expended		\$ 2,854,546.19	\$ 274,931.12				
Est. to year end		\$ -	\$ -				
		\$ 46,773.81	\$ 70,484.88	\$97,402.08	\$97,402.08	\$21,894.57	Transfer to Snow & Ice Overtime
						\$12,711.83	Transfer to Unemployment
Dept of Public Works	\$ 1,796,000.00	\$ 1,405,882.00	\$ 390,118.00				
Expended		\$ 1,355,802.24	\$ 356,556.39				
Est. to year end		\$ 1,332.50	\$ -				
		\$ 48,747.26	\$ 33,561.61	\$53,880.00	\$53,880.00	\$40,000.00	Transfer to Unemployment





2010 JUL 22 AM 10 54

**Board of Selectmen  
Meeting Notice**



Date

Monday  
July 26, 2010

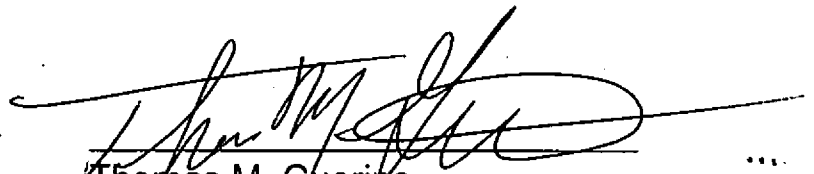
Time

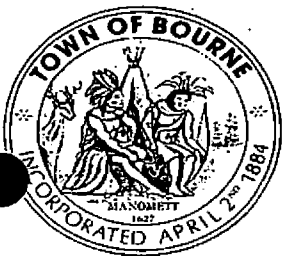
6:00 p.m.

Location

Buzzards Bay Tavern  
145 Main Street  
Buzzards Bay

Site Visit at Buzzards Bay Tavern – Change of description to include outside liquor and food service. Discussion on Selectmen's Agenda scheduled for July 27, 2010.

  
Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice



Date

Tuesday  
July 27, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes (executive session 3.23.10 – regular meeting 7.13.10)
5. Correspondence

6. Licenses and Permits:

- a. Buzzards Bay Tavern – change of description to include outside liquor and food service - continuation from July 13, 2010 ( action required)
- b. Pocasset Village Association Annual Picnic at Barlow's Landing (action required)

A. Little Sandy Pond Road update

B. NRCS Grant award update – Brendan Mullaney Conservation Agent – Discussion .

C. Amendment to Conservation Restriction on County Road Property ( for community garden - action required)

7. Tudor Ingersoll – Wind Turbine –Discussion and information

8. Committee appointments

- a. Charter Review Committee (possible Action)

9. Town Administrator Report

Parade meeting  
Recruitment efforts

TOWN CLERK'S OFFICE  
2010 JUL 23 AM 11 44

RFI – Hoxie and Coady update  
Culvert replacement on Circuit Avenue (good job done)

10. Other Selectmen's business

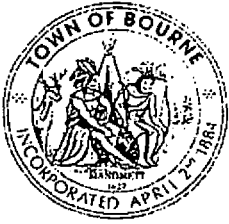
- a. Review draft charge for Wastewater Study Committee ( review for movement in Board's written procedures for action/adoption)
- b. Review and comment on Draft Selectmen Mission Statement for Board Procedural Follow-up
- c. Establish date for Goals completion
- d. Discussion and vote on 10:00 a.m. Section 12 Licenses

11. Adjourn

Future Selectmen's Meeting Topics

- Commuter Rail discussion – re: grant
- Establish date for Bourne Braves ceremony
- Review of Local Comprehensive Plan

6B



**TOWN OF BOURNE  
CONSERVATION COMMISSION**  
24 Perry Avenue  
Buzzards Bay, MA 02532



**MEMORANDUM**

TO: Thomas Guerino, Town Administrator  
FROM: Brendan Mullaney, Conservation Agent  
DATE: July 19, 2010  
SUBJECT: Little Sandy Pond Road Stream Crossing

\*\*\*\*\*

This memorandum shall serve as an update on the Town's effort to replace the crossing that spans the Herring River on Little Sandy Pond in Bourne. This has been an on-going effort between numerous departments since serious deficiencies were observed in and around the span last winter.

A preliminary engineering study (attached) has been conducted by Haley and Ward, Inc. to determine the current condition of the structure and make recommendations moving forward. It was concluded that streambed undercutting and concrete erosion at the abutments will continue to reduce the safe carrying capacity of the crossing and that use of the crossing by large traffic loads will progress the rate of deterioration. It was also determined that the crossing does not meet MassDOT bridge safety standards and that ultimately it should be replaced.

The Town has recently been authorized to utilize \$10,000 in Development of Regional Impact (DRI) Mitigation Funds through the Cape Cod Commission for transportation improvements at this location. These funds will be used to conduct a survey of the crossing and surrounding area and prepare engineered plans and specifications that can be used for permitting and construction of the new span.

We have also applied for \$45,000 in grant funding through the Buzzards Bay National Estuary Project (BBNEP) for the actual construction of the new crossing. This application was submitted in early June and we expect the BBNEP to award the funds in the next few weeks. The BBNEP had a total of \$282,512 of federal

funds available and received 15 proposals totaling \$459,840 in response to the solicitation. We are hoping that this project was one of the proposals selected for funding.

The estimated cost for replacement of the span is \$45,000. Therefore, if the project is selected by the BBNEP for funding, we will be set to bring the project to fruition as soon as the contracts are signed, the plans are prepared, and the permits are acquired. It is expected that this will be a 3-6 month process depending on the turnaround from local, state, and federal regulatory agencies. This timeline may be expedited if it is determined that the current structure is in immediate danger of collapse. If the project is not selected by the BBNEP, we will continue to seek funding from other sources.

It should be noted that numerous state and federal agencies have been contacted regarding the possibility of funding for this project. So far, we have not been successful in any of these attempts. We have been told that there would be emergency funds available if catastrophic failure of the span were to occur, however, we have not received this promise in writing. We will continue to pursue funding with the hope we will never have to find out if this promise holds any weight.

Please contact this office with any questions or comments on this matter.

# **Haley and Ward, Inc.**

Civil and Environmental Engineers

"Client Service and Engineering Excellence...Since 1897"

April 23, 2010

Mr. Brendan Mullaney, Conservation Agent  
Town Offices  
24 Perry Avenue  
Buzzards Bay, MA

RE: Herring River Culvert Crossing at Little Sandy Pond Road

Dear Mr. Mullaney,

In response to your request and April 15, 2010 authorization, Haley & Ward is pleased to submit our letter-report on investigation of the conditions the culvert crossing of Herring River at Little Sandy Pond Road.

## **Introduction & Background**

On April 13, 2010 Haley and Ward Inc. met town officials at the crossing of Herring River. The purpose of the meeting was to investigate the condition of the river crossing as related to impairment of the herring run. Joining Thomas Sexton, P.E. of Haley and Ward (the writer) were Town Engineer Mike Leitzel, P.E., Department of Public Works Superintendent Richard Tellier, Conservation Agent Brendan Mullaney, and Department of Natural Resources Director Tim Mullen.

The crossing is located approximately 140 feet downstream of the Herring Pond outlet. The crossing is a composite construction of granite and reinforced concrete. The granite span and abutments walls compose the original crossing construction, and have a lower height than the reinforced-concrete span but equal length. The concrete span and abutment walls were cast in place over and around the granite span, increasing the width of crossing. Design span length and width are approximately 7 and 15 feet respectively. There are no curbs or guardrail for the crossing. River substrate consists of sand and gravel. Embankments for the crossing consist of granular soil covered by organic soil which is naturally vegetated. Signage indicates that the span has a 12-ton weight limit. Bourne town officials have no knowledge as to the entity that may have rated the and installed the signage.

We understand that the crossing is located on private property, and serves residents in Bourne and Plymouth. The crossing is located in a designated "Area of Critical Environmental Concern". Town environmental officials advise that this designation is due to herring migration within the stream.

## **Observations**

Haley and Ward offers the following observations:

1. Stream bed appears to be stable. Stream banks showed some evidence of undercutting downstream of the crossing.

2. The granite training walls show evidence of undercutting and some failure. The failure consists of dislodged granite blocks and subsequent soil loss and wall cavity. There was no evidence of substantial soil loss at the road surface at the time of our observations.
3. The concrete training walls and end walls (collectively, the abutments) show evidence of soil undercutting and concrete erosion, measuring 6 to 8 inches at locations observed.
4. The underside of the granite span approximates mean annual high water. The underside of the concrete span is approximately 14 to 18 inches higher than the underside of the granite span.
5. Exposed edges of the concrete span, both upstream and downstream, were substantially deteriorated. Spalling, concrete loss, and exposed rebar were evident.
6. Gravel road base covering the concrete span is eroding along the edges in certain locations, creating an unsafe condition for users. Lack of adequate guardrails also creates an unsafe condition for users.

## **Conclusions**

We offer the following conclusions:

1. Streambed undercutting and concrete erosion at the abutments will continue reduce the safe carrying capacity of the crossing by increasing the working span.
2. Failure of the granite training walls create potential for soil loss undermining the training walls and creating sinkholes in the roadway.
3. Use of the crossing by large traffic loads will progress the rate of deterioration due to greater deflection and vibration.
4. The crossing does not meet MassDOT bridge safety standards. Failure of the crossing would impair the herring migration if such failure occurred during the upstream or downstream migration periods. Failure would also hinder emergency and school bus access for numerous Plymouth residents.
5. The granite span substantially restricts the hydraulic capacity of the crossing, causing higher velocities and flooding.
6. The crossing should be replaced.

## **Recommendations**

We offer the following recommendations:

1. Restrict use of the crossing by limiting traffic loads to vehicles of 3 tons or less. Post signage that users pass at their own risk, and warning of single lane restriction. Also warn motorists to watch for pedestrians and cyclists.
2. Set safety barrels along the edges of the crossing and embankments to keep vehicles away from the roadway edges.
3. Implement emergency repairs as soon as funding and permitting can be obtained.

4. Repair the concrete training walls by cement grouting, patching and sealing. Replace the granite training walls with reinforced concrete. Protect the training and end walls, and embankments by placement of geotextile fabric overlain with riprap within erodible areas below Mean Annual High Water.
5. Replace the river crossing with a precast concrete box culvert and wingwalls. New construction should include curbing and guard rails. Crossing deck elevation should match the existing roadway surface.
6. Perform all related engineering and permitting. We anticipate that permitting will include Section 404 permitting with the Army Corps of Engineers, Chapter 91 Waterways Permit and 401 Water Quality Certificate with the MA Department of Environmental Protection, MA EOEEA Environmental Notification Form and MEPA Certificate, MassWildlife Natural Heritage and Endangered Species Program Review, Massachusetts Historical Commission Review, and Conservation Commission Notice of Intent with Order of Conditions. Seek emergency project status by a joint meeting with regulatory officials to expedite the permitting process.
7. Our opinion of 2010 estimated probable construction cost with precast concrete culvert, wingwalls and appurtenant work construction is \$45,000. This would include removal of the existing concrete and granite spans, training walls, stone and gravel bedding and backfill, concrete culvert and abutments, riprap slopes, curbs and guardrails. Use of in-house forces for demolition work and disposal are not included in these costs. We also assume that Herring Pond outlet works can be utilized for water control during the work.
8. Our recommended budget for engineering design plans adequate for permitting, and specifications, is \$9,500. In addition, non-emergency permitting costs can be on the order of \$20,000 to 25,000 for these types of projects, irrespective of size. We assume that the Town will handle bidding and construction management with it's in-house expertise.

Respectfully submitted,

HALEY AND WARD, INC.

Thomas C. Sexton, P.E.

cc: Town Administrator Thomas Guerino  
Town Engineer Mike Leitzel, P.E.  
DPW Superintendent Richard Tellier  
Department of Natural Resources Director Tim Mullen

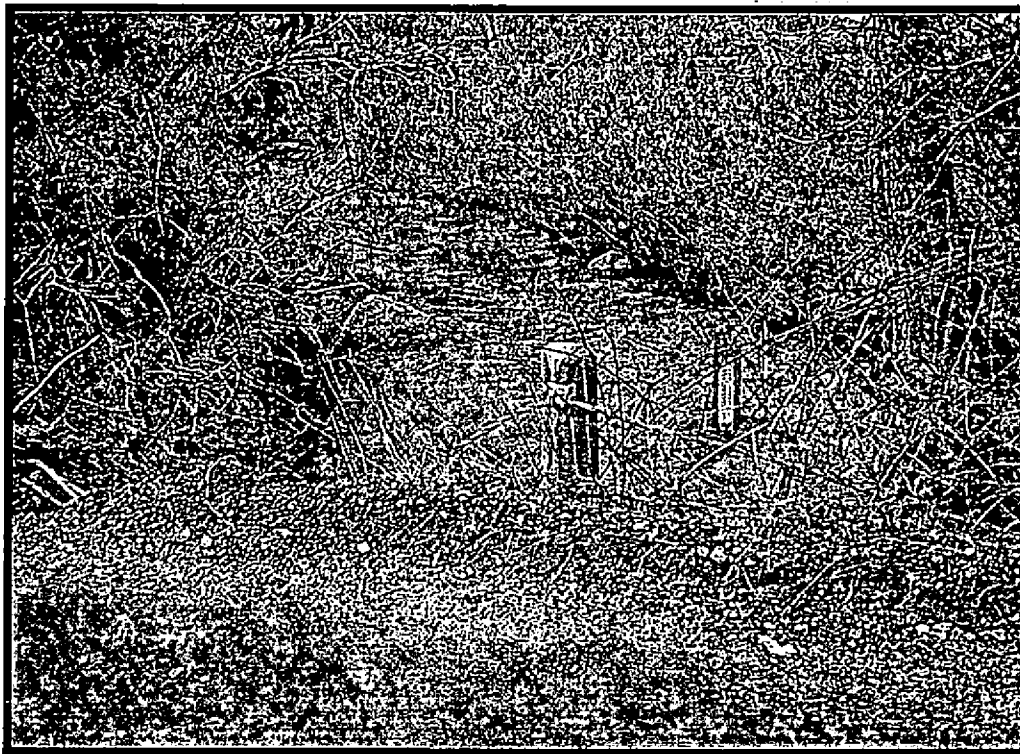




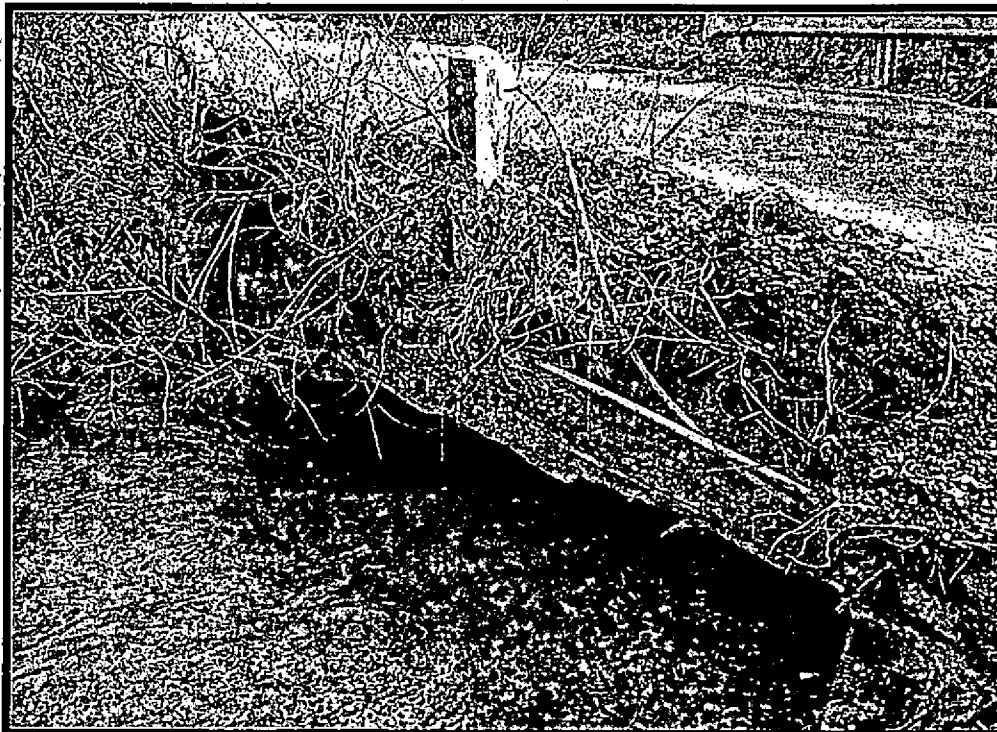
**Photo 1. Little Sandy Pond Road Culvert, Looking North**



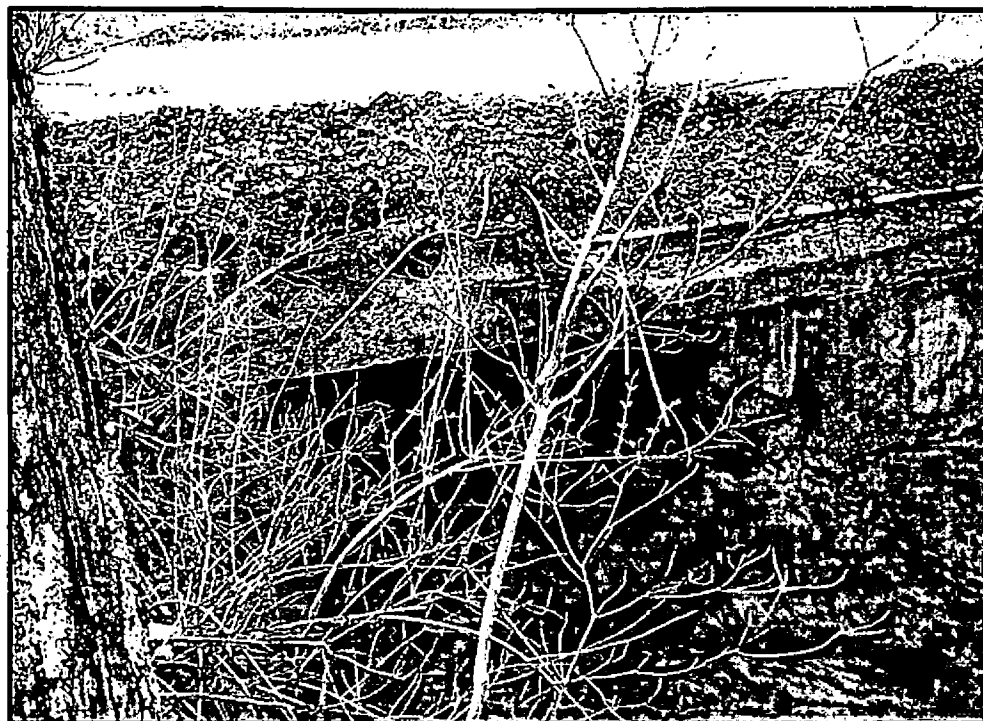
**Photo 2. Little Sandy Pond Road, North Side**



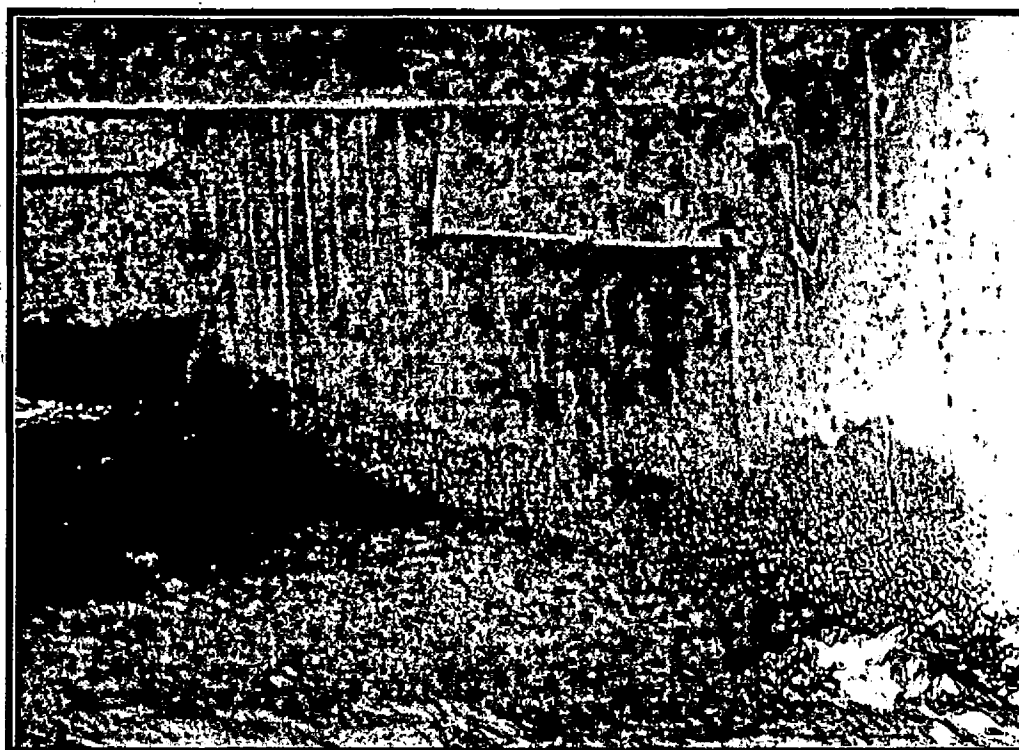
**Photo 3. Little Sandy Pond Road, Looking North at Herring River**



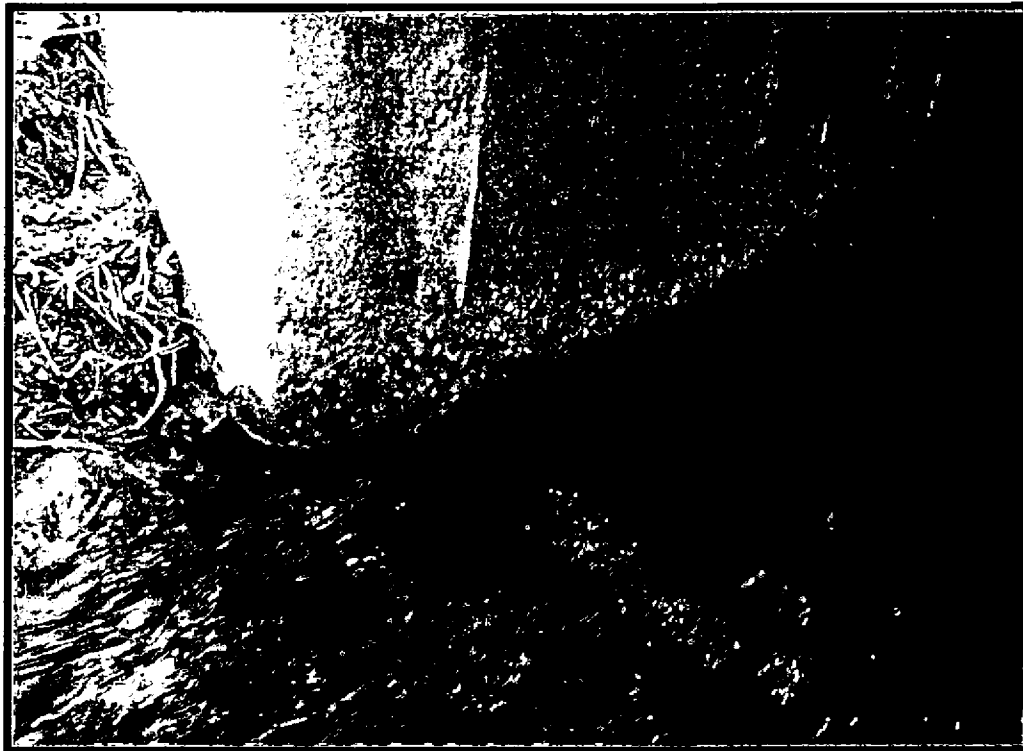
**Photo 4. North Side of Span Showing Spalling & Exposed Reinforcement**



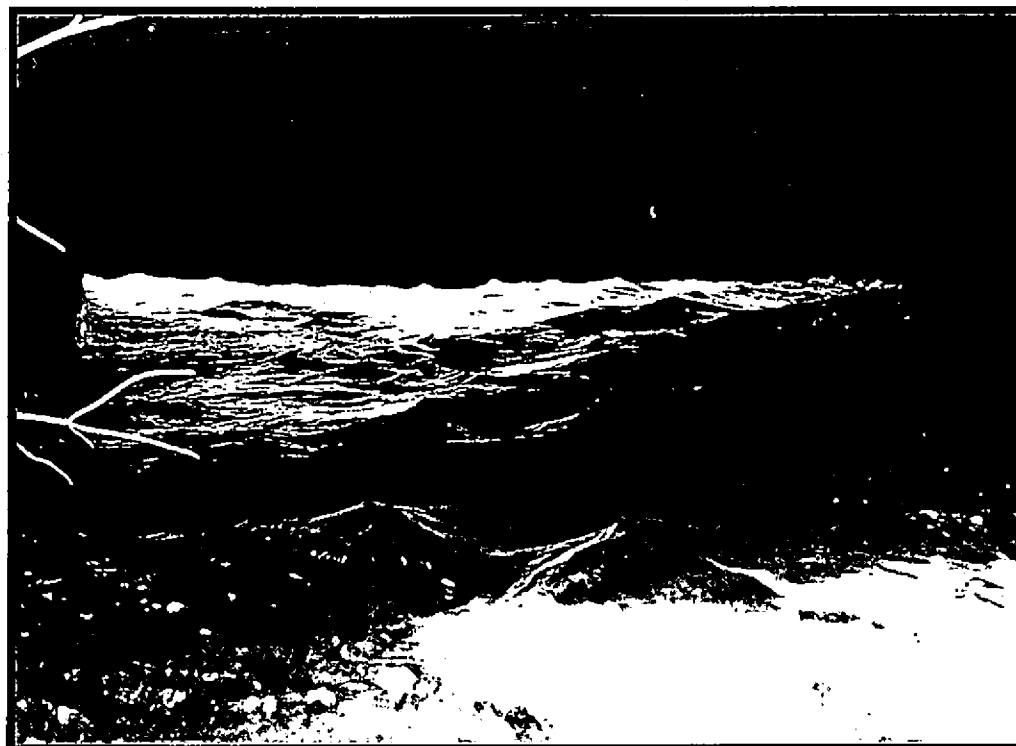
**Photo 5. South Side of Span Showing Spalling & Exposed Reinforcement**



**Photo 6. East Training Wall Showing Erosion & Undermining**



**Photo 7. West Training Wall Erosion & Undermining**



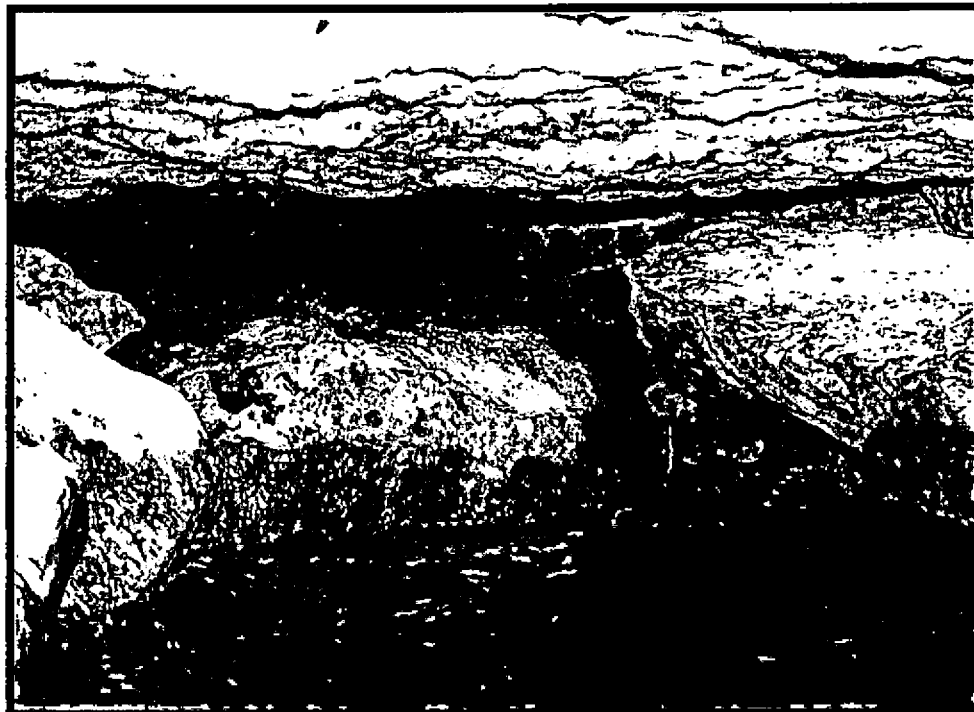
**Photo 8. Span at Granite & Concrete Interface**



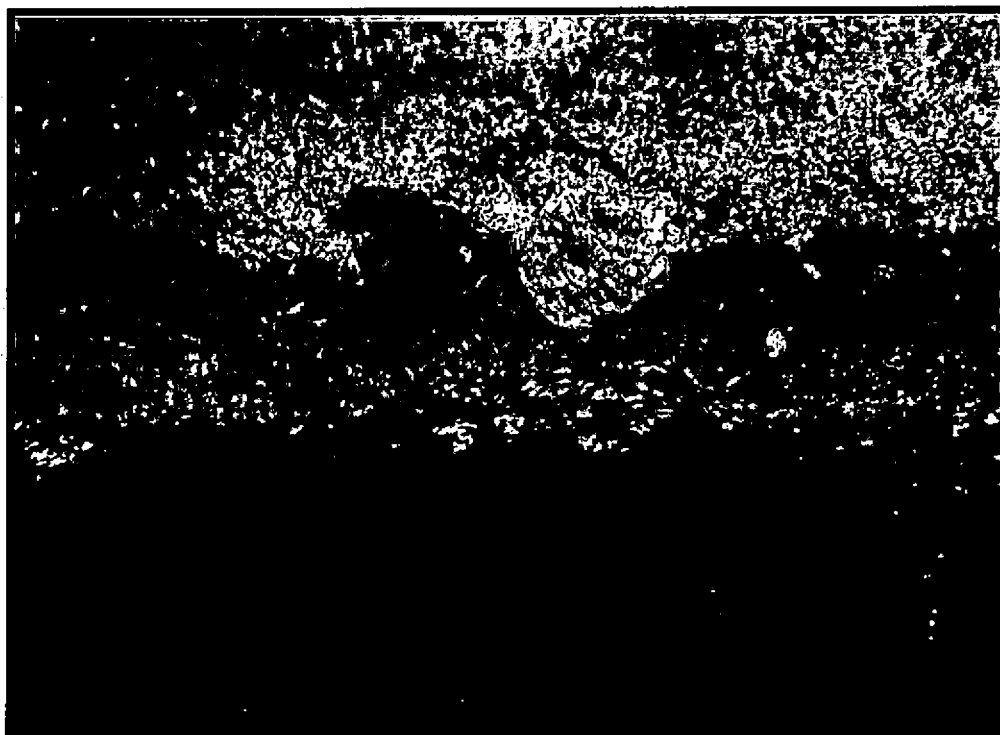
**Photo 9. Granite-Concrete Interface at Granite Span**



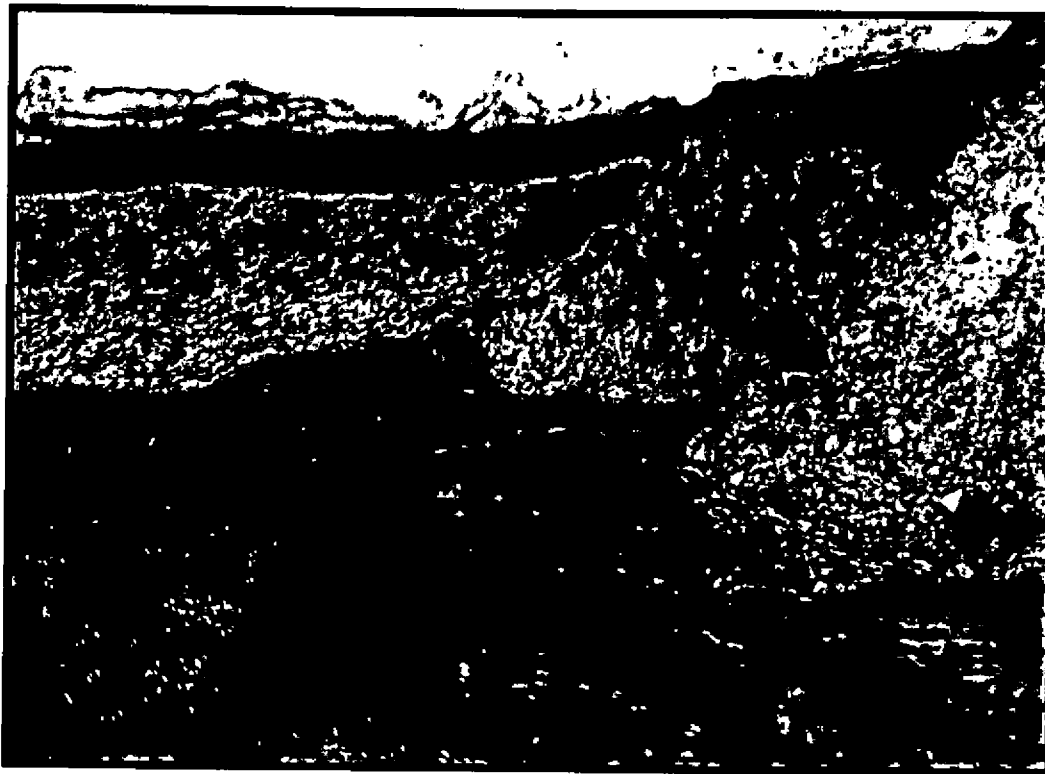
**Photo 10. Granite Training Wall Failure**



**Photo 11. Granite Training Wall Failure**



**Photo 12. Concrete Training Wall Erosion & Undermining**

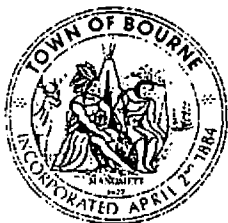


**Photo 13. Granite-Concrete Training Wall Erosion & Undermining**



**Photo 14. Tail Wall (South Face) Erosion & Undermining**

6



**TOWN OF BOURNE  
CONSERVATION COMMISSION**

24 Perry Avenue  
Buzzards Bay, MA 02532



**MEMORANDUM**

TO: Thomas Guerino, Town Administrator  
FROM: Brendan Mullaney, Conservation Agent  
DATE: July 21, 2010  
SUBJECT: Amendment to Conservation Restriction - County Road

\*\*\*\*\*

Following please find a proposed amendment to a Conservation Restriction for the property adjacent to the Pocasset Assisted Living facility on County Road.

The purpose of this amendment is to allow for a community gardening area to the south of the Valley Farm Thrift Shop, as depicted on the attached plan. Also attached is a description of the proposed project.

This amendment has already been endorsed by the Barnstable County Commissioners and the Bourne Conservation Commission. The next step is for the Board of Selectmen to vote on the matter. If the Board chooses to approve the amendment, it can be sent on to the Secretary of the Executive Office of Energy and Environmental Affairs for final approval.

Please contact this office with any questions or comments regarding this matter.



## AMENDMENT TO CONSERVATION RESTRICTION

Barnstable County, a political subdivision of the commonwealth of Massachusetts having its principal place of business as Superior Court House, Route 6A, Barnstable, Massachusetts, acting through the Barnstable County Commissioners and the Assembly of Delegates, to the extent that the County holds any and all interest, and their successors and assigns holding any interest in the premises as hereinafter defined (Grantor), and the Town of Bourne, acting by and through its Conservation Commission, a public instrumentality with a principal place of business at Bourne Town Hall, 24 Perry Avenue, Buzzards Bay, Massachusetts, by authority of M.G.L. c. 40 section 8C, its successors and permitted assigns, (Grantee), IN PERPETUITY and exclusively for conservation purposes, hereby AMEND the ORIGINAL CONSERVATION RESTRICTION on a portion of a parcel of land known as the Barnstable County Hospital property, of approximately 50 acres, located in the Town of Bourne, County of Barnstable, Commonwealth of Massachusetts, recorded at Barnstable County Registry of Deeds, Registered Land Department, Certificate No. 18176 on September 1, 2004, said parcel and Amendment being further described in Exhibit A attached (Premises).

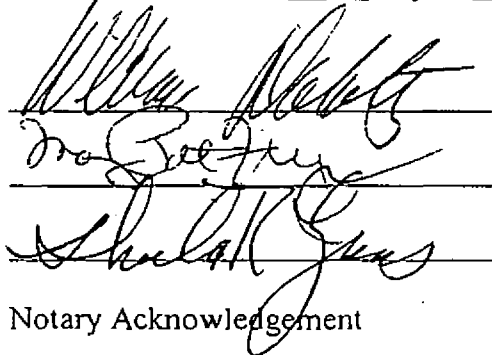
The ORIGINAL CONSERVATION RESTRICTION is hereby AMENDED so that item number 11 in A. Prohibited Uses will now read:

11) Animal husbandry is prohibited; gardening or other agricultural uses are also prohibited except in the area designated on Exhibit A, "Sketch Plan", subject to an Eastern Box Turtle protection plan approved by the Division of Fisheries and Wildlife.

In all other respects, the CONSERVATION RESTRICTION remains and is hereby affirmed.

### BARNSTABLE COUNTY COMMISSIONERS

a public meeting duly held on 6/2/2010, the County of Barnstable acting through the Barnstable County Commissioners and the Assembly of Delegates, voted to authorize and approve this Amendment. IN WITNESS WHEREOF, the duly elected Commissioners of Barnstable County have hereunto set their corporate names and seals this 2nd day of June, 2010.

  
Notary Acknowledgement

Commonwealth of Massachusetts, County of Barnstable:

On this 2nd day of June, 2010 before me personally appeared William Doherty, Mary Pat Flynn, Sheila Lyons proving to me through satisfactory evidence of identification, which was/were personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as a member of the Barnstable County Commissioners.

Kara Anne McCormick

BOURNE CONSERVATION COMMISSION

At a public meeting duly held on July 1, 2010, the Bourne Conservation Commission voted to authorize and approve this Amendment and by our signatures hereby approve said Amendment, this 1<sup>st</sup> day of July, 2010.

RM Gray  
Paul R. Lyle  
Robert J. Lyle

William Peter Thomas  
Nagabert R. K. Bates  
John J. Miller

Notary Acknowledgement

Commonwealth of Massachusetts, County of Barnstable:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2010 before me personally appeared \_\_\_\_\_ proving to me through satisfactory evidence of identification, which was/were \_\_\_\_\_ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he \_\_\_\_\_ it voluntarily for its stated purpose as a member of the Bourne Conservation Commission.

APPROVAL BY SELECTMEN

We, the undersigned, being a majority of the Selectmen of the Town of Bourne, Massachusetts, hereby certify that at a meeting duly held on \_\_\_\_\_, 2010 the Selectmen voted to approve the foregoing Amendment pursuant to MG L. Chapter 184, Section 32.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notary Acknowledgement

Commonwealth of Massachusetts, County of Barnstable:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2010 before me personally appeared \_\_\_\_\_ proving to me through satisfactory evidence of identification, which was/were \_\_\_\_\_ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as a member of the Town of Bourne Board of Selectmen.

**APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
COMMONWEALTH OF MASSACHUSETTS**

The undersigned, Secretary of the Executive Office of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction has been approved in the public interest pursuant to M.G.L., Chapter 184, Section 32.

Date: \_\_\_\_\_, 2010

\_\_\_\_\_  
Ian Bowles, Secretary of Energy and Environmental Affairs

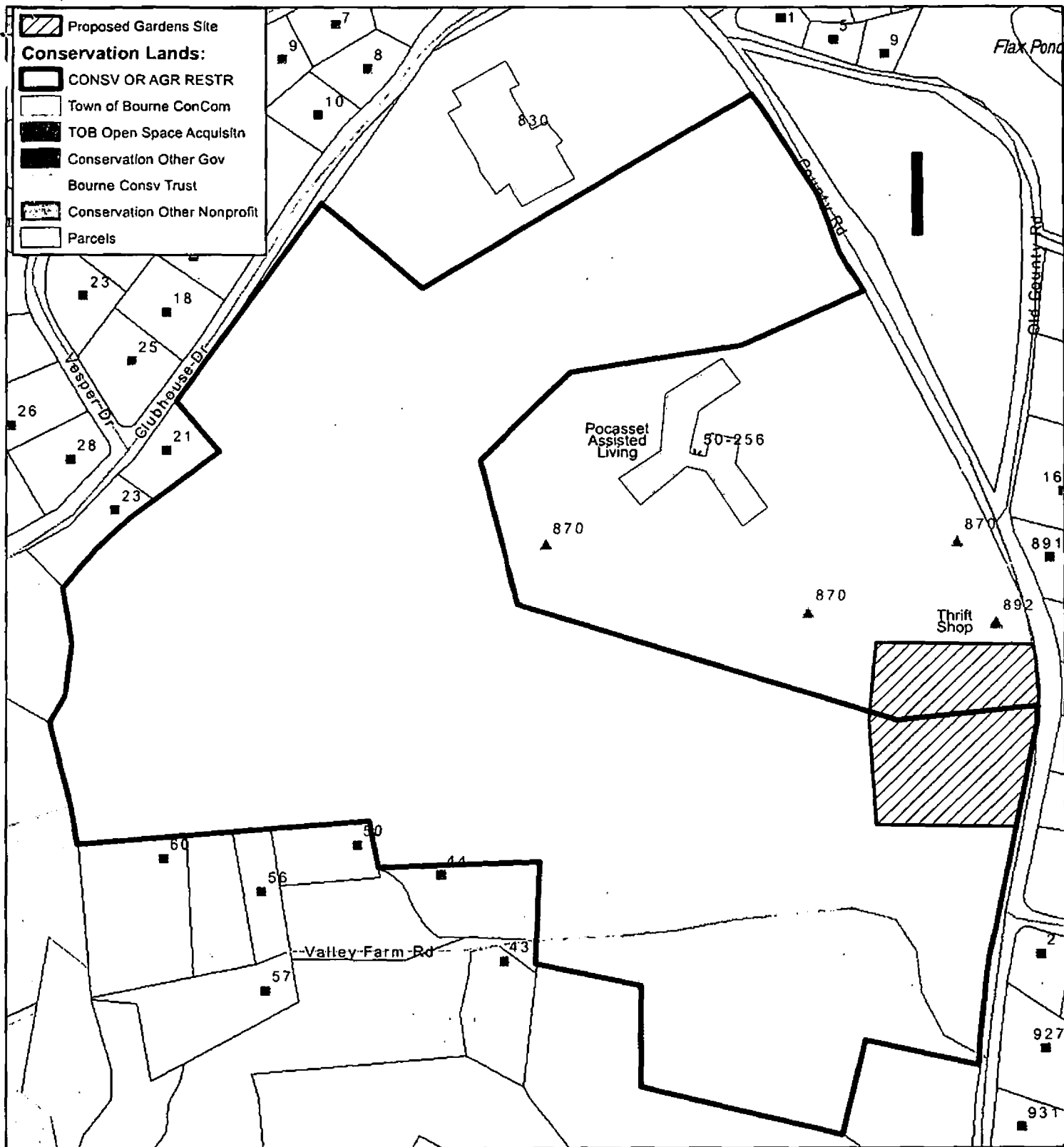
**COMMONWEALTH OF MASSACHUSETTS**

County of Suffolk, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2010, before me, the undersigned notary public, personally appeared \_\_\_\_\_ proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Secretary of Energy and Environmental Affairs for the Commonwealth of Massachusetts.

**EXHIBIT A**

A description of the area that may be used for gardening or other agricultural uses is shown on the attached copy of a plan entitled "Conservation Restriction Plan Pocasset Assisted Living Scale 1" = 100' Bourne, Massachusetts April 16, 2003" prepared by Coastal Engineering Co., recorded with the Barnstable County Registry of Deeds at Plan Book \_\_\_\_\_ Plan \_\_\_\_\_, ("Sketch Plan") on which the area on which such use is allowed has been drawn and labeled as "Gardening and Agricultural Use Area".



## TOWN OF BOURNE

Planning Department  
24 Perry Ave, Buzzards Bay MA 02532  
Tel. 508-759-0615 option 4

Map created 10/29/2009 by Bourne Planning Dept.  
Sources: Parcels, roads and conservation/open space  
maintained & updated by Bourne Planning Dept.  
Proposed garden site digitized from sketch map  
from Bourne Conservation Agent 10/29/09.

## Proposed Community Gardens & the Conservation Restriction at Pocasset Assisted Living

The information depicted on this map is for planning purposes only.  
It is not adequate for legal boundary definition, regulatory interpretation,  
or parcel-level analysis. It should not substitute for actual on-site survey,  
or supersede deed research.

0 100 200 400 600 800 1,000

**Board of Selectmen Meeting Minutes – July 27, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

**2010 AUG 11 pm 5:19 \*\*\*\*\***

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

**Meeting called to order**

7:00 pm

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

**Documents**

- Town of Bourne Conservation Commission Memorandum dated July 19, 2010 re: Little Sandy Pond Road Stream Crossing
- Haley & Ward, Inc. Civil and Environmental Engineers letter dated April 23, 2010 re: Herring Run Culvert Crossing at Little Sandy Pond Road
- Town of Bourne Conservation Commission Memorandum dated July 21, 2010 re: amendment to Conservation Restriction – County Road

**Public Comment Non-Agenda Items**

Charley Miller wanted to acknowledge the passing of Mr. Albert F. Beinor, Sr.

**Approval of minutes**

Sloniecki moved and seconded by Mealy to approve minutes of March 23, 2010 as submitted. Vote 5-0.

Sloniecki moved and seconded by Mealy to approve and encumber executive minutes of March 23, 2010 as submitted. Vote 5-0.

Pickard moved and seconded by Mealy to approve July 13, 2010 as submitted. Vote 5-0.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Mealy added that the BBBG relative to the schoolhouse offering to do restoration and repairs at no expense to the Town for the 100<sup>th</sup> anniversary of the canal. TA Guerino

noted Nancy Sundman has been following through. No action from this Board at this time.

Item I – Buzzards Bay west end rotary (a/k/a Memorial Circle) turning movements. DOT looking at plans and wanted to know if there was a recent traffic study done. Cape Cod Commission has people available and the Town is planning to move forward.

Item L – Mary Meli – Conflict of Interest. Meli read into record dated July 22, 2010.

#### **Licenses and Permits**

##### **a. Buzzards Bay Tavern – Discussion re: change of description to include outside liquor and food service – continuation of July 13, 2010**

#### **Discussion**

Mulvey suggested consider that dusk around 8:30 pm.

Don DuBerger raised his concerns of people congregation at night. Owner assured he would keep outside people to what the tables could serve.

Sloniecki suggested a flat black wrought iron gate in lieu of the large fence. Neal Langille in support of business for Bourne.

Pickard suggested the Board support the hours applicant requested.

Mealy suggested all week to keep open until 11:00 pm.

Mealy moved and seconded by Meli to endorse and request with following stipulations:

- Tables and chairs removed at close of each business
- Letter with a waiver of liability relative to use of Town property/certificate of insurance naming the town as additional insured
- Liquor will be done with meals only
- Tables and chairs to be maintained on owner's property
- Four (4) tables and 16 chairs
- Service outside open until 11:00 pm all week
- Police enforcement

Vote 5-0.

Sloniecki moved and seconded by Meli that all items on table to be cleared by 11:15 pm.

Vote 5-0.

##### **b. Pocasset Village Association Annual Picnic at Barlow's Landing**

Pickard moved and seconded by Sloniecki to approve Pocasset Village Association for Annual Picnic at Barlow's Landing on August 14, 2010 from 12:00 pm – 4:00 pm. Vote 5-0.

**Little Sandy Pond Road update – Brendan Mullaney**

Numerous State and Federal agencies have been contacted regarding the possibility of funding for this project. So far haven't been successful at this point. Have been told there would be emergency funds available if catastrophic failure of the span were to occur, but not in writing. ConCom will continue to pursue funding.

TA Guerino recommends that the Town should not have a pass tonnage at this time, but rather a 'pass at own risk'. Once engineered, to install tonnage signage. There was previous discussion on two vs. one lane. It was determined that it cannot be made wider.

Mr. Mullaney estimated total cost to repair is between \$45,000 – \$50,000. Repairs can be made until November 1, 2010 the earliest.

Action to be taken at the next Selectmen's meeting of August 3, 2010.

**NRCS Grant award update – Brendan Mullaney Conservation Agent**

Cape Cod Water Resource Project funded by Congress a few months back. In the interim requested a list of priority projects. ConCom applied for separate projects, totaling \$615,000:

- Bournedale Herring Run
- Red Brook Pond Herring Run
- Dyke repairs on Mashnee Road
- Cohasset Narrows

**Amendment to Conservation Restriction on County Road Property (for community garden) [A copy of which is attached hereto].**

Background – area restricted stated animal husbandry gardening prohibited. Approved and endorsed by County Commissioners and Bourne ConCom and in front of Selectmen for a vote.

Karen McCormick on behalf of Valley Farm. Purpose of amendment is to allow for a community gardening area to the south of the Valley Farm Thrift Shop. TA Guerino and Ms. McCormick with meet to discuss further at a later date.

Mealy moved and seconded by Sloniecki to approve the Amendment to Conservation Restriction – County Road as depicted on the attached plan to allow for a community gardening area to the south of the Valley Farm Thrift Shop per MGL c. 40 section 8C. Vote 5-0.

**Tudor Ingersoll – Wind Turbine – Discussion and information**

Table to August 10, 2010 meeting.

**Committee appointments**

- a. Charter Review Committee – possible action

TA Guerino supplied Charter which is standard form relative to multiple candidates. He reviewed the protocol: Chm. will entertain comments from applicants, Board will run down list and each member with support of applicants alphabetically. Lastly, a granted vote.

Applicants:

	Pickard	Sloniecki	Meli	Mealy	Ford
Joe Carrara, Jr.		x		x	
Judy Conron		x		x	x
Wesley Ewell	x	x	x	x	x
Lucia Fulco		x			
John Johnson	x		x	x	
Neil Langille	x	x		x	x
Jacqueline Loring	x		x	x	x
Joyce Lorman	x	x	x	x	x
Malcolm Parker McDowell	x		x	x	x
Stephen Mahoney	x		x	x	x
Charles Miller		x	x		
James Mulvey	x	x	x		x
Bill Rhatigan	x	x	x		x

Carrara, Fulco and Miller did not receive the majority vote, therefore have a run off potential between Conron and Johnson.

Mr. Mulvey withdrew his candidacy for position, but will attend meetings.

Conron, Ewell, Johnson, Langille, Loring, Lorman, McDowell, Mahoney and Rhatigan received the requisite number of votes.

TA Guerino will have over the next 48-hours appointment slips. Members come into office on Friday and after. The week of the August 9<sup>th</sup> he will call an organizational meeting of this group and allow them to meet. At the meeting after that on their choosing, they would choose the officers deemed appropriate.

Sloniecki moved and seconded by Pickard to appoint Judith Conron, Wesley Ewell, John Johnson, Neil Langille, Jacqueline Loring, Joyce Lorman, Malcolm Parker McDowell, Stephen Mahoney and Bill Rhatigan to the Charter Review Committee. Vote 5-0.

Chm. of Finance Committee Michele Ford who was an active member of the last Charter Committee and offered any assistance to the new board. Ms. Fulco will also make the same offer.



## **Town Administrator Report**

### **a. Parade meeting**

Met with the Chairs of the Parade Committee and then again with the whole committee. Chairs are stepping down. Coming out of committee be best run with volunteers. Meet again in an effort to solicit effort.

### **b. Recruitment efforts**

Chosen a consultant relative to the Fire Chief position. Board has to have some input on what the Town would like to see for Selection on Assessment Center. Meeting of Mass. Municipal Meeting group to meet with Selectmen on August 2, 2010 (executive session and workshop) or an alternate date. TA Guerino will check his availability.

### **c. RFI – Hoxie and Coady update**

Filled and completed. Amendments and exhibits are being put on to it. TA Guerino suggests a meeting with Planning Board and ConCom on the disposition of any properties and suggests to do so on August 10, 2010 at 6:30 pm. Hoxie is in a greater state of deterioration.

Mr. Leitzel will be presenting an idea relative to the library to the Capital Outlay on the property by the library and creation of other fields by the baseball fields, requiring some demo at the current Coady School.

TA Guerino recommends that if heat school for the gym, the only way to heat is to heat the whole school.

Chm. Ford stated that he heard CPA funds for Coady; Hoxie be used for Assisted Living.

Directors position – interviews have gone well.

HR position closed on Friday (40+ applicants). TA Guerino stated qualified people in both private and public sector.

Landfill General Manager position will be published in a few newspapers.

Culvert replacement on Circuit Avenue (good job done).

Audits handed out tonight and will later be a joint meeting between BOS, FinCom.

## **Other Selectmen's business**

### **a. Review draft charge for Wastewater Study Committee (review for movement in Board's written procedures for action/adoption)**

Board received by email the draft charge. Board of Sewer's Commissioners should vote at their August 10, 2010 meeting before it goes into the record. TA Guerino will ask Byron property to come on the August 24, 2010 due to time issues.

**b. Review and comment on Draft Selectmen Mission Statement for Board  
Procedural Follow-up**

Pickard requesting discussing draft Selectmen Mission Statement at the next goal session meeting to be set at a later date. Chm. Ford read into record said draft Selection Mission Statement.

**c. Establish date for Goals completion**

Workshop on August 2, 2010

Goals session on August 18, 2010 at 6:30 pm

**d. Discussion and vote on 10:00 am Section 12 Licenses**

MGL 138 section 28 10:00 am on Sundays. Out of 30 organizations questioned by TA Guerino's office, 17 responded yes and 10 stated not interested. Votes will be sent to the State and they will not take a position.

The consensus of the Board has no objection to open at 10:00 am.

Pickard moved and seconded by Sloniecki to opt into provisions of application to the Mass. General Laws (M.G.L) to allow individual licensees to apply for a 10:00 am license on Sunday. Vote 3-2. (Sloniecki, Mealy).

Mealy – Falmouth's experience of water quality and how handle communications. BOH will be in the first meeting in August to explain the Bourne system and how it works; actions by Commonwealth or municipalities including Bourne as a result of the Gulf Oil Spill. TA Guerino has not heard of anything specific nor reported to him; meeting for Stop & Shop. Meeting on Thursday, July 29, 2010. After sit down with plaza and Stop & Shop, Town Planner and TA, at this point to go to a public session if so inclined. TA Guerino will report to the Board.

Meli – Bourne Night Out at Monument Beach on August 3, 2010.

Pickard – ISWM Business Model Group met with two (2) vendors. August 12, 2010 presentation by Harvest Power; National Grid on August 26, 2010; Tentatively set a meeting with Mill Energy to convert C&D to bio diesel. ISWM would like to meeting mid October (BOS, FinCom, Capital Outlay, Energy Advisory Committee). As far as Stop & Shop what do to entice them - TA Guerino stated to contact Mass Development for meeting; land is an issue; do traffic issues to show interest. Lastly, Mr. Pickard asked about the Bourne Braves ceremony.

Ford – attended the Shellfish Advisory Group meeting – Revolving Account for next year and need money for budget; attended Trustees meeting, Jim Stowe will be the fifth member and moving straight ahead.

**Other comments**

Mr. Mulvey said there is tax increment finance – Convention Group. He also commented on the Hoxie unloaded to the Town. With regard to the ballfield, he commented on the uses it might have for a town facility or for a sale.

Sportsman Club – Ladies workshop on August 14, 2010 Firearms permit.

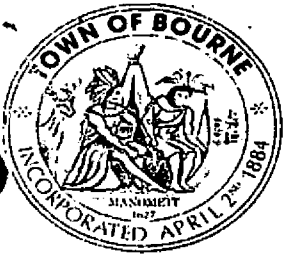
Fisherman's Hook up and Hang up on July 31, 2010.

May 28, 2010 Cape Cod Commission looking for action requiring a Selectmen with regard to the Ocean Management Planning. Mealy volunteered.

**Adjournment**

Sloniecki moved and seconded by Pickard to adjourn. Unanimous vote. Meeting adjourned at 9:30 pm.

Respectfully submitted - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AMENDED



Date

Monday  
August 2, 2010

Time

6:30 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

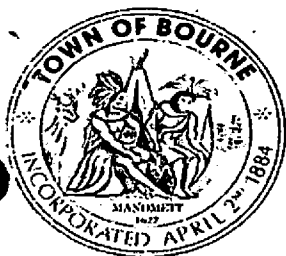
Possible Executive Session – Public Safety Contracts

7:00 Call to order

1. Mark Morse – Consultant – Fire Chief Assessment Center
2. Adjourn

TOWN CLERK'S OFFICE

2010 AUG 2 AM 10:36



## Board of Selectmen Meeting Notice



Date

Tuesday  
August 2, 2010

Time

6:30 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

Possible Executive Session – Public Safety Contracts

7:00 Call to order

1. Mark Morse – Consultant – Fire Chief Assessment Center
2. Adjourn

TOWN CLERK'S OFFICE

2010 JUL 29 PM 3 12

Executive Session Minutes

August 2, 2010

RECEIVED

2010 DEC 27 AM 9:42

TOWN CLERK BOURNE

The Selectmen entered into executive session at 6:33 to discuss the three public safety contracts (Police Patrol, Police Superior Officers, Fire Department). They reviewed a memo from Labor Counsel Gilman and discussed where the Town was in the current negotiations with the bargaining units. Town Administrator Guerino updated the Board regarding the most recent meetings with Patrol and Superior Officers within the Police Department. After some discussion Mr. Pickard made a MOTION regarding the Superior Officers;

**Motion to offer as Last and Best** a Superior Officer wage package that allows for a fixed/flat rate educational incentive ( QUINN replacement language) equaling a 30% tier for Master Degree Holders, 20 percent tier for Bachelor Degrees and 15 % for Associate degrees for those superior officers who currently hold such degrees effective July 1, 2009. Additionally, to offer cost of living adjustments agreed to with other bargaining units which include a two % COLA broken into 1% increments every July 1 and Jan.1 effective July 1, 2010 through January 2012. In January of 2012, the Town and the Superior officers would reconvene to review the wage package and enter discussion for a possible third year COLA adjustment. The **MOTION** was seconded by Mr. Sloniecki and by roll call vote agreed to by the Board with Mr. Pickard voting yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes. ***It was further understood that patrol officers who are promoted in the future would be bound to the educational package agreed to in any Patrol Officers agreement.***

**Regarding the Bourne Patrol Officers Contract.**

The Board discussed the Town Administrator's Counter Proposal drafted by Attorney Michael Gilman and dated July 21, 2010. Mr. Pickard made a **MOTION** to accept this as the **Town's last and Best** offer. The **motion** was Seconded by Mr. Sloniecki and agreed to by the Board via a roll call vote; Mr. Pickard – yes; Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes. The Board also requested that the Town Administrator request that the Patrol Officers Leaders provide a copy of the membership vote on the proposal.

A **MOTION** was offered by Mr. Mealy and Seconded by Mr. Pickard to move forward with the JMLC should either or both of the two Police bargaining units reject the Town's offer(s). A roll call vote was taken with the following results. Mr. Pickard – yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes.

**REGARDING THE FIRE DEPARTMENT:**

Town Administrator Guerino informed the Board that Attorney Gilman was preparing to file the petition to separate the Senior Officers into a distinct with the appropriate departments and agencies of the Commonwealth. He further explained that the LRB may find that the Town had entered into negotiations even though the meeting had been an off the record informal discussion in April and that attempts to get back together with 1717 had been unsuccessful.

Page 3

Mr. Guerino also informed the Board that he had not provided any of the expired contracts ( Police and Fire) with step increases/COLA as it was unclear how (if) \$\$\$ would be repaid to the Town if an agreement w/o steps were entered.

He noted that the contracts provided a "continuation-type" clause that carries the terms of an expired contract forward should a new contract not be formalized prior to the expiration of the existing contract. He noted that 1717 had filed a prohibitive practice claim on this.

The Board concurred with the Town Administrator and a **MOTION** was offered by Mr. Mealy and Seconded by Mr. Pickard to move forward with the petition to separate the units in the FIRE/EMS and to hold back wage step increases, etc. A roll call vote was taken with the following results. . Mr. Pickard – yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes.

A **Motion** to adjourn the executive session and to reconvene into open session was made by Mr. Sloniecki. The **motion** was seconded by Mr. Mealy and agreed to by the Board by a roll call vote. Mr. Pickard – yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes.

Meeting adjourned at 6:58 P.M.

Respectfully submitted,

Thomas M. Guerino – Town Administrator



Executive Session Minutes

August 2, 2010

RECEIVED

2010 DEC 27 AM 9:42

TOWN CLERK DOURNE

The Selectmen entered into executive session at 6:33 to discuss the three public safety contracts (Police Patrol, Police Superior Officers, Fire Department). They reviewed a memo from Labor Counsel Gilman and discussed where the Town was in the current negotiations with the bargaining units. Town Administrator Guerino updated the Board regarding the most recent meetings with Patrol and Superior Officers within the Police Department. After some discussion Mr. Pickard made a MOTION regarding the Superior Officers;

**Motion to offer as Last and Best a Superior Officer wage package that allows for a fixed/flat rate educational incentive ( QUINN replacement language) equaling a 30% tier for Master Degree Holders, 20 percent tier for Bachelor Degrees and 15 % for Associate degrees for those superior officers who currently hold such degrees effective July 1, 2009. Additionally, to offer cost of living adjustments agreed to with other bargaining units which include a two % COLA broken into 1% increments every July 1 and Jan.1 effective July 1, 2010 through January 2012. In January of 2012, the Town and the Superior officers would reconvene to review the wage package and enter discussion for a possible third year COLA adjustment. The MOTION was seconded by Mr. Sloniecki and by roll call vote agreed to by the Board with Mr. Pickard voting yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes. *It was further understood that patrol officers who are promoted in the future would be bound to the educational package agreed to in any Patrol Officers agreement.***

Page 2 – Executive Session 08.02.2010

**Regarding the Bourne Patrol Officers Contract.**

The Board discussed the Town Administrator's Counter Proposal drafted by Attorney Michael Gilman and dated July 21, 2010. Mr. Pickard made a **MOTION** to accept this as the Town's last and Best offer. The motion was Seconded by Mr. Sloniecki and agreed to by the Board via a roll call vote; Mr. Pickard – yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes. The Board also requested that the Town Administrator request that the Patrol Officers Leaders provide a copy of the membership vote on the proposal.

A **MOTION** was offered by Mr. Mealy and Seconded by Mr. Pickard to move forward with the JMLC should either or both of the two Police bargaining units reject the Town's offer(s). A roll call vote was taken with the following results. Mr. Pickard – yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes.

**REGARDING THE FIRE DEPARTMENT:**

Town Administrator Guerino informed the Board that Attorney Gilman was preparing to file the petition to separate the Senior Officers into a distinct with the appropriate departments and agencies of the Commonwealth. He further explained that the LRB may find that the Town had entered into negotiations even though the meeting had been an off the record informal discussion in April and that attempts to get back together with 1717 had been unsuccessful.

Page 3

Mr. Guerino also informed the Board that he had not provided any of the expired contracts ( Police and Fire) with step increases/COLA as it was unclear how (if) \$\$\$ would be repaid to the Town if an agreement w/o steps were entered.

He noted that the contracts provided a "continuation-type" clause that carries the terms of an expired contract forward should a new contract not be formalized prior to the expiration of the existing contract. He noted that 1717 had filed a prohibitive practice claim on this.

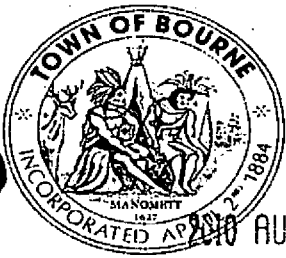
The Board concurred with the Town Administrator and a **MOTION** was offered by Mr. Mealy and Seconded by Mr. Pickard to move forward with the petition to separate the units in the FIRE/EMS and to hold back wage step increases, etc. A roll call vote was taken with the following results. . Mr. Pickard – yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes.

A Motion to adjourn the executive session and to reconvene into open session was made by Mr. Sloniecki. The motion was seconded by Mr. Mealy and agreed to by the Board by a roll call vote. Mr. Pickard – yes, Mr. Sloniecki – yes, Ms. Meli – yes, Mr. Mealy – yes, and Mr. Ford – yes.

Meeting adjourned at 6:58 P.M.

Respectfully submitted,

Thomas M. Guerino – Town Administrator



## Board of Selectmen Meeting Notice



2010 AUG 11 PM 4 19

Date

Tuesday

August 2, 2010

TOWN CLERK'S OFFICE

Time

6:30 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

### MINUTES

Mr. Ford called the meeting to order at 6:32 P.M. All members of the Board of Selectmen were present. Mr. Ford announced that this was a workshop meeting and it was not being recorded or televised for public retransmission, but was being recorded by the Town for the purposes of preparing minutes of the proceedings.

MOTION: Mr. Sloniecki moved that the Board enter into Executives Session for the purposes of Collective bargaining related to public safety personnel contracts and to return to open session at the conclusion of the Executive Session.. The Motion was seconded by Mr. Pickard. Mr Ford initiated a roll call vote with Ms. Meli, Mr. Mealy, Mr. Pickard, Mr. Sloniecki and Mr. Ford all voting aye.

The Board reconvened in public session at 7:04 P.M.

The purpose of the meeting was to meet with Mr. Mark Morse, principal of the Mass Municipal Consulting Group regarding the upcoming Fire Chief Assessment Center. Town Administrator Guerino provided a brief background regarding the RFP for consulting services and provided the Board a synopsis of the scoring of the consultant groups that had bid the project along with other relevant materials. Additionally, Mr. Guerino explained that, under the regulations governing the Assessment Center process with the Human Resources Division of the Commonwealth, the Selectmen are required to offer input and guidance regarding what attributes the Town is seeking in a Fire Chief.

Mr. Morse provided a detailed outline of the process functions and how through the process a qualified candidate may be identified. After some discussion with Mr Morse by the members of the Board it was agreed that that following are attributes the Selectmen are seeking for the Town in a permanent Fire Chief. They include but are not limited to;

1. Demonstrated decision making capability – this includes leadership and the ability to adhere to a chain of command and the ability to document decisions and internal reviews, etc.
2. The strong ability to communicate expectation of the department to all Firefighter/Paramedics, the Leadership of the Town and the citizens of Bourne.
3. A strong sense and commitment to a high standard of professional and personal ethics
4. A high capability to provide labor management acumen to the department.
5. The ability to manage the administrative, budgetary and asset management as it relates to both human capital and equipment.

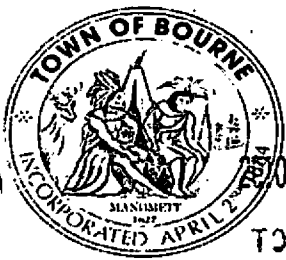
Mr. Morse recapped the discussion and provided an estimated timeline for the process, working with HRD and the hiring of a permanent Chief. The Board thanked Mr. Morse for attending.

MOTION: Mr. Sloniecki moved to adjourn the meeting at 8:16 P.M. The motion was seconded by Ms. Meli and unanimously agreed to by the Board.

Meeting adjourned at 8:16 P.M.

Respectfully submitted,

Thomas M. Guerino  
Town Administrator.



## Board of Selectmen Meeting Notice

2010 AUG 5 PM 1:02  
TOWN CLERK'S OFFICE



Date

Tuesday  
August 10, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time.

3. Public Comment – Non-Agenda Items
4. Minutes (5.25,6.1,6.8,6.22,7.27 & Executive & Workshop minutes for 8.2)
5. Correspondence
6. Committee appointments:  
Reappointment of Gerard Kelly to the Bourne Efficiency/Operations Committee. Appointment to expire on June 30, 2011.
7. Cindy Coffin, Heath Department Director re: Protocols on boil water orders and other such situations. (informational no action required)
8. Discussion and possible Board request of Town Administrator to institute letter of intent with Plankton Power. – Phil Goddard-Selectman Pickard.
9. Tudor Ingersoll – Wind Turbine – Discussion and information
10. Little Sandy Pond Update
11. First Review of Telecommunications policy – per procedures

**12. Town Administrator Report**

- a. Employee seminars from EAP (anti-harassment, violence in workplace, ADA , etc.)
- b. Concurrence of DPW hiring due to vacancy

**13. Other Selectmen's business**

- a. Discussion on recently enacted legislation requiring mandatory liquor liability insurance coverage on Section 12 license holders
- b. Signing of Primary Warrant for September 14, 2010 election

**14. Adjourn**

**Board of Selectmen Meeting Minutes – August 10, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

*List of Documents*

- *Bourne Drinking Water Emergencies – 15 pages*
- *Drinking Water Warning – 3 pages*
- *Plankton Power Mr. Felix letter dated 6/29/10 re: Letter of Commitment – 1 page*

7:00 – 7:15 (Items 1-5) Call to order

**1. Moment of Silence for our Troops**

**2. Salute the Flag**

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time.

**3. Public Comment – Non-Agenda Items**

Kay Donovan commented on the Coady School and the Fire Department.

**4. Minutes**

Pickard moved and seconded by Meli to approve minutes of 5/25/10 as amended.  
Vote 5-0.

Pickard moved and seconded by Meli to approve minutes of 6/1/10 as submitted.  
Vote 5-0.

Pickard moved and seconded by Meli to approve minutes of 6/8/10 as submitted.  
Vote 5-0.

Pickard moved and seconded by Meli to approve minutes of 6/22/10 as amended.  
Vote 5-0.

Pickard moved and seconded by Meli to approve minutes of 7/27/10 as submitted.  
Vote 5-0.



Pickard moved and seconded by Meli to approve workshop minutes of 8/2/10 as submitted. Vote 5-0.

Pickard moved and seconded by Meli to approve and encumber executive session minutes of 8/2/10 as submitted. Vote 5-0.

## **5. Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item E – TA Guerino spoke with both Chief Baldwin and Mr. Mullen with regard to parking enforcement.

Item H – TA Guerino made the assumption that the Board would not take any action.

Item A – The Board will be in a better position once they establish a Wastewater Committee. Chm. Ford emailed TA Guerino his changes.

## **6. Committee appointments:**

Pickard moved and seconded by Mealy to reappoint Gerard Kelly to the Bourne Efficiency/Operations for a term to expire June 30, 2011. Vote 5-0.

Mr. Agrillo suggested having two (2) or three (3) more than the five (5) committee members.

## **7. Cindy Coffin, Heath Department Director re: Protocols on boil water orders and other such situations. (informational no action required)**

*Drinking Water Emergencies AND Drinking Water Warning documents (copies of which are attached hereto).* State regulated protocols and each Water Department has its own specific plan.

Standards and regulations are to protect the public.

The Water districts know of the availability of Reverse 911 and to contact Police Department.

Recommendations through the Water District are to have proper and updated contact numbers. Plans will be accessible through the BOH. There is a new Superintendent in Bourne Water and is working to update and make corrections as necessary.

Discussion of distributing bottled water through the Emergency Plan.

**8. Discussion and possible Board request of Town Administrator to institute letter of intent with Plankton Power. – Phil Goddard-Selectman Pickard.**

Curt Felix, CEO of Plankton Power met with the ISWM planning committee and requests a letter of intent *Letter of Commitment (a copy of which is attached hereto)* requesting the opportunity to evaluate the prospect for and provide a firm proposal for “capturing” ISWM stack gas, from the flare, to bottle and transmit the project’s location at the Woods Hole Marine Biofuel Center. This project will take advantage of internationally unique features of Cape Cod including its waters and marine institutions, to accelerate the commercialization of algae for fuel replacement.

Upon receipt of confirmation of the Town’s interest, the first step would be to prepare a detailed engineering analysis, so that Plankton can provide a fully detailed proposal for your consideration.

Discussion held on possible odors, project precluding any future technologies, and any ISWM staff monitoring flares.

Mr. Felix described project as the taking of pollution and acclimatize algae on an emissions sources. Recovery of gas will be a plus to the environment.

Mealy recommends tonight’s presentation be given to the Board of Health. TA Guerino states that this process can run concurrently with the Selectmen and the BOH.

Sloniecki moved and seconded by Pickard to allow TA Guerino draft a Letter of Intent. Vote 5-0.

**9. Tudor Ingersoll – Wind Turbine – Discussion and information**

Continued to the 8/24/10 meeting and TA Guerino referred the Board back to the Scituate bylaw for said discussion.

**10. Little Sandy Pond Update**

Chief of Police conducted a cursory inspection of the bridge that spans the herring run which is located on Little Sandy Pond Road. Areas of concern were noted:

- 12 ton load limit signs – load must be verified
- Dirt road surface with some erosion – needs to be stabilized
- Guard wire on north side of bridge is down – needs to be repaired

Recommendations: to remove 12 ton limit signs be removed and add “Pass at own risk” signs.

Sloniecki moved and seconded by Meli to post sign "Pass at Your Own Risk" at the Little Sandy Pond Road. Vote 5-0.

#### **11. First Review of Telecommunications policy – per procedures**

Everything on computer is public record. Social networking, shopping on town time, is not allowed. First review approved by Atty. Troy.

7.11 Games and entertainment software – Sloniecki request to remove ... "Avon, landscaping schedules, etc." be removed. TA Guerino will rework with Section 7.11.

Pickard suggests adding a section about Town Employees and texting while driving Town vehicles.

TA Guerino recommends the Board to review, send comments to TA Guerino and will put a final draft together at the next meeting.

#### **12. Town Administrator Report**

##### **a. Employee seminars from EAP (anti-harassment, violence in workplace, ADA, etc.)**

TA Guerino will move forward in providing seminars for all employees. Laws and documents will need to be updated.

##### **b. Concurrence of DPW hiring due to vacancy**

Resignation at the DPW and subsequently, there is no employee shortage. Another issue with regard to workman's compensation, but does not know the final outcome at this time.

##### **c. Therese Murray**

Governor passed the bill. Final version of bill will be provided to the Selectmen once received.

HR Director – interviews still taking place. A total of seven (7) candidates at this time.

Charter Committee – TA Guerino did not hear back from Atty. Troy. First meeting set for next week (either Tues or Wed evening).

Selectmen 8/24/10 – Board's recommendation of regular schedule after Labor Day.

Mid October Selectmen meeting – Finance Director for all close outs as well as the FY10 year end.

Town Lands CD and maps (restricted/non-restricted) handed to the Board. Coreen Moore will have documents for the Board at a later date. TA Guerino recommends the Board undertake an additional site visit to both Cody and Hoxie schools – 6:15 pm before the Goals Session on Wednesday 8/18/10.

New Director of Council of Aging. TA Guerino will introduce her to the Board in the future.

**13. Other Selectmen's business**

**a. Discussion on recently enacted legislation requiring mandatory liquor liability insurance coverage on Section 12 license holders**

The Commonwealth passed a new law requiring liability limits – \$250,000 and \$500,000 pouring establishments of Section 12 licenses. TA Guerino requests the Board review and see if want to increase liability to a similar level Town is requiring of the Tavern down the Street. TA Guerino will research and get an estimated cost back to the Board based on Hart.

Sloniecki asked to see a spreadsheet of what all businesses' costs.

**b. Signing of Primary Warrant for September 14, 2010 election**

Sloniecki moved and seconded by Mealy to sign the Primary Warrant for 9/14/10 election. Vote 5-0.

Mealy – Selectmen agenda item correspondence, if the Board receives a letter not signed, BOS does not recognized said letter, but will meet to discuss unsigned letter; Food Pantry donations

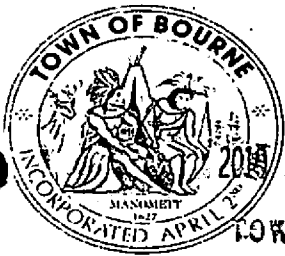
Pickard – Barnstable Sealer of Weights and Measures and utilizing Town of Barnstable. Request to check with surrounding communities to see if they have a staff vs. 'farming' out (annual review?).

Ford – Attended Canal Fishermen's Clinic; A total of two (2) Council of Aging buses.

**14. Adjourn**

Sloniecki moved and seconded by Mealy to adjourn. Unanimous vote. Meeting adjourned at 8:55 pm.

Respectfully submitted - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice



TOWN CLERK'S OFFICE

## Goals Session

Date

Wednesday  
August 18, 2010

Time

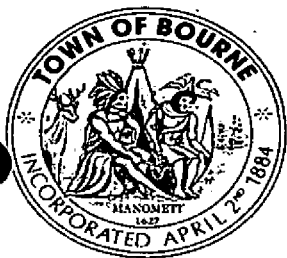
6:15 p.m.

Location

Start at Hoxie School  
Sagamore Beach  
Review at Cody School  
Bourne Village  
Return to Bourne Veterans  
Memorial Community Bldg  
239 Main Street, Buzzards Bay

1. Completion of Goals Session
2. Review and comment on Draft Selectmen Mission Statement for Board Procedural Follow-up
3. No other business
4. Adjourn

Thomas M. Guerino  
Town Administrator



## Board of Selectmen Meeting Notice AMENDED AGENDA



**6:00 EXECUTIVE SESSION – Contract negotiations non-union personnel**  
**SEWER COMMISSIONERS 6:30 Optimus Senior Living Center – Frederick Mielke**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday August 24, 2010	7:00 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Introduction of New COA Director – Amanda Speakman

7. Joint Meeting with Finance Committee – FY09 Audit review – Chris Rogers – Sullivan and Rogers CPA – 45 minutes

8. Mr. Ingersoll – Presentation on Wind Turbine Partnership – information and proposal – 30 minutes

9. Licenses and Permits:

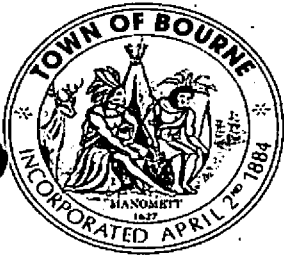
- a. Harbor to the Bay Bike Ride – Use of Town Roads
- b. Harlow Farm Block Party – Close off Road
- c. 25<sup>th</sup> Reunion – One Day Liquor
- d. Alumni Reunion – One Day Liquor

10. Committee appointments:  
Barbara Oliver – Bourne Cultural Council

RECEIVED  
TOWN CLERK'S OFFICE

2010 AUG 20 PM 8 54

11. Town Administrator Report
  - a. Special Town Meeting Date – discussion
  - b. HR Recruitment
  - c. ISWM Recruitment
  - d. 11 Main Street – Food and Fuel
  - e. Engineering study determination for Cody School
12. Other Selectmen's business
  - a. Goals report
  - b. Internet Technology Policy – second reading
  - c. Fall BOS Schedule
13. Adjourn



## Board of Selectmen Meeting Notice



**6:00 EXECUTIVE SESSION – Contract negotiations non-union personnel**  
**SEWER COMMISSIONERS 6:30 Optimus Senior Living Center – Frederick Mielke**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday August 24, 2010	7:00 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Introduction of New COA Director – Amanda Speakman

7. Joint Meeting with Finance Committee – FY09 Audit review – Chris Rogers – Sullivan and Rogers CPA – 45 minutes

8. Mr. Ingersoll – Presentation on Wind Turbine Partnership – information and proposal – 30 minutes

9. Licenses and Permits:

- a. Harbor to the Bay Bike Ride – Use of Town Roads
- b. Harlow Farm Block Party – Close off Road
- c. 25<sup>th</sup> Reunion – One Day Liquor
- d. Alumni Reunion – One Day Liquor

10. Committee appointments:  
Barbara Oliver – Bourne Cultural Council

TOWN CLERK'S OFFICE

2010 AUG 19 PM 3 16



Page 2 – BOS 8/24/10

11. Town Administrator Report
  - a. Special Town Meeting Date – discussion
  - b. HR Recruitment
  - c. ISWM Recruitment
  - d. 11 Main Street – Food and Fuel
12. Other Selectmen's business
  - a. Goals report
  - b. Internet Technology Policy – second reading
13. Adjourn

**Board of Selectman Executive Session Meeting Minutes****August 24, 2010****Bourne's Veteran's Memorial Community Center****239 Main Street, Buzzards Bay, MA 02532****2010 AUG 23 PM 4 25**\*\*\*\*\*  
\*\*\*\*\* TOWN CLERK'S OFFICE \*\*\*\*\*

BOURNE, MASS

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Donald J. Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki (excused)

Stephen F. Mealy

At 6:20 p.m. Mr. Ford made the motion to enter Executive Session to discuss strategy and conduct bargaining with non-union personnel and to return later return to Open Session. The motion was seconded by Mr. Pickard. Mr. Ford asked for a roll call vote: Mr. Pickard – Yes, Mr. Ford – Yes, Ms. Meli – Yes, and Mr. Mealy – Yes.

Mr. Ford began by explaining that it was brought to his attention that there was a disagreement between the Town Administrator (TA) and the Financial Director regarding the number of vacation days the TA had available to carry over to fiscal year (FY) 2011. He noted that if the TA and the Financial Director were not able to come to an agreement, the Financial Director would prevail.

Mr. Guerino stated that he concurred with the Financial Director.

Mr. Mealy made a motion, seconded by Mr. Ford, that the Financial Director would maintain a record of the TA's vacation time. Roll call vote: Mr. Mealy – Yes, Mr. Pickard – Yes, Ms. Meli – Yes, and Mr. Ford – Yes.

Mr. Ford continued by discussing usage of the Town owed vehicle assigned to the TA. He stated that the TA was granted 24 hour a day/7 days a week usage of a town owned vehicle for business purposes only. Mr. Guerino explained that he uses the vehicle for meetings and for transportation between Westport (weekly residence) and Town Hall. He noted that he does not charge for mileage when traveling back and forth between Vermont, with the exception being if he was called in on an emergency.

Mr. Guerino referred to a memorandum dated August 10, 2005, which clarifies the allowed usage of Town owned vehicles.

Mr. Mealy made that motion, seconded by Ms. Meli, that the TA would use his residence of Westport, during the work week, for purposes of mileage and that the Town owned vehicle would continue to be for business purposes only on a 24 hour 5 day per week basis. Roll call vote: Mr. Mealy – Yes, Mr. Pickard – Yes, Ms. Meli – Yes, and Mr. Ford – Yes.

Mr. Ford went on to state that the TA receives \$400.00 a month in addition for "expenses," which does not require any documentation or receipts. Mr. Guerino explained that this was part of his contract and asked whether the intention was to "open" his contract. Mr. Ford stated that he did not intend to open the contract, but was curious about the nature of the \$400.00 because it is paid in a separate monthly check as salary and all his expenses for mileage, meals and parking are taken out of other expense accounts. Mr. Guerino explained that the \$400.00 was included in his contract when he was negotiating because he had been given \$600.00 allowance that he had while serving as Interim Town Administrator. He added that he has been receiving the \$400.00 for years and has come to depend on it. He also voluntarily agreed to use the monthly \$400.00 expense allotment to attend out of town meetings and for normal expenditures in the future. Mr. Guerino explained that this would be for such items as meals form RTA and Town Managers type meetings and that the MMA three-day conference, Conventions and seminar type sessions would be reimbursable.

Mr. Mealy made the motion, seconded by Mr. Pickard, that the \$400.00 would be utilized for regular and normal expenses. Roll call vote: Mr. Mealy - Yes, Mr. Pickard - Yes, Ms. Meli - Yes, and Mr. Ford - Yes.

At 6:50 p.m. Mr. Pickard made a motion, seconded by Ms. Meli, to convene the Executive Session and reconvene in Open Session. Roll call vote: Mr. Mealy - Yes, Mr. Pickard - Yes, Ms. Meli - Yes, and Mr. Ford - Yes.

Executive Session August 24, 2010.  
To: Members of the Board of Selectmen  
From: Chairman John Ford  
Date: August 20, 2010

Reference: Town Administrator Employment Agreement with emphases on clarifications of Section 6 Automobile and Section 8 Vacation.

Early in July, it was brought to my attention that there was a disagreement between the Town Administrator and Financial Director on the number of days the Town Administrator had left to carry over to fiscal year 2011.

I had a meeting with the Finance Director who stated her records were different than what the Town Administrator is claiming. She let him know that she did not want to be put in a position where he is requesting to be paid for vacation time, which is not on the books.

I spoke with Mr. Guerino, explaining the conflict, and that the Finance Director was not comfortable with the situation. The Town Administrator became upset and refused to address the situation with the Finance Director while I was present. He stated he would take care of the matter with the Finance director latter.

I had a follow-up discussion with the Finance Director and they were unable to agree on a compromise, so time taken in August should be charged to this year's vacation allotment.

I then discussed it with the Town Administrator and explained that other towns have similar procedures, but in the end, the records of the Finance Director would prevail.

I was informed that the Town Administrator receives \$400 a month for all expenses relating to his employment without receipts or any documentation. He receives a separate monthly check as a second salary. At the same time, he receives reimbursed for mileage, meals, parking, tolls and any other out of pocket expenses as other town employees.

The Financial Director stated that the \$400 for expenses was in place before she became Finance Director. However, she did question his mileage when he puts in from or to Vermont instead of Westport and the DOR stated that mileage is calculated to and from the employee's resident. The reason it was questioned was that contractually the Town Administrator uses Westport as his residence to be in compliancy with contract Item #14 place of residence.

When the discussion on expenses was brought up, the Town Administrator became defensive and stated "The Selectmen give me the use of a Town owned vehicle for Personal Use" I explained that it is not in writing and no record of a vote on personal use, therefore it does not exist.

The reason I am bringing this up at an Executive Meeting is to get a clarification of the Town Administrator contact on these items. It is not fair to the Town Administrator or the Finance Director not having clarity in what the Town Administrator is entitled according to contract provisions.

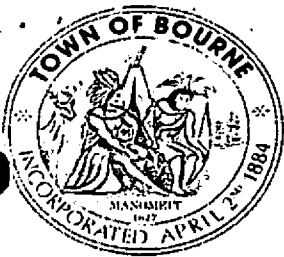
Questions that need to be addressed:

Vacation Time.

1. If the Town Financial Director keeps track of the Town Administrator vacation time and there is a dispute that cannot be resolved would the Financial Directors records prevail?

Automobile.

2. Do the Selectmen want the Town Administrator to have a vehicle for personal use?
3. Do the Selectmen want the Town Administrator to take a \$400 monthly for expenses as found in the automotive Section #6 of his employment contract without receipts?
4. Do the Selectmen want the Town Administrator during the workweek, to use his residency as Vermont or Westport, which meets the place of residence in Item #14 of his contract?



## Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
September 7, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

### **EXECUTIVE SESSION 6:30 – Non Union Contracts and Real Estate –**

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Licenses and Permits

- a. Amend one day license issued for Chartwells Dining Service @ MMA, Luther J. Fritzinger, Mgr., for September 18, 2010, to include Pandre Hall dining room.
- b. 2010 Autumn Escape Bike Trek for the American Lung Association

7. Appointments

- a. Election Workers

8. Internet Technology Policy – second reading

9. Town Administrator Report –  
Recruitment update  
Storm update.
10. Selectmen's Business
  - a. Town Counsel Request for Opinion – ISWM
  - b. Joint Committee meeting re: Landfill working Group
11. Adjourn

TOWN CLERK'S OFFICE

2010 SEP 2 PM 2 57

**Board of Selectmen Meeting Minutes – September 7, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\* 2010 OCT 21 PM 1:10 \*\*\*\*\*

**Attendance**

Town Clerk's Office  
Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman  
Jamie Sloniecki, Vice Chairman  
Mary Meli, Clerk (excused)  
Stephen F. Mealy  
Don Pickard

**List of documents**

- N/A

At 6:30 pm, Pickard MOVED and SECONDED by Mealy to go into Executive Session to conduct strategy sessions in preparation for Negotiations with nonunion personnel, and to consider the purchase, exchange, lease or value of real property and to reconvene in Open Session. Roll call: Pickard – yes; Ford – yes; Mealy – yes.

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time.

**Meeting called to order**

7:21 pm

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

**Public Comment Non-Agenda Items**

Joe Agrillo commented on guard wire down off telephone pole near Worcester Ave., Monument Beach. He also commented on plastic bags on the poles for disposal.

**Approval of minutes**

Pickard MOVED and SECONDED by Sloniecki to approve minutes of August 10, 2010 as submitted. Vote 4-0.

Pickard MOVED and SECONDED by Ford to approve minutes of August 24, 2010 as submitted. Vote 3-0-1 with abstention from Sloniecki.

**Correspondence**

Pickard reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item M – grant Town received in the amount of \$45,000 due in part to the efforts to Tim Mullen, DNR Director and Brian Mullaney, Conservation Agent.



Item E - Letters to serve on committees – TA Guerino recommends to wait until the next regular meeting before a vote. TA Guerino will add Working Group Charge to the Town website.

Item D – Public parking -TA Guerino will seek Rickie Tellier, DPW and Chief Baldwin recommendations.

#### **Licenses and Permits**

- a. **Amend one day license issued for Chartwells Dining Service @ MMA, Luther J. Fritzinger, Mgr., for September 18, 2010 to include Pandre Hall dining room**

Sloniecki MOVED and SECONDED by Mealy to approve to amend one day license issued for Chartwells Dining Service at MMA, Luther J. Fritzinger, Mgr., for September 18, 2010 to include both Baystate Room and Pandre Hall Dining Room. Vote 4-0.

- b. **2010 Autumn Escape Bike Trek for the American Lung Association**

Pickard MOVED and SECONDED by Sloniecki to approve 2010 Autumn Escape Bike Trek for the American Lung Association on October 1, 2010 through October 3, 2010 per routing slip. Vote 4-0. Mealy commented with regard to possibly setting a policy for crossing patrols at intersection of Williston and Scusset Beach Road during events.

#### **Appointments**

- a. **Election workers**

Pickard MOVED and SECONDED by Sloniecki to approve election workers per Barry H. Johnson, Town Clerk with their terms ending June 30, 2011: Maureen Dunn, Kathleen Burgess, Lisa Collett, Nancy Carritte, Martha Parady, Phyllis Carpenito and Frances Bogden. Vote 4-0.

#### **Internet Technology Policy – second reading**

TA Guerino stated said policy followed all policies and procedures discussed at the last meeting and recommends September 21, 2010 meeting adoption.

Mealy recommended language on Section 7.11 with regard to last sentence.

#### **Town Administrator Report**

- a. **Recruitment update**

Tentative offer to an HR Director and cannot comment until an offer has been accepted formally.

ISWM General Manager interviews scheduled for Tuesday of next week and will move forward.

Fire Chief contract is signed with Mass. Municipal and will have by the week of Columbus Day. Process is going through the professionals hired.

**b. Storm update**

TA Guerino met with key Department Leaders and Mr. Noyes to assist with this particular storm. Two shelters were set up at the Community Bldg. and the High School. Volunteers were acknowledged. The Town had no substantial loss of property or damage.

The School Dept. has web-based system and allowed the Town to use their system which allowed quicker call access.

Mealy reviewed the protocol of Reverse 911 calls and wanted to acknowledge and thank all people involved. TA Guerino added that the Health Director was personally hurt and came in to assist during said storm.

Charley Miller commented on DNR and work with the upwellers for shellfish.

Joe Agrillo inquired about command center with regard to said storm.

Lastly, any Town Departments or Boards/Committees have an Article for the Town Warrant are due on Friday, September 10, 2010.

**Selectmen's business**

**a. Town Counsel Request for Opinion – ISWM**

Clarification for site assignment (BOH authority) with regard to the landfill per Board of Selectmen as it relates to Town Counsel March 2010 opinion.

**b. Joint Committee meeting re: Landfill working group**

Meeting held on Tuesday, September 14, 2010 at the BMS Media Center.

TA Guerino stated purpose for said meeting is for an update on the Landfill working group and try to obtain a reasonable amount of priorities.

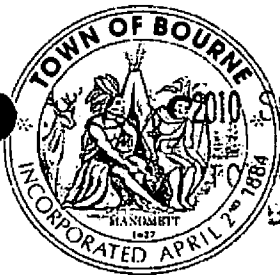
Pickard stated no recommendations of a certain entity will be made at said meeting.

Ford – September 10, 2010 Cape Cod Counsels & Selectmen's meeting and looking for members of the Board to attend. TA Guerino will not be attending due to a prior commitment.

**Adjournment**

Sloniecki MOVED and SECONDED by Mealy to adjourn. Unanimous vote. Meeting adjourned at 8:30 pm.

Respectfully submitted - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice



CLERK'S OFFICE  
Bourne, MA

## Joint Meeting Board of Selectmen, Finance Committee, Energy Advisory Committee, Board of Health and the Bourne Landfill Business Model Working Group AMENDED

Date

Tuesday  
September 14, 2010

Time

6:30 – 9:00 p.m.

Location

Bourne Middle School  
Waterhouse Road  
Bourne

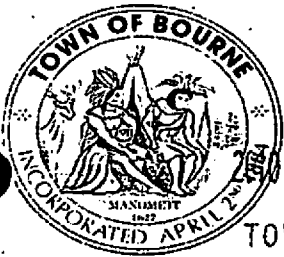
### AGENDA

Board of Selectmen – 6:15 p.m.

1. Vote waiver of hiring freeze – DPW Mechanic
2. Vote on Technology Policy
3. Request to use town property (Headquarters Fire Station, sidewalks around and across from this location) for "MDA fill the Boot"

Joint Meeting – 6:30 p.m.

1. Introduction to technologies
2. Presentation from professional staff - ISWM and Mr. Aaronson
3. Summary by Don Pickard
4. Questions & Answers
5. Possible vote on support



**Board of Selectmen**  
**Meeting Notice**  
**AGENDA**



SEP 17 PM 3:00  
TOWN CLERK'S OFFICE  
100 N. MAIN ST.

Date

Tuesday  
September 21, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: September 14, 2010
5. Correspondence

6. Licenses and Permits

- a. 7:15 p.m. Hearing on Paradigm, Inc., d/b/a Ye Olde Spirit Shoppe -  
Allege selling alcohol to a minor
- b. Patriot Diner

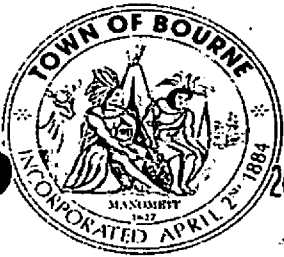
7. Committee Appointments:

- a. Council on Aging – Lorraine Young
- b. Bylaw – Chris Farrell

8. Signing of Bonds – Bond Anticipation Notes

9. Selectmen's Business – Sagamore Beach area Parking discussion

10. Adjourn



**Board of Selectmen  
Meeting Notice  
AGENDA**



2010 SEP 17 PM 3 39  
TOWN CLERK'S OFFICE

Date

Tuesday  
September 21, 2010

Time

7:00 p.m.

Location

Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: September 14, 2010
5. Correspondence

6. Licenses and Permits

- a. 7:15 p.m. Hearing on Paradigm, Inc., d/b/a Ye Olde Spirit Shoppe -  
Allege selling alcohol to a minor
- b. Patriot Diner – Common Victualer [food]

7. Committee Appointments:

- a. Council on Aging – Lorraine Young
- b. Bylaw – Chris Farrell

8. Signing of Bonds – Bond Anticipation Notes

9. Selectmen's Business – Sagamore Beach area Parking discussion

10. Adjourn



# Board of Selectmen Meeting Notice



SEP 23 PM 4 00  
TOWN CLERK'S OFFICE  
BOURNE MASS


Date  
Wednesday  
September 29, 2010

Time  
6:00 p.m.

Location  
Sagamore Road  
Sagamore Beach

## AGENDA

Site Visit on Sagamore Road relative to traffic issue

  
Thomas M. Guerino  
Town Administrator

Date: September 23, 2010

## Minutes Bourne Board of Selectmen Meeting September 29, 2010

2010 OCT 21 Site Visit Sagamore Road Parking – 6:00 P.M.

### TOWN CLERK'S OFFICE

The Chairman called the meeting to order at 6:03 P.M. All member of the Board were present. Additionally, Chief Baldwin, Chief Doucette, DPW Director Tellier and Town Administrator Guerino were present.

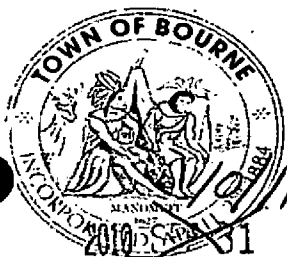
The Purpose of the meeting was to view the roadway and determine parking solutions at the request of numerous citizens residing in the area. A specific concern was raised relative to the road between #'s 35 and 40 Sagamore Road.

The Board listened to the thoughts and recommendations of the Two Chiefs and Director Tellier. It was decided that the Board should leave the current arrangement as is without further regulation or consider creating a one way road on Sagamore Road via the appropriate petition to the Commonwealth.

Meeting adjourned at 6:50 P.M.

Respectfully submitted,

Thomas M. Guerino, Town Administrator



BHS

10/1/10

PM 2 01

## Board of Selectmen Meeting Notice AGENDA



Date TOWN CLERK'S OFFICE  
Tuesday  
October 5, 2010

Time  
7:00 p.m.

Location  
Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

- 7:00 – 7:15 (Items 1-5) Call to order
1. Moment of Silence for our Troops
  2. Salute the Flag
  3. Public Comment – Non-Agenda Items
  4. Minutes: September 21, 2010
  5. Correspondence
6. Lori York regarding Three Mile Look maintenance.
7. Town Clerk – Absentee Ballot requirements/notification for Nov. General Election
8. Planning Board – Discussion of Gas Station license proposed change – Refer to Draft Warrant
9. NSTAR – Presentation of proposed 115KW line through existing ROW
10. Review of Special Town Meeting Articles and Signing of Special Town Meeting Warrant
11. Discussion regarding Coady School condition report
12. Licenses and Permits
- a. One day beer and wine for Oct 6 at maritime academy
  - b. Monument Beach Pizza – Common Victualer
13. Committee Appointments:
- a. Rescind vote of initial Wastewater Committee
  - b. Set Sewer Commissioners Meeting date for Wastewater Advisory Subcommittee appointments
14. Selectmen's Business
- a. Amicus Brief being filed on behalf of the municipalities in Buzzards Bay For Oil Spill Prevention Act Appeal –vote to support or not
  - b. Discuss and establish regional meeting for Cape Towns regarding Bourne as a trash disposal option.
  - c. Vote to establish October as **Scarecrow Month**, in support of the BBBG.
15. Adjourn



**Board of Selectmen Meeting Minutes – October 5, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*2010 OCT 21 7:13 PM\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

**List of Documents**

- Articles of the Warrant for STM dated 10/25/10 (6 pages)
- NSTAR Lower SEMA 345 kV Transmission Project dated 10/5/10 (23 pages)
- 2010 STM Warrant Article 7 - Department expenses and purposes (1 page)

**Meeting called to order**

7:00 pm

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

**Public Comment Non-Agenda Items**

Peter Meier discussed parking issue at Taylor's Point and requesting a working group through the Town Administrator for a solution. Mealy suggested Selectmen site visit to benefit the members of proposed working group and residents. Selectmen agreed to Wednesday, October 13, 2010 at 5:30 pm, to include Police Chief Baldwin, Fire Chief Doucette, DPW Rickie Tellier and MMA Admiral Gurnon.

**Approval of minutes**

Pickard MOVED and SECONDED by Meli to approve regular minutes of September 21, 2010 as submitted. VOTE 4-0-1 (abstention from Sloniecki).

Pickard MOVED and SECONDED by Meli to approve and encumber executive session for the August 24, 2010 as submitted. VOTE 4-0-1 (abstention from Sloniecki).

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item M - Mahoney letter of resignation from School Committee to take effect January 1, 2011.

Item D – Town Counsel recommendation to use Atty. Witten to help ZBA with negotiations in a comprehensive permit 40B project.

Item K – Town of Orleans seeking assistance for National Academy of Sciences Peer Review. Bourne will continue to support.

**Three Mile Look Maintenance – Lori York**

Requesting Selectmen appointment of a committee to oversee ongoing public recreation development of scenic historic public area to:

- Provide leadership
- Meet regularly to assess and manage current project activities
- Facilitate collaboration amount community groups to promote volunteer efforts at the Three Mile Look

TA Guerino stated the Town has maintained the cost of the water and the lighting at the Three Mile Look. He would not like to see the DPW with the full maintenance, as there are AmeriCorp groups and cadets at the Mass. Maritime Academy to utilize. He recommends a group of three (3) or four (4) people. He is not prepared at this time to discuss an appropriation of funds at this time.

TA Guerino suggested an organizational meeting to discuss the scope of work of proposed group for a date to be determined. (CPA funds, grants).

TA Guerino recommended Selectmen discuss said item with AmeriCorps who will be in before the Board at their next meeting.

**Planning Board discussion of gas station license proposed change – refer to draft warrant (Article 3)**

This will remove the double permitting for both Selectmen and Planning Board with regard to gas station/fuel station. In the past, ZBA used to be the special permitting authority. Site plan came into play and bounced between Planning Board and ZBA. Selectmen used to review gas stations. Now there are gas stations/convenience stores and are currently the Planning Board and the Selectmen.

Article is proposing to make the Planning Board as special permit site authority (above ground) and the Selectmen approving underground tanks for fuel.

Sloniecki MOVED and SECONDED by Mealy to support and endorse Article 3 in the 2010 Special Town Meeting. UNANIMOUS VOTE.

**NSTAR Presentation – proposed 115 kw line through existing road**  
Document (Lower SEMA 345 kV Transmission Report - 23 pages).

NSTAR's proposed project is the long-term solution to:

- Resolve electric reliability need long term
- Eliminate uplift charges to customers with an environmentally responsible solution

New 345 kV transmission line – most cost-effective long-term solution .

- Solution is a new third 345 kV transmission source to Cape Cod
- Line will originate in Carver substation; routed overhead to Cape Cod Canal on existing right of way, cross the canal and terminate in W. Barnstable
- From Bourne switchyard to terminal substation, will re-license existing transmission line for 345 kV operation – no new line construction
- NSTAR must separate two existing 345 kV transmission lines crossing canal onto separate structures for improved reliability
- Project confirmed by ISO – New England as lowest cost solution to resolve reliability issue
- Project is lowest-cost solution to meeting reliability need of lower SEMA; uses existing rights of way and eliminates need to run canal out of merit

Current existing canal crossing lines are roughly 200 feet. Proposed north crossing using three (3) monopoles reviewed; north crossing using three (3) H-frames reviewed.

Current existing canal crossing, south side. Proposed south crossing using three (3) monopoles reviewed; south crossing using three (3) H-frames reviewed.

Zoning exemptions may be needed. Benefits of transmission upgrade discussed, as well as the rough project schedule overview.

TA Guerino inquired of the local employment impact. Said project will use local union labor. No impact on average business and residential on power. Project cost will be passed on to service users over a 40 year period. The total project cost is \$110 M.

**Town Clerk – Absentee ballot requirements/notifications for November General Election – Barry Johnson**

Anyone who meets criteria to qualify for an absentee ballot, fill out application and vote at Town Hall. Any comments or questions, please see the Town Clerk's office.

**Review Special Town Meeting Articles and Signing of STM Warrant Document (STM Warrant document – 6 pages).**

Article 1 – Special Police Officer Drew Lonergan

Article needs to be re-voted to for D. Lonergan to come on the Civil Service List in January.

Pickard MOVED and SECONDED by Sloniecki to approve and support Article 1 of the Special Town Meeting Warrant. UNANIMOUS VOTE.

Article 2 –Three Mile Look Project

Bids to complete project came to \$45,000 - \$85,000. Estimating \$45,000 more to complete project. Once bids are in, exact numbers will be given for Town Meeting vote.

Discussion held on the need of the pathway to the canal. TA Guerino stated this is part of the revitalization of Buzzards Bay Project - Growth incentive zone.

Selectmen will vote at Special Town Meeting.

TA Guerino will email total dollar amount to the Selectmen and the Finance Committee once in.

#### Article 4 – Junk Sales

Bylaw Committee has voted said Article. Article was proposed by the Police Department to provide an additional tool to enforce the law. This bylaw would require reselling businesses to hold onto items for 30 days before they can be resold for police to check for stolen merchandise.

TA Guerino stated said Article has Town Counsel review with regard to question of the purpose of Constables. TA Guerino will get an explanation from Chief Baldwin on Constables.

Jim Mulvey stated this also includes concrete forms, construction tools. Chm. Ford stated this is for crime prevention.

M. Mastrangelo commented the Finance Committee question raised at last night's meeting for a SSN. She stated a government issued ID would make more sense. TA Guerino raised issue with Town Counsel and was told Atty. Troy is comfortable with the language as is. Town Counsel is willing to answer any questions on the floor at STM.

Sloniecki MOVED and SECONDED by Mealy to approve and support Article 4 of the Special Town Meeting Warrant. UNANIMOUS VOTE. (Mealy stated that he seconded with the understanding of clarification of the two issues discussed).

#### Article 5 – School Department

To appropriate sum of money for the purpose of accepting proceeds from insurance for the loss at the school department (school bus fire).

Mealy MOVED and SECONDED by Pickard to approve and support Article 5 of the Special Town Meeting Warrant. UNANIMOUS VOTE.

#### Article 6 - Stabilization Fund

Town appropriate, borrow or transfer from available funds a sum on money to the Stabilization Fund or take any action in relation thereto.

Mealy MOVED and SECONDED by Pickard to approve and support Article 6 of the Special Town Meeting Warrant. UNANIMOUS VOTE.

#### Article 7 – FY2011 Annual Budget

Document - (Department and expenses - 1 page)

Available funds to supplement FY2011 annual budget as voted under Article 3 of the 2010 ATM. TA Guerino reviewed the line item amounts totaling \$429,375 (Town Building Maintenance expense - \$20,000; Selectmen expenses - \$8,000; Legal services expenses - \$20,000; Civil Defense expenses - \$2,000; IT expense - \$25,000; Community Building Maintenance expense - \$32,375; Fire Dept. salaries - \$125,000; Police Dept. salaries - \$150,000; Charter Commission Salaries (\$3,500) and Charter Commission expenses (\$1,500) - \$5,000; Wastewater Committee salaries (\$1,500) and Wastewater Committee expenses (\$500) - \$40,000.

Town Building expenses – L. Plant. The addition and relocation of security cameras discussed briefly.

Fire Department – Chief Doucette. Over first 12 weeks of fiscal year due to work-related and non-work related issues, there has been an increase to the OT budget. For future discussion, look at addition of personnel power vs. OT. TA Guerino stated that no studies have been done at this time for the next budget.

Chm. Ford raised the use of 10 sick days per workers when last discussed budget last year. This is a mean and not an average. At that time there was a lot of sick time.

TA Guerino recommends, from a budgetary perspective, to look at an additional \$125,00 put into Fire Dept. OT budget and to keep \$175,000 from both Police and Fire Departments and put in Fire Dept. overtime.

Fire Chief Doucette reviewed Fire Dept. overtime. Discussion of ambulance recalls vs. recalls on fires, holdovers discussed, wellness programs, layoff lists.

TA Guerino suggests Selectmen review Jacobs Report recommendations (Asst. Chief) and rethought process of one additional person per shift vs. OT from a numerical perspective.

Mealy commented on monitoring, and TA Guerino stated the FinCom suggested a cost benefit analysis.

M. Mastranglo stated at last night's FinCom, discussion on the \$175,000 to be monitored by the TA Guerino and Fire Chief. TA Guerino said Town Counsel states the money would have to come to a Town Vote or from a Reserve Fund Transfer, which is the easiest method.

Police Department is pending retirements which cannot legally be discussed at this time.

Charter Commission is looking for recording person and will have some expenses. This holds true for the Wastewater Committee.

Street lights – fuel cost increase of 10% from last year. (fuel, electricity). This is being monitored.

TA Guerino stated that all Department expenses will be listed by item in the Article.

Sloniecki MOVED and SECONDED by Meli to approve and support Article 7 in the Special Town Meeting Warrant. UNANIMOUS VOTE.

Article 8 – Human Services Director

To be drafted by Atty. Bob Troy. Article will allow to bring Human Resources Director into a non-union contract.

Mealy MOVED and SECONDED by Pickard to approve and support Article 7 in the Special Town Meeting Warrant to authorize the Town Administrator to enter into an employment contract with the Human Services Director. UNANIMOUS VOTE.

Sloniecki MOVED and SECONDED by Pickard for a short recess. UNANIMOUS VOTE.

Mealy MOVED and SECONDED by Sloniecki to call Selectmen meeting back in session. UNANIMOUS VOTE.

**October as Scarecrow Month to support the BBBG**

Meli MOVED and SECONDED by Mealy that the Board of Selectmen in supporting the efforts of the BBBG to enhance the downtown area of Bourne, hereby declare the month of October as “Scarecrow Month”, and encourage groups and individuals to fully participate. VOTE 5-0.

**Coady School Discussion of condition – Roger LaPorte, Building Inspector**

Board asked to engage a structural engineer/structural report.

George Tribeau performed a lead test on the water and showed lead in the water from the pipes. The system is completely drained at this time. Asbestos is also in the building. Structural issues - the building was originally designed as a high school; HP accessible is also a concern.

Conclusion and recommendation per Michele Cudilo, P.E.

Architectural finish plaster cracks, corner exterior wall and foundation leaks, 2<sup>nd</sup> floor greenhouse and gymnasium roof leaks all require repair throughout the structure. Most inside structural framing material as observed from the individual floors appears in generally good condition, with the exception of the gymnasium floor sheathing. That there are numerous hairline cracks to architectural finish, interior walls, exterior walls and lintels (some are ½ inch wide), and brickwork becomes extensive repair work. Collaboration with a licensed Architect may assist with maintaining the required code parameters with the required structural work listed above. Further Code issues with present 7<sup>th</sup> edition Mass. State Commercial Building Code requirements may find the cost

effectiveness of retrofit, given the above additional architectural and structural itemizations, prohibitive. These costs are exacerbated by the lack of an adequate HVAC system (presently there is no air conditioning), and lack of handicap accessibility (the elevator requirement is not only costly but requires structural retrofit, which is also costly).

In the meantime, it is recommended to maintain the structure envelope with space heaters in the winter and dehumidifiers in the warmer weather, to avoid rapid deterioration while making determination of the nature of repairs or replacement.

#### Discussion

Pickard noted the email of the Bourne Society of Preservation, but stated personally that it is a lot of money.

TA Guerino raised issue with elevators.

TA Guerino saying it is up to the Board of the Selectmen to decide what you want to get out of the building and how much willing to spend in doing so.

Sloniecki inquired of using CPA funds to make building housing. R. LaPorte stated it would be more cost effective to demo building and rebuild.

Meli noted the historic value. Chm. Ford said it is worth exploring what the Bourne Society Preservation noted, as well as the Bourne Youth program, Town Hall Financial Dept. needs; CPA funds available now is 10%, which can be changed at Town Meeting.

Mealy commented on the boiler room comments. He suggested have an architectural engineer look at this building.

Jim Mulvey inquired if Selectmen can see if there is a market for the building with the caveat of historic value preserved as part of the sale.

Pickard commented on the carrying costs.

M. Mastrangelo stated Capital Outlay recommendation is to put out request for proposals in purchasing and/or using Coady and Hoxie schools. Her personal concern is that it is a nice piece of property and there will be a use for it in the future. She said CPA funds are for preservation only – heating, downspouts, and recommends the Selectmen move forward in selling property in Town to see if there is interest. In the meantime, parties interested in the building can get presentations together on how to use and come up with how to pay for use.

Pickard recommended to convene Planning Board, Selectmen, etc. before spending more money on engineer studies.

TA Guerino to provide Selectmen a draft RFI to solicit proposals.

Mealy recommends the Selectmen move forward in the Capital Outlay Committee recommendation to see if there is an interest to purchase the Coady School property to start the process. No formal vote taken tonight.

#### **Licenses and Permits**

##### **a. Ryan Family Amusements – one day beer and wine permit**

Pickard MOVED and SECONDED by Sloniecki to approve Chartwells request of a one day beer and win permit for October 6, 2010 at the Mass. Maritime Academy from 5:00 pm – 6:30 pm per routing slip. VOTE 5-0.

##### **b. Monument Beach Pizza – common victualer**

Sloniecki MOVED and SECONDED by Mealy to approve Monument Beach Pizza request for common victualer license (food) per routing slip. Hours of operation will be T-Th 11:00 am – 8:00 pm; Fri - Sat 11:00 am – 9:00 pm; Sun 12:00 pm – 8:00 pm. VOTE 5-0.

#### **Committee Appointments**

##### **a. Rescind vote of initial Wastewater Committee**

Pickard MOVED and SECONDED by Mealy to rescind the Board of Selectmen initial vote of November 14, 2006 of the Wastewater Advisory Subcommittee allowing Board of Sewer Commissioners to make appointments for their next scheduled BOSC meeting. UNANIMOUS VOTE.

##### **Set Sewer Commissioners meeting date for Wastewater Advisory Committee appointment**

Board will next meet on October 19, 2010 at 6:50 pm. BOSC to meet and to make appointments (five (5) or six (6) appointments).

#### **Selectmen's Business**

##### **a. Amicus brief filed on behalf of municipalities in Buzzards Bay for Oil Spill Prevention Act Appeal – vote to support or not to support**

Mealy MOVED and SECONDED by Sloniecki to support the Amicus brief relative to the Oil Spill Prevention Act Appeal. UNANIMOUS VOTE.

##### **b. Discussion and establish regional meeting for Cape Towns regarding Bourne as trash disposal option**

Pickard reported the ISWM working group received report on professional staff indicating January meeting to introduce the potential of other Cape Towns (Tier 2 Towns) for signing on contracts for their MSW disposal. Mr. Barrett and Mr. Goddard (ISWM) working on an RFP through a law firm. They are hoping to move meeting to November 2010 moving forward. TA Guerino will have a definitive date after speaking with Mr. Goddard.



**TA Report**

TA Guerino discussed future agenda topics re: every other year uncollectable ambulance billings, preliminary FY12 discussion.

There is an opening on the Cultural Counsel due to resignation of Patty Parker, which will jeopardize the Counsel with regard to obtaining grant money. TA Guerino said there is an opening, as well as an opening for the Council of Aging. Anyone interested to see him.

Mealy – BFDC meeting of tomorrow 10/6/10 and public is invited. Forecast of economic environment will be discussed. Bourne Bridge travel restrictions from 10/12/10 – 12/10. He also indicated other upcoming meetings, including the MMR clean up team, no meeting of Senior Management Counsel Board, wind turbines discussion on energy future.

Meli – attended Main Street Steering Committee (TA Guerino will report at the next Selectmen meeting). Conflict of interest resolution read out loud – Town Counsel reversed its opinion and that Meli should recuse herself when a liquor license is involved. All documents are on file relative to Town Counsel's opinion.

Sloniecki – attended public hearing of the Cape Cod Commission of proposed seven (7) turbines. He encouraged anyone either for or against should attend meetings.

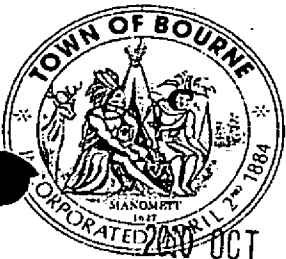
Ford – Muscular Dystrophy Association amount raised was \$3,300 from the Bourne Scallop Festival (presentation later this week). Meeting on Thursday (10/14/10) at Bournedale Elementary School with regard to pothole money. Encouraged people to get out and attend meetings with regard to the proposed wind turbines.

TA Guerino will attend Bourne Bridge restriction meetings to discuss hours of operations and will report back to the Selectmen.

**Adjourn**

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 10:10 pm.

Respectfully submitted - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



2010 OCT 7 PM 3 10

TOWN CLERK'S OFFICE  
BOURNE, MA

Date

Wednesday  
October 13, 2010

Time

5:30 p.m.

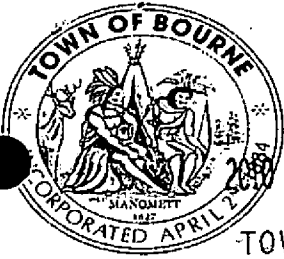
Location

Taylor's Point Marina  
Parking Lot  
1 Academy Drive  
Buzzards Bay

Site visit beginning at Taylor's Point Marina relative to parking issues on Taylor's Point

Thomas M. Guerino  
Town Administrator

Date: October 7, 2010



# Board of Selectmen Meeting Notice AGENDA



TOWN CLERK'S OFFICE  
BOURNE, MASS

6:00 – 6:50 Executive Session – Litigation update

6:50 – 7:10 Board of Sewer Commissioners

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 19, 2010	7:10 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:10 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 9/7/10; 9/29/10; 10/5/10
5. Correspondence

6. Signing of election warrant

7. 7:15 Pole Hearing: Pleasure Point Road, Sagamore

8. Licenses and Permits

- a. 7:20 p.m. – Underground storage removal & installation Cumberland Farms - vote
- b. 7:30 Liquor License Hearing – John Downes, d/b/a Flynn's – vote Food and entertainment

9. Bourne Housing Partnership

- a. Request from the Bourne Housing Partnership to extend the B-HOPP Program

- b. Request from Bourne Housing Partnership for approval to create the "Affordable Housing Resale Ready Buyer List", subject to DHCD Approval.
  - c. Request from the Bourne Affordable Housing Fund for approval to submit on behalf of the Town a Local Action Unit (LAU) Application to Mass. Dept. of Housing and Comm. Development (DHCD) for Adams/Shearwater Project.
- 10. Discussion/forum - vote- Wind Turbine project proposed for Boumedale (New Generation Wind Project)
  - Proponent
  - Opponent
- 11. Final Order of Assessment of Betterment – Homestead Road
- 12. Appointments:
  - Janis Guiney – Election Clerk/Officer
- 13. Town Administrator's Report
  - RFP Hoxie and Coady – concurrent activities – vote
  - Fire Recruitment
  - Budget - FY12
  - Vote - Write off Uncollectable Receivables – Ambulance Bills
- 14. Selectmen's Business
  - a. Taylor Point Parking - Discussion and Vote
  - b. November schedule – suggested Nov 9, 16 workshop, 23.
- 15. Adjourn

**Board of Selectmen Executive Meeting Minutes – October 19, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*2011 Nov 11 PM 4:11\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

TOWN CLERK'S OFFICE

LOUT, C. 2010

John A. Ford, Jr. Chairman  
Don Pickard, Vice Chairman  
Mary Meli, Clerk  
Jamie Sloniecki  
Stephen F. Mealy

John A. Ford, Jr.

**Call to Order**

6:02 pm

Atty. Bob Troy update on pending litigation.

Pickard MOVED and SECONDED by Meli to adjourn and to reconvene Open Session at 7:02 pm. VOTE - Roll call: Sloniecki – yes; Pickard – yes; Mealy – yes; Meli – yes; Ford.

Respectfully submitted - Lisa Groezinger, sec.

**Board of Selectmen Meeting Minutes – October 19, 2010**

2010 NOV 10 AM 5 05 Bourne's Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay, MA 02532

TOWN CLERK'S OFFICE

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

*List of Document(s)*

- Luke presentation - Concerns with industrial Wind-Turbines in residential Areas – 10 pages, double-sided

Sloniecki MOVED and SECONDED by Meli to go into Executive Session to discuss strategy related to ongoing litigation where premature disclosure would be detrimental to the Town and to reconvene in Open Session at 6:02 pm. Roll call – VOTE: Sloniecki – yes; Pickard – yes; Mealy – yes; Meli – yes; Ford – yes.

Pickard MOVED and SECONDED by Meli to reconvene BOS meeting and to move into BOSC meeting at 7:15 pm. Roll call – VOTE: Sloniecki – yes; Pickard – yes; Mealy – yes; Meli – yes; Ford – yes.

**7:36 pm Call to Order**

**Moment of Silence for our Troops**

**Salute the Flag**

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, the need to acknowledge such at this time.

**Public Comment – Non-Agenda Items**

Mr. Agrillo commented on the parking at Monument Beach. Sloniecki recommended as a future agenda item a Selectmen site visit to the area.

**Minutes**

Mealy MOVED and SECONDED by Sloniecki to approve minutes of 9/7/10 as submitted. VOTE 4-0-1 (abstention from Meli).

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 9/29/10 as submitted. VOTE 5-0. TA Guerino to draft letter of decision to residents at Sagamore Road.

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 10/5/10 as submitted. VOTE 5-0.

**Correspondence**

Selectman Meli reviewed the correspondence. All correspondence is on file in the Town Administrator's office.

Item B – Any objections from any members of the BOS should notify TA Guerino.

Item A – 11/9/10 for AmeriCorps.

Item D – Bourne Cultural Council – BOS future agenda item

**Signing of election warrant**

Sloniecki MOVED and SECONDED by Mealy for the Signing of the Election Warrant. UNANIMOUS VOTE.

**Pole Hearing: Pleasure Point Road, Sagamore**

Karen Corriveau, NSTAR Electric requesting permission to relocate pole 266/2 on Pleasure Point Road from private property into the road layout.

Mealy MOVED and SECONDED by Meli to approve request to relocate pole on Pleasure Point Road. UNANIMOUS VOTE.

**Licenses and Permits**

**a. Underground storage removal and installation Cumberland Farms – vote**

Chm. Ford opened hearing at 8:08 pm. Applicant Dawn Londo for Cumberland Farms requesting amendment of license to remove 4 – 10,000 gallon underground storage tanks and replace with 2 – 20,000 underground tanks. Application and plans on file in the TA's office.

Results of DEP report of soil will be given to the Board. TA Guerino reminded applicant they need to be in compliance with the convenience store relative to the zoning and they are separate.

Sloniecki MOVED and SECONDED by Meli to approve underground storage removal and installation Cumberland Farms per routing slip. VOTE 5-0.

**b. Liquor License Hearing – John Downs, d/b/a Flynn's – vote Food and entertainment**

Chm. Ford opened hearing at 7:55 pm. Applicant John Downs requesting to open Flynn's, an Irish Pub (12 seat bar). Irish music will be inside only. No issues of keeping doors and windows closed during the summer with regard to inside music. Employees will be TIPS trained. Mr. Downs had one violation three (3) years ago from selling alcohol to an under aged patron at his establishment in Hyannis.. Mr. Downs will come

back before the Board for an Entertainment License. Seating capacity of 44 with 5-7 employees total.

Pickard MOVED and SECONDED by Sloniecki to approve John Downes d/b/a Flynn's request of a Food license per routing slip (Fire Department and Town Clerk). VOTE 5-0.

**Bourne Housing Partnership**

**a. Request from the Bourne Housing Partnership to expend the B-HOPP Program**

Provides for CPA funds used as assistance as down payment for applicants eligible two (2) year program. State permitted BHP to extend on a first come first served basis.

TA Guerino commented on the said program that is extremely successful.

Pickard MOVED and SECONDED by Mealy to approve the expansion of the B-HOPP Program. UNANIMOUS VOTE.

**b. Request from Bourne Housing Partnership for approval to create the "Affordable Housing Resale Ready Buyer List", subject to DHCD Approval**

Housing Partnership plays the role of monitoring agent. Specifically created for the resale lists.

Pickard MOVED and SECONDED by Mealy to approve request to create the "Affordable Housing Resale Ready Buyer List", subject to DHCD approval. UNANIMOUS VOTE.

**c. Request from the Bourne Housing Partnership Affordable Housing Fund for approval to submit on behalf of the Town a Local Action Unit (LAU) Application to Mass. Dept. of Housing and Comm. Development (DHCD) for Adams/Shearwater Project**

Using CPA funds, able to purchase lot. Followed process provided by the State to find a developer to build two (2) - 3 bedroom single family-houses to be sold at lottery.

Trudy Sparks inquired about location selection.

Sloniecki MOVED and SECONDED by Pickard to approve request for approval to submit on behalf of the Town a Local Action Unit (LAU) Application to Mass. Dept. of Housing and Comm. Development (DHCD) for Adams/Shearwater Project. UNANIMOUS VOTE.

Mealy MOVED and SECONDED by Sloniecki for a 2-3 minute recess. UNANIMOUS VOTE.

Chm. Ford reconvened Selectmen's meeting at 8:40 pm. He went to explain why the next discussion was put on the agenda. Contracts, not positions, were discussed at the



previous meeting. This is to hear from the public. Secondly, proponents and opponents presentations.

**Discussion/forum – vote – Wind Turbine project proposed for Bournedale (New Generation Wind Project)**

Atty. Tilitson representing (Ingersoll and \_\_\_\_\_) both partners in said project. Project process discussed. Wind Generation Bylaw (green bylaw – passed in May, 2010 at the ATM) took a leadership among the communities in Massachusetts. Bylaw requires any project obtain special permit. If noise violation not remedied within 30 days, turbine remain inactive until either removed or relocated or until remedied. Planning Board can condition special permit how it sees fit.

Second forum to be held on 11/15/10 at 6:00 pm at BHS auditorium. Selectmen and members of the public encouraged to attend a more extended presentation. Asking BOS to defer judgment and taking any kind of vote tonight until her client goes through Cape Cod Commission process and the Planning Board.

Attorney stated that both partners, for the record, would not do anything intentionally to harm the Town of Bourne.

Chris Kapanbellis [Energy Advisory Committee (EAC)] present on behalf of himself and Rick Elrick, Town of Bourne Energy Coordinator for tonight's discussion.

Opponent

Hendrick Luca – presentation (Concerns with industrial Wind-Turbines in residential Areas).

Areas of concern – health (noise, low frequency sounds), shadow-flicker, future water supply and fire safety.

Conclusions:

- Scientific evidence that wind turbines create adverse health effects
- Setback proposed by the applicant not appropriate to protect citizens of Bourne
- Project presents risk to future water supplies
- Detriments of the project clearly outweigh any potential benefits

Rick Elrick stated that the EAC has not taken a formal position and will wait to make a recommendation after the Planning Board process. The EAC is requesting the Selectmen to take what hear tonight under advisement before making a formal recommendation.

Proponents

Dr. Robert McCunney presentation. Practices Internal Medicine, concentration in occupational and environmental settings. American Wind Energy Association asked him to be a part of expert panel for Wind Turbines. The charge was to review scientific literature, and to make some sense of it from multi disciplinary areas.

Executive Summary:

- No evidence that audible sounds from wind turbines have adverse health effects
- Ground born vibrations for LFN are too weak to have adverse health effects
- Sounds emitted from wind turbines are not unique

TA Guerino will receive electronic copy of said presentation by Dr. McCunney.

Discussion

Sloniecki asked Dr. McCunney about vibro acoustic disease – vibration affecting the inner ear. Written comments from an abutter in Falmouth, MA (400 ft. tall turbine) read into the record. Shadow-flicker with relation to epilepsy discussed.

Pickard inquired that in the areas of concern, fire safety is of least concern; what the expectations of the opponents were to be clear.

Kapanbellis inquired about residential homes being too close to wind turbines and the reporting of ill affects.

Atty. Tilitson stated that most of residents are over 1,000 feet from the turbines. There is about 10-12 residents that are approximately 800 feet away.

TA Guerino inquired about a 6-30 and 6-32 results of Dr. McCunney's presentation. 95% confidence limit (true result ranged between 6 and 30).

Ford inquired if height was taken into effect in Mr. Luke's presentation. Height was taken into effect. Mr. Kapanbellis described a safety zone and that the turbine blades moving at 250 mph; questions dangers with regard to ice falling off the turbines.

Meli inquired if studies from both sides to compare height and size.

Jim Clotter reinforced concern of the proposed wind turbine project. Issue he addressed is green energy at what cost to the Town? He also raised issue of annoyance and how it is difficult to measure.

Pickard inquired of Mr. Elrick with regard to the Selectmen delaying any vote or taking a position in this project at the request of the EAC. The EAC did not make this request formally. Project hearing tonight is not necessarily what will come before the Planning Board. Pickard stated that it is the Cape Cod Commission and the Planning Board's decision.

Sloniecki commented on turbulence and adverse health affects. He hopes both the Cape Cod Commission and the Planning Board thoroughly review the proposed projects. He stated he would have stood in opposition of the proposed projects had he known exactly what the wind turbine bylaw consisted of. He also wanted to know what would happen in the future.

Trudy Sparks commented on driving close to a turbine and the sound between the car windows being down vs. being up.

Sloniecki played the sounds of a turbine at about 1,700 feet from his phone for the audience, saying it does get loud.

Mitchell McLean commented on the turbine at the Falmouth Technology Park noticeable sound. There are no comparison of these side turbines near residences.

Margaret Burke commented on a weak argument of people being biased of turbines. Sleep disturbances compared to traffic. Found information unconvincing.

David Mann commented on an article with regard to the power grid failing within 36 months. He is favor of the proposed project.

Ray Burke stated this area was tested as minimal airflow, and discussed rated capacity.

Lydia Mantrom commented on the turbine bylaws being intended for the good and benefit of all the people in the Town of Bourne.

Meli inquired if taller means louder. Mr. Ingersoll quoted Mr. Paul O'Keefe (EAC), "... if you want to hear what turbines sound like, go to the Mass. Maritime Academy as it is rated as the same output as proposed turbines."

John Rean raised issue of the Federal and State governments on the fast track to implement wind turbines.

Mealy expressed wanting to take a vote tonight and where the Selectmen stand as Town leadership. Comments that hit home were: quality of life, regardless of size. The perception of proposed projects for that reason alone is why he cannot support the wind turbines proposed project.

Chm. Ford concurs with Mealy.

Pickard appreciates the residents coming out in opposition of proposed project, but does not believe the decision is in the Selectmen's pervue. It is the Cape Cod Commission and the Planning Board, and the EAC and believes for that reason to wait before voting.

Sloniecki stated that Europe has been the leader of turbines and are in the process to consider turbines being a violation of Human Rights.

Meli sees Pickard's point and feels the Selectmen are being asked to make a position tonight.

Sloniecki MOVED and SECONDED by Mealy we are opposed to the wind turbine project and location as proposed by New Wind Generation Wind and that the Town's

Representative to the Cape Cod Commission bring a written letter to the Commission for their review. VOTE 3-0-2 (Pickard, Meli).

**Final Order of Assessment of Betterment – Homestead Road**

TA Guerino stated the Board can vote tonight, pending a change.

Sloniecki MOVED and SECONDED by Pickard to approve final order of Assessment of Betterment – Homestead Road to be signed next week. VOTE 5-0.

**Appointments**

**Janis Guiney – Election Clerk/Officer**

Sloniecki MOVED and SECONDED by Mealy to appoint Janis Guiney as Election Clerk/Officer for a term to expire June 30, 2011. UNANIMOUS VOTE.

**Town Administrator's Report**

**RFP Hoxie and Coady – concurrent activities – vote – next meeting.**

**Fire Recruitment – FYI 12 - interviewing on 11/8/10 (Mass Munic. Consulting Group)**

**Budget – FY12 – TA Guerino asking Departments for first round level funded, but include the 2% salaries (union contracts)**

**Vote – Write off Uncollectable Receivables – Ambulance Bills**

Mealy MOVED and SECONDED by Sloniecki to approve to write off Ambulance bills in the total amount of \$22,285.08. UNANIMOUS VOTE.

**Selectmen's Business**

**a. Taylor Point Parking – Discussion and Vote - next meeting**

Chm. Ford discussed Tower Lane and interferes with the commercial fisherman. He requested Mike Leitzel to provide Selectmen with the layout of the roads for 'no parking'.

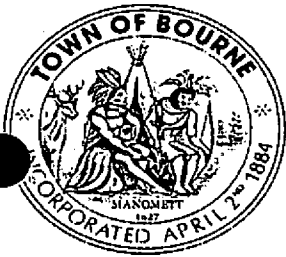
**b. November schedule – suggested Nov. 9, 16 workshop, 23; 12/7 and 12/21**

**Adjourn**

Pickard MOVED and SECONDED by Sloniecki to adjourn. UNANIMOUS VOTE.

Meeting adjourned at 11:20 pm.

Respectfully submitted - Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice AGENDA



Executive Session 6:15 – Contract negotiation where premature disclosure would have detrimental effects to the Community.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 26, 2010	6:30 p.m.	Bourne Veterans Memorial Community Center. 239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. if anyone in the audience is recording or video taping, the need to acknowledge such at this time

1. Call meeting to order
2. Licenses:
  - a. Flynn's – Entertainment & Food
3. Workshop Hiring freeze waiver – Operations manager at ISWM – vote
4. FY10 Closeout/First quarter FY11 financials/ BOS Financial goal attainment efforts
5. Other Business
  - a. Vote regarding final betterments on Homestead Road and Homestead Road Extension
6. Adjourn

**Board of Selectmen Meeting Minutes – October 26, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*2011 FEB 12 PM 9 09\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

TOWN CLERK'S OFFICE

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

*List of Document(s)*

- Town of Bourne Financial Review – 36 pages

Pickard MOVED and SECONDED by Meli to go into Executive Session to discuss contract negotiation where premature disclosure would have detrimental effects to the Community and to reconvene in Open Session at 6:15 pm. Roll call – VOTE: Sloniecki – yes; Pickard – yes; Mealy – yes; Meli – yes; Ford – yes.

Pickard MOVED and SECONDED by Meli to reconvene BOS meeting and to move into BOSW meeting at 7:15 pm. Roll call – VOTE: Sloniecki – yes; Pickard – yes; Mealy – yes; Meli – yes; Ford – yes.

**7:34 pm Call to Order**

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, there is a need to acknowledge such at this time.

**Licenses:**

**a. Flynn's – Entertainment & Food**

Sloniecki MOVED and SECONDED by Meli to approve Flynn request for an entertainment (10:00 am – 1:00 pm Sunday – Saturday; doors closed with entertainment; no outdoor entertainment) and food license per routing slip (Fire Dept. and BOH final). VOTE 5-0.

**Workshop Hiring freeze waiver – Operations manager at ISWM – vote**

TA Guerino stated vacancy in the ISWM due to hiring within for the General Manager position.

Sloniecki MOVED and SECONDED by Mealy moved to lift hiring freeze for Operations Manger position open due to hiring of General Manager. VOTE 5-0.

**FY10 Closeout/First quarter FY11 Financials/BOS Financial Goal attainment efforts**

Presentation will be put on the Town's website. Presentation complies with Selectmen request. Town of Bourne Financial Review document presented by Linda Marzelli, Financial Director.

Local Receipts Budget vs. Actual FY2010 discussion on actual coming in higher than budgeted.

General Fund Appropriations and Expenditures shows turn backs are coming from half the budget with regard to closed to fund balance.

FY2010 Expenditures by Department depicts Education having 44.4% out of the total expenditures with Shared Costs being 19.59%. Meli requested the School percentage breakdown from Linda Marzelli.

ISWM & Sewer Revenue & Expenditure Highlights FY2010 – ISWM budgeted revenues were reduced at fall STM by \$2.3M due to revenue shortfall in FY2009; ISWM actual revenues received were higher by just over \$1M; ISWM's budget was increased by \$450,000 at the STM in May to cover additional costs; ISWM ended FY2010 with Free Cash approve of \$2,055,900 for down slightly from FY2009 of \$2,308,371.

Sewer Enterprise Fund – negative revenue of \$40,159.15 which has been corrected; Reserve Fund closed to fund balance of \$115,430.56 (TA Guerino stated that the Town has not received Wareham's bills. After 11/9/10 he will draft a letter on behalf of the Selectmen requesting said bills).

Town of Bourne Financial Reserves and Policies – Free Cash History reviewed. \$3.8M after STM of 10/25/10.

Stabilization Fund is now 3.59% after STM of 10/25/10 which is now back to 7% of budget for Stabilization Policy. 5% of budget for Unreserved Fund Balance.

Debt Service Budgets – Town usually is in lower side, but 2011 took a huge jump (major increases in expenditures with it dropping off in 2013). Sloniecki requested to see what is dropping off in 2013.

Town Health Insurance Health Trust Balance – Town is well over what is required. Cost control.

Financial Review of FY2010 – first three (3) months. Tax title (depends on how aggressive Treasurer is) and will pick up during the end of the year; Medicare reimbursements is due to the changing billing.

General Fund – New perm debt issue had 1<sup>st</sup> principle payment \$1,352,000; Paid retirement assessment up front \$1,230,000 and Timing of Health Insurance Posting \$588,482.

ISWM Revenues and Receivables – receivable collections \$832,308 revenue increase. Pickard inquired about private collection firms vs. Atty. Troy rate (TA Guerino stated Atty. Troy is more cost effective).

ISWM Expenditures – debt services went up increase of \$336,419.78. Expenses decrease due to leachate, prepaid insurance of \$335,566.73.

Sewer Revenues – sewer user charges revenue increase of \$218,290.

Sewer Expenditures – Wareham operation expense difference \$49,459.40 – once have bill, this number will change. Debt service went up by \$12,915.11.

#### Selectmen's Goals – Financial Controls

- Vendor & payroll bank accounts – include in Treasurer's cashbook and perform monthly reconciliations (by next quarterly report)
- Eliminate Treasurer's manual cashbook
- Document control procedures performed at the Department level regarding appropriateness of posted transactions
- Departmental payment to Treasurer sheet turned over to Accountant when deposit turned in
- Develop an investment policy (Mealy requested having policy by next quarterly report)
- Landfill recycling receivable billing and collection activity forwarded to Accountant's office monthly for reconciliation
- Investigate and resolve accounts receivable variances between collector and accountant
- Establish an Audit Committee

Mealy suggested including DNR – marinas - with regard to forecasting (managing and improving revenue) for comparison of previous quarters.

Amended form of tonight's presentation will be given to all Department Heads. TA would like to incorporate presentation into FY12 discussion.

Financial Director and the school meet regularly to review financials.



**Other Business**

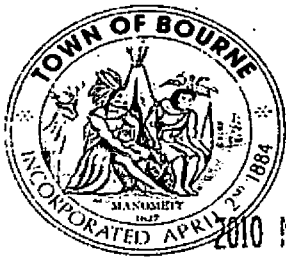
**a. Vote regarding final betterments on Homestead Road and Homestead Road Extension**

Sloniecki MOVED and SECONDED by Mealy to approve final Betterments on Homestead Road and Homestead Road Extension as presented in document provided by Atty. Bob Troy in the amount of \$90,155. VOTE 5-0.

**Adjournment**

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 8:45 pm. UNANIMOUS VOTE.

Respectfully submitted by - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



Date TOWN CLERK'S OFFICE  
Tuesday BOURNE MASS Time 7:00 p.m. Location  
November 9, 2010 Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:10 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 10/19/10; 10/19/10 Executive minutes
5. Correspondence

6. 7:15 Tax Classification Hearing

7. AmeriCorps – Annual presentation of activities and new personnel

8. DNR – Tim Mullen

- a. Shellfish and Waterways Rules and Regs.

9. Licenses and Appointments:

- a. Alzheimer's Miles of Memories Walk
- b. Appointment Barns. County. Human Rights Comm. – Alan Milsted  
Bourne Cultural Council – Susan Cushing & Pat Cook

10. Green Communities Act – overview and discussion - EAC

11. Town Administrator's Report

- a. Surplus property (11/09/10) vote
- b. Hire at DPW due to vacancy
- c. Assessment Center update

12. Selectmen's Business

13. Adjourn

**Board of Selectmen Meeting Minutes – November 9, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*2011 JAN 25 PM 4 07\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

*List of Document(s)*

- Storm Drainage East of RR Bridge dated 11/2/10 – 1 page
- AmeriCorps Cape Code Group Project Request for Proposals – 4 pages double sided; three brochures – Getting Things Done; Barnstable County Resource Development Office; Education Programs
- The Green Communities Division – Partnering with Mass. Cities and Towns – 3 pages, double sided.

Mealy MOVED and SECONDED by Sloniecki to go into Executive Session to discuss litigation and to reconvene in Open Session at 7:00 pm. Roll call – VOTE: Sloniecki – yes; Pickard – yes; Mealy – yes; Meli – yes; Ford – yes.

**7:09 pm Call to Order**

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, there is a need to acknowledge such at this time.

**Moment of Silence/Salute the Flag**

**Public Comment – non-agenda items**

Jim Mulvey re: Pollution Task Force working with the Corps with regard to storm drainage issue (starts just below Alden Avenue). Map submitted for the file.

Mary Jane Mastrangelo for Capital Outlay and the process and timeline of the Hoxie and Cody Schools. Selectmen will vote next week. RFI's ready to go on both. After structural review of building, look at cost estimate to bring building to code and refining some space. Town Meeting appropriated some money (11/16/10 workshop discussion to move forward with consultation, move forward with RFI or both) for consultant.

Mastrangelo suggested a workshop between the BOS, Capital Outlay Committee and the FinCom to build a consensus of the Capital Plan.

### **Minutes**

Pickard MOVED and SECONDED by Mealy to approve minutes of the 10/19/10 meeting as submitted. UNANIMOUS VOTE.

Pickard MOVED and SECONDED by Mealy to approve and release executive session minutes of 10/19/10 meeting as submitted. UNANIMOUS VOTE.

### **Correspondence**

Meli reviewed correspondence. All correspondence is on file in the Town Administrator's office.

Sloniecki MOVED and SECONDED by Mealy to submit as Item Q – copy of newspaper “Ethics Questions Raised About Selectman's Turbine Vote”. UNANIMOUS VOTE.

Sloniecki stated he is a friend of Brian Hebb, but said article is erroneous with regard to whether he committed an ethics violation when he participated in a vote to oppose the wind turbine project in Bourne. He stated his concerns for residents are validated and chose to cast his vote as he did.

Item C – Cape Cod Mosquito Control Project; Chm. Ford credited.

Item D – Back River Bridge in serious disrepair. Town is working with Commonwealth and engineers on a reassessment. It is the Town's responsibility to fix bridge and will come from Chapter 90 monies.

Item P – If Selectmen plan to attend one or two days of conference, respond to TA Guerino office.

### **Tax Clarification Hearing**

Board of Assessors recommends that the Board of Selectmen retain one tax rate for all classes of property for FY11. The Board feels that the relatively small benefit to the residential taxpayer that could be achieved through the use of two tax rates is not warranted in light of the dramatic increase in taxes paid by the Commercial/Industrial/Personal Property taxpayer.

Sloniecki MOVED and SECONDED by Pickard to accept the property tax classification as recommended to retain one tax rate for all classes of property for FY11. VOTE 5-0.

### **AmeriCorps – Annual presentation of activities and new personnel**

10 month program to provide services to all 15 towns in Barnstable County focusing on environmental repair and engagement. General overview of service provided by the AmeriCorps reviewed. Brochures handed out to the Selectman, including reports to the Board.

**DNR – Tim Mullen**

**a. Shellfish and Waterways Rules and Regulations**

Shellfish – no recommended changes to the 2011 Shellfish Regulations other than date changes.

One amendment being recommended is to reopen two recreational fishing areas that were previously closed for propagation purposes on April 15, 2010. All samples concluded to be fit for human consumption and is recommended that both areas (Phinney's Harbor and Tobey Island) be re opened to the harvesting of shellfish effective sunrise November 10, 2010.

Mealy MOVED and SECONDED by Sloniecki that the Selectmen adopt Shellfish Rules and Regulations as presented and amended by DNR Director Tim Mullen for 2010 per letter dated November 4, 2010. UNANIMOUS VOTE.

Waterways – only a few recommended minor changes to the 2010 Waterway Regulations. The purpose:

Section 2.4 – Annual Mooring Sticker

Section 2.6 – deleting “at the discretion of the Harbor Master”. Discretionary decisions can lead to aggrieved permit holders feeling the decision impacting them was arbitrary or not consistent with other decisions regarding the same violations.

Section 4.2 – outhaul requirements

Mealy MOVED and SECONDED by Mealy that the Selectmen adopt the Waterways Rules and Regulations as presented and amended by DNR Director Tim Mullen for 2010 per letter dated November 4, 2010. UNANIMOUS VOTE.

**Licenses:**

**a. Alzheimer's Miles of Memories Walk**

Pickard MOVED and SECONDED by Mealy to approve request for the Alzheimer's Miles of Memories Walk on May 22, 2011 between 8:00 am to 3:00 pm per routing slip. VOTE 5-0

Sloniecki MOVED and SECONDED by Meli to waive fee of \$150 for the above Memories Walk, but to be collected at conclusion of event as long as park left in good condition. VOTE 5-0.

**b. Appointment – Barnstable County Human Rights Committee (Alan Milsted)**

Pickard MOVED and SECONDED by Mealy to appoint Alan Milsted to the Barnstable County Human Rights Commission to represent the Town of Bourne. VOTE 5-0.

c. **Appointment – Bourne Cultural Council – Susan Cushing and Pat Cook**  
Sloniecki MOVED and SECONDED by Mealy to appoint Susan Cushing and Pat Cook to the Bourne Cultural Council for terms to end June 30, 2013. VOTE 5-0.

Council on Aging vacancy due to resignation. Anyone interested is encouraged to send applications to TA Guerino's office.

Sloniecki MOVED and SECONDED by Meli to recess for five (5) minutes.  
UNANIMOUS VOTE.

**Green Communities Act – overview and discussion (EAC) – Seth Pickering**  
Rick Elrick, Bourne Energy Coordinator, EAC members Gray Curtis and Chris Kampsabellis.

The EAC requests Selectmen support for the Town of Bourne as being a Green Community as defined by Green Communities Division in the State of Massachusetts. Criteria need to be met to qualify for grants. There are criteria and benefits of becoming a Green Community. The purpose to reduce energy costs for tax payers in the Town of Bourne.

Criteria for cities, towns and other local government bodies can reduce their energy costs by:

- Establish an Energy Committee
- Establish an energy baseline
- Performing energy audits
- Implementing energy efficiency measures
- Changing behaviors
- Exploring renewable energy opportunities

35 Green Communities designated ranging in population. Ten communities enacted as right zoning for renewable generation. All 35 communities met the five criteria. Due to number of designated communities and the amount available funding, grants were allocated by population/per capita income formula.

FY11 Designation and Grant application timeline reviewed briefly. Audit program is available through Cape Light Compact.

Once Bourne's application has been received, it will be reviewed by the middle of year 2011.

For more information visit website [www.mass.gov/energy/greencommunities](http://www.mass.gov/energy/greencommunities).

Sloniecki - Inquired about testing with regard to the stretch code. New construction with regard to the new base energy is 15% less than the stretch code.

Pickard - It took less than a year to get 35 communities on board. Carver chose not to adopt the stretch code at their Town Meeting.

Ford - The Town can save money without adopting stretch code. Once code is adopted, will there still be incentives? Vehicle efficiency standards discussed. Does adoption of code make it easier for developers to obtain turbines?

Meli - Concerned with the extra cost to the residents with adoption of stretch code and real numbers. Cost analyses by builders have not been set in writing.

TA Guerino - Permitting process vs. 43D process (opinion letter from Town Counsel in application required). Larger projects require Cape Cod Commission (Division will work with Town before application). Once code is adopted, the Green Communities currently is a one-time grant. Residents will have no opportunity to make choice once code is adopted.

Curtis (EAC) - EAC is working on a variety of tasks for energy audits on municipal buildings. Don't have to start from scratch and rather easy to get to the end.

Mr. Elrick stated that many low income housing are being built as energy efficient houses. Many builders using the stretch code as a marketing tool as well. Energy reduction and vehicle fuel efficiency is by Selectmen and School Committee adoption, not Town Meeting. Case studies will be sent to Selectmen.

Mr. Pickering stated that if the Town does not choose to adopt the stretch code, the Green Communities Division will still be available for the Town for assistance.

Mealy - Will the EAC will have a presentation before the ATM with regard to the adoption of stretch code? He suggests to contact Mashpee, invite a builder come in and make a presentation to the public to fully understand the actual facts. Real numbers won't be available until July 2011, but this is an opportunity to present both sides with information.

Pickard - Requested Mr. Elrick to provide presentation to TA Guerino and to put on website.

#### **Town Administrator's Report**

##### **a. Surplus property (11/09/10) vote**

TA Guerino requesting pursuant to Bylaws and Charter that the Selectmen declare the attached list of equipment surplus. (Listing as provided by Departments - Library, Fire, DWP, COA, DNR and ISWM).

Meli inquired about the surplus from the Hoxie - TA Guerino will go to Hoxie to add materials to list (8-burner stove).

Pickard MOVED and SECONDED by Mealy to declare the attached list of equipment surplus per TA Guerino memo dated November 4, 2010 and other items valued at more than \$5,000. VOTE 5-0.

**b. Hire at DPW due to vacancy**

Sloniecki MOVED and SECONDED by Pickard to hire a truck driver at the DWP due to vacancy. VOTE 5-0.

**c. Assessment Center update**

12 applicants total. Assessment Center open from 8:00 am – 7:00 pm. All interviews were videotaped. TA Guerino stayed out of process.

**d. Library**

Bob Schofield able to procure 150 LED holiday lights for little money and an anonymous contribution of \$200 to put towards. Mealy requested TA Guerino draft letter on behalf of the Selectmen to Mr. Schofield thanking him for his efforts in obtaining lights.

The Library is receiving about \$33,000 energy upgrades through the Compact.

UCT. Two programs (fixing roof at the Selectmen's office/DNR office) and trenching of wire at Keith Field. Sloniecki requests to recognize people in person when projects are complete.

Director of Human Resources. Position was formally offered, but declined. Position will be re-advertised moving forward.

Budget Discussion for next week. Town Departments told to level fund budget and to fund contracts. The first movement on health insurance is about an 8-10% increase.

Budget plan with School Superintendent. Told to fund contracts and level everything else. School is looking to add personnel through additional grants.

TA Guerino added that the Coreen Moore presentation to Cape Cod Commissions sub-committee with regard to growth area was nothing short of tremendous.

**Selectmen's Business**

Mealy - Food Pantry looking for frozen turkeys; Cape Cod Commission hearing on New Generation project next Monday at BHS library.

Meli – 11/20 and 11/21 Trowbridge sponsored Cape Cod Cares for the Troop – donations needed; Trowbridge sponsored Bourne's Thanksgiving Table – volunteers needed; 11/20 Jingle Bell walk to raise money for Polar Express in December.

Pickard - ISWM business working group meeting of 11/17/10 needs to be posted; attended pre-Veteran's Day ceremony.



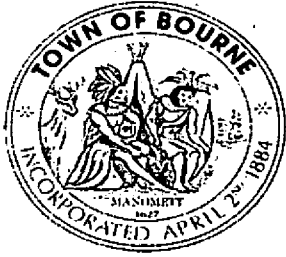
Ford - Tall Hall closed Thursday 11/11/10; Barry Johnson stated 61.45% of registered voters attended and voted at the election.

Jim Mulvey inquired about the power and duties of Human Director – assist in job description upgrades, annual reviews; deadlines for filings of Department Heads; sexual harassment; arbitrations; grievances; set of first 6 month duties.

**Adjournment**

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 9:45 pm. UNANIMOUS VOTE.

Respectfully submitted by - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice WORKSHOP AGENDA



## Executive Session 6:15 p.m Negotiations with non-union personnel

Date  
Tuesday  
November 16, 2010

Time  
7:00 p.m.

Location  
Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

Call the meeting to order

Minutes of Executive session of 11.9.10

Discussion and possible vote regarding Request for information package on Hoxie and Coady Schools

FY 12 budget initial discussions with Selectmen.

Adjourn

2010 NOV 12 AM 11 50  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Board of Selectman  
Executive Session  
November 16, 2010  
Bourne Veterans Memorial Community Center  
239 Main Street, Buzzards Bay

2012 MAY 23 PM 4 25

TOWN CLERK'S OFFICE  
BOURNE, MASS

\*\*\*\*\*

Attendees:

John Ford, Chairman  
Donald Pickard, Vice Chairman  
Mary Meli, Clerk  
Jamie Sloniecki  
Stephan Mealy  
Robert Troy, Town Counsel

At 6:18 p.m. Mr. Ford made the motion to enter into executive session for the purpose of discussing non-union personnel and to then return into open session. Mr. Sloniecki seconded the motion. Roll call was taken: Mr. Sloniecki – yes, Mr. Pickard – yes, Mr. Ford – yes, Ms. Meli – yes, and Mr. Mealy – yes.

Attorney Troy explained that he has been in contact with Attorney Galvin who represents Sergeant Martha McGonagle of the Bourne Police Department. Noting that Sgt. McGonagle is fully aware of all discussions, he went on to say that an agreement has been reached which includes the following stipulations: Sgt. McGonagle will drop the appeal against the recent decision by the Massachusetts Commission Against Discrimination (MCAD), she will waive her interest in being appointed Chief, noting that she is first on the list, and she will retroactively be made Lieutenant (9/1/09).

After some discussion by the Board of Selectman (BOS), which included the cost of retroactive pay versus the cost of an MCAD hearing, the BOS unanimously decided with a roll call vote: Ford – yes, Pickard – yes, Meli – yes, Sloniecki – yes, and Mealy – yes, to accept the proposal set forth.

At this point Mr. Guerino left the meeting. Attorney Troy stated that the uncertainty of the Town Administrators future is having a direct consequence on the Town employees and the Administrator himself. He is spending more time contemplating the insecurity of his job rather than actually performing his job. Attorney Troy suggested that the BOS make a quick decision regarding their intention about the Administrators contract. One suggestion that he made was to offer the Administrator and one-year contract, as opposed to a three-year, which outlines specific guidelines and goals. He asked that the BOS again act swiftly and also pointed out the cost, both financially and in time, in hiring a new Town Administrator.

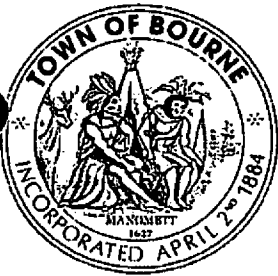
The following discussion included Mr. Sloniecki pointing out that although there have been issues with the current Town Administrator, his performance has improved. Mr. Mealy concurred. Ms. Meli

expressed concern over the fact that the Town Administrator has been actively searching alternate employment on and off over the past three years at least. Both Mr. Ford and Mr. Pickard noted several areas in which the Town Administrator has not performed up to expectations.

Mr. Ford made the motion to have Town Counsel draft a one-year contract, including specific goals, for the Town Administrator to be reviewed and either accepted or rejected by the BOS at a subsequent meeting. Mr. Mealy seconded the motion and a roll call vote was taken: Ford – yes, Pickard – no, Meli – yes, Sloniecki – yes, and Mealy – yes, to accept the proposal set forth.

At 7:40 p.m. Mr. Mealy made the motion to return to regular session, which was seconded by Ms. Meli and a roll call vote was taken: Ford – yes, Pickard – yes, Meli – yes, Sloniecki – yes, and Mealy – yes, to accept the proposal set forth.

---



## Board of Selectmen Meeting Notice



### Joint Meeting Board of Selectmen Bourne Landfill Business Model Working Group

Date

Wednesday  
November 17, 2010

Time

7:00 p.m. – 9:00 p.m.

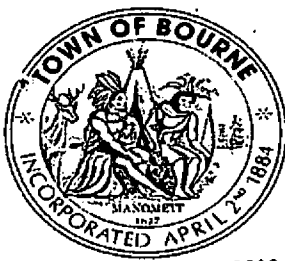
Location

Upper Cape Cod Regional Technical School  
220 Sandwich Road, Bourne

#### AGENDA

1. Opening remarks and introductions – Chairman John Ford
2. Presentation on the Bourne Integrated Solid Waste Management Facility - Department of Integrated Solid Waste Management.
  - a. Brief history
  - b. Overview of current activities
  - c. Overview of capabilities and infrastructure
  - d. Discussion of current planning activities for site development utilizing alternative technologies
  - e. Discussion of possible regional cooperation opportunities
3. Update on the RFP planning process – Patty Daley, Cape Cod Commission
4. Q&A – moderator TBD
5. Closing remarks and next steps – Chairman John Ford

2010 NOV 15 AM 11 25  
TOWN CLERK'S OFFICE  
BOURNE, MASS.



# Board of Selectmen Meeting Notice AGENDA



2010 NOV 19 PM 1 26

Date  
Tuesday  
November 23, 2010

TOWN CLERK'S OFFICE

Time  
7:00 p.m.

Location  
Bourne Veterans Memorial  
Community Center  
239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:10 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes
5. Correspondence

6. Cape Cod Canal Centennial Celebration Committee

7. 7:30 Modification Hearing – Cumberland Farms

8. Licenses:

- a. 2011 Renewals – Year Round Liquor Licenses and associated licenses [food – entertainment – COAD = Coin Operated Amusement Devices]
- b. A.L.S. 2011 Cliff Walk – Use of Town Property
- c. Request to close for intermittent repairs, maintenance and renovations – Beachmoor Restaurant
- d. MS Society 27<sup>th</sup> Annual Cape Cod Getaway Bike Ride 6.25 & 26, 2011.
- e. Change in Manager – Liquor – Food – Entertainment – COAD Licenses for Weary Travelers Club, Inc.
- f. Request from Buzzards Bay Tavern for a 10:00 a.m. opening on Sundays

9. Parking – Taylor's Point

10. Request for speed reduction on Savery Avenue

11. Town Administrator's Report

12. Selectmen's Business

13. Adjourn

Parking at Monument Beach – site visit



**Board of Selectmen Meeting Minutes – November 23, 2010**  
**Bourne's Veteran's Memorial Community Center**  
**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*2011 JAN 25 PM 4 07\*\*\*\*\*

**Attendance**

Thomas M. Guerino, Town Administrator

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk (excused)

Jamie Sloniecki

Stephen F. Mealy

*List of Document(s)*

- Cumberland Farms Rev. 11-18/10 – 1 page (Queing Plan)

**7:02 pm Call to Order**

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, there is a need to acknowledge such at this time.

**Moment of Silence/Salute the Flag**

**Public Comment – non-agenda items**

None

**Minutes**

None

**Correspondence**

Pickard reviewed correspondence. All correspondence is on file in the Town Administrator's office.

Item E – Chm. Ford will attend one-hour meeting.

**Cape Cod Canal Centennial Celebration Committee – Mark Tirrell**

Mr. Tirrell drafted an Executive Order of said Committee. Looking for a Selectmen-appointed committee for planning, coordination, facilitating, communication for said celebration (10-day event).

Bourne should take a coordination role being located in the center (Bourne, Sandwich and Wareham). Ranger Samantha Grey will act as liaison to any celebration planning. Committee is currently working with business people (Mary Lou Peyton, Jackie Lindsey as well as the TA of Wareham).

Pickard concerned with an appointed committee being restricted or prohibited with regard to the new Open Meeting Laws.

Mr. Skip Barlow concerned with implications of the new Open Meeting Law. The current group is made of businesses, historic, education, boating and yachting. Meetings are currently coordinated by Corps of Engineers and has been very productive. He encouraged the Selectmen to come to some of the meetings before consider changing their position. The majority of participants would request to remain as is.

Mealy feels there could be some middle ground; a formal relationship representing the Town of Bourne. Selectmen will discuss further at a later date.

The next Committee meeting will be held January 4, 2011 at MMA, Harrington Building at 8:30 AM.

Mr. Tirrell clarified language advanced to TA Guerino, and doesn't suggest said committee take funds, but a grand celebration will require funds. He suggests the possibility to forward language to Town Counsel if necessary.

Chm. Ford requested discussion and vote in a future January meeting. TA Guerino stated either 1/7 and 1/14.

#### **Modification Hearing – Cumberland Farms**

Chm. Ford read into record said hearing notice at 7:50 PM. TA Guerino stated the Town has filed by law and met all requirements.

Doug Troyer, Donna Rondo and Rick Boyle representing applicant.

Mr. Doug Troyer briefly reviewed summary of Cumberland Farms. After many months of negotiations, CF revised site plan. Met with Planning Board with revised application and granted special permit 9/11/10. Pursuant to Special Permit, applicant required to go back to BOS for review and approval.

Major change is the 15-foot landscape buffer between building and the street of previous plan. Updated drainage system, added rain garden between CF and abutter to the left. Building is slightly larger, but shifted 5-10 feet towards Main Street. Square footage of proposed building is 3,608 sq. ft. Tanks are in the same location.

Peter Meier stated Planning Board approved revisions and stated it is a better plan.

CF Rev. 11-18/10 – 1 page (Queing Plan) submitted to the Board.

Chm. Ford closed hearing at 8:06 PM.

#### **Selectmen Discussion**

Sloniecki is in favor of said revised proposal. The Selectmen concurs.

TA Guerino stated if BOS chooses to use language submitted by CF, recommends forwarding to Atty. Troy.

Mealy MOVED and SECONDED by Sloniecki that the Town of Bourne hereby approves the changes, revisions and modifications made to the plans recently approved by the Planning Board, and incorporated herein by reference, and hereby modifies its January 14, 2003 Decision concerning Cumberland Farms, Inc.'s application for Special Permit for construction of a gasoline service station at 160 Main Street, Buzzards Bay as follows:

- a. By deleting the fourth paragraph on page 1 of the Decision and replacing same with the following: The applicant seeks to demolish the current building from 6,100 +/- sq. ft. and construct a 3,608 sq. ft. convenience store, with an associated self-service motor vehicle service station.
- b. By deleting the paragraph 3 on page 3 of the Decision and replacing same with the following: The Applicant proposes to demolish the building presently on the Site and construct a convenience store to provide for a village-style 3,608 sq. ft. store, to add a self-service gasoline facility with four self-service islands with multi-product gas dispensers to be located on the easterly side of the lot and isolated from pedestrian movements, to install a new village-style canopy with lighting over the gas islands to protect the required fire suppression equipment, and to install three double-wall fiberglass underground storage tanks (one new 8,000 gallon and two new 12,000 gallon), together with double-wall fiberglass fuel lines and new Stage II vapor recovery line and Veeder Root TLS-350 interstitial monitoring system with audio-visual alarm system, to service the gas facility. In addition, the applicant proposes a revised surface-parking plan for 15 vehicles (plus 8 additional spaces at the pumps), a new sign within the landscaping in the front and associated landscaping.
- c. By deleting the paragraph 2 on page 6 of the Decision and replacing same with the following: Section 2500 spells out the dimensional requirements of the Bylaw as to the B-2 District. These requirements are as follows: 20,000 sq. ft. minimum lot area (the lot is compliant with 37,578 sq. ft.); minimum lot frontage 125' (the requisite frontage is provided with 210'); minimum front yard setback 30' (the plan is compliant); minimum rear setback 30' (although the usual rear setback is 12', because this is a "through" lot, the rear frontage on Holt Road is 30' (the plan is compliant); minimum side yard setback 12' (the plan is compliant); maximum building height 35' (the building at 30.67' and the canopy at 17.33' are within the maximum height); and minimum usable open space 20% (26.27% is provided). Section 2500 further provides: "Section 3540 notwithstanding, no parking, loading, or storage areas shall be located within the named front yard. Within a required front yard, no trees over 6" in diameter shall be removed except as necessary for egresses, safe visibility, or removal of dead or diseased trees." Under Section 3320, parking requirements for stores is 180 sq. ft. leasable floor area ("[t]he sum of the area on the several floors of a building which is or could

be leased, including leasable basements”) but not fewer than 3 spaces per separate enterprise. The required parking is therefore 20 spaces, and the Plans are compliant with this.”

- d. By deleting paragraph 9 on page 8 of the Decision and replacing same with the following: The Site is currently nonconforming as to parking, as there is parking both within the side and front setbacks. The Project modifies or alters the parking by providing the requisite 20 spaces (including the additional 8 to be provided at the pump), pending approval of Town Counsel. Roll call VOTE: Sloniecki – yes; Pickard – yes; Mealy – yes and Ford – yes.

TA Guerino will review revised copy of vote by removing “draft” wording. Mealy suggested TA Guerino recognize Ms. Coreen Moore for work done on said project.

#### **Taylor’s Point Parking**

Rickie Tellier, DPW Superintendent recommendations:

- Police enforcement of the ‘no All Night Parking’ regulation
- Install ‘no parking’ signs on the Northwest side of Plaza Lane between the property bounds of 2 Plaza Lane and 8 Plaza Lane
- At the end of Tower Lane, stripe out parking to accommodate eight or nine vehicles and post ‘Parking by Beach Sticker Only’ signs

For traffic problems during big events, recommends:

- Have Police Department and the DPW determine the temporary traffic pattern and parking bans where needed for each event
- Post extra Police Details as required for each event

Mr. Peter Meier, President of Taylor’s Point Association is in agreement with proposed recommendations. He added concern about the details and requested the Association be put on the routing slip.

Mealy MOVED and SECONDED by Sloniecki to adopt recommendations of DPW Superintendent: the Town shall install ‘no parking’ signs on the Northwest side of Plaza Lane between the property bounds of 2 Plaza Lane and 8 Plaza Lane. VOTE 4-0.

Mealy MOVED and SECONDED by Sloniecki to adopt recommendations of DPW Superintendent: at the end of Tower Lane, the Town shall stripe out parking to accommodate eight or nine vehicles and post ‘Parking by Beach Sticker Only’ signs. VOTE 4-0.

Police Details will be done under TA Guerino and the Police Department.

**Licenses:**

**b. 2011 Renewals**

Pickard MOVED and SECONDED by Sloniecki to approve Club - All Alcoholic licenses: Aptuxet Post #5988; Buzzards Bay Eagles; Marconi Club; Monument Beach Sportman's Club, Inc.; Otis Fish and Game Club, Inc.; Pocasset Golf Club, Inc.; and Weary Travelers Club, Inc. VOTE 4-0.

Pickard MOVED and SECONDED by Sloniecki to approve Common Victualer - All Alcoholic: The Brookside Club; Buzzards Bay Tavern; Courtyard Restaurant; Cranberry's LLC; Flynn's; Leo's Seafood Restaurant, Inc.; Lost Dog Canal Café; The Parrot Bar & Grill, Port O'Call, Inc., Stir Crazy Restaurant, T.J.'s Grill & Bar, LLC, Trading Post Lounge, Inc., Trowbridge Tavern & Ale House, Wayho Grill, Inc., and Wayho Restaurant. VOTE 4-0.

Pickard MOVED and SECONDED Common Victualer - All Alcoholic pending issue of liquor liability policy to be filed with Town: Whaleback Restaurant. VOTE 4-0.

Pickard MOVED and SECONDED by Sloniecki to approve Common Victualer - Wine and Malt: Buzzards Bay House of Pizza; Golden Place Restaurant; and Pizza by Even. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve General on Premise - Wine & Malt: Ryan Family Amusement. VOTE 4-0.

Pickard MOVED and SECONDED by Sloniecki to approve Innholder - All Alcoholic: Beachmoor. VOTE 4-0.

Pickard MOVED and SECONDED by Sloniecki to approve Package Store - All Alcoholic: Bourne Bridge Liquors; Grey Gables Market; Liberty Warehouse Liquors; The Liquor Barn; Monument Wine & Spirits, Inc.; Portside Liquors, Inc.; Sagamore Deli and Package Store; Sea Side Wine and Spirit; and Ye Olde Spirit Shoppe. VOTE 4-0.

**c. ALS 2011 Cliff Walk - Use of Town Property**

Pickard MOVED and SECONDED by Sloniecki to approve the ALS Family Charitable Foundation, Inc. request for the ALS 2011 Cliff Walk Use of Town Property on 9/11/11 from 7:00 AM - 4:00 PM per routing slip. VOTE 4-0.

**d. MS Society 27<sup>th</sup> Cape Cod Gateway Bike Race 6/25 and 6/26**

Sloniecki MOVED and SECONDED by Pickard approve National Multiple Sclerosis Society request for the MS Society 27<sup>th</sup> Cape Code Gateway Bike Race on 6/25/11 and 6/26/11 per routing slip (pending discussion to Police Department). VOTE 4-0.

**e. Request for closure for maintenance and renovation for the Beachmoor Restaurant**

Sloniecki MOVED and SECONDED by Mealy to approve Robert S. Pacheco request for permission to close for intermittent repairs, maintenance and renovations from 1/2/11 until 4/13/11. VOTE 4-0.

**f. Change in Manager – Weary Travelers Club, Inc.**

Pickard MOVED and SECONDED by Sloniecki to approve Weary Travelers Club, Inc. request for Change in Manager only to David L. Robinson. VOTE 4-0.

**g. Request from Buzzards Bay Tavern for a 10:00 am opening on Sundays**

TA Guerino will check with church if objection and with Tavern inside only to table  
Pickard MOVED and SECONDED by Mealy to table vote to the next Selectmen hearing.  
VOTE 4-0.

**Town Administrator's Report**

Petition to reduce Savery Avenue speed limit from 30 mph to 15 mph due to disabled children. TA Guerino to get Police Chief recommendations.

Sloniecki MOVED and SECONDED by Pickard to request DPW remove stones at the end of the Savery Avenue as they impose a safety hazard. VOTE 4-0.

TA Guerino to discuss with Mass Highway Department the addition of striping lines (fog lines).

12/7 - request by residences and businesses for stop sign at intersection and to be able to enforce speed. Notices went out and will be held on 12/7 after session with BOH.

12/14 meeting relative to the FinCom and School Committee. TA recommends an early January along with Administrator's Report for the Board.

Town Hall will be open on Friday, November 26, 2010.

Bid document complete relative to trash and recycling collection and with Atty. Troy for review. Also have draft nearly completed relative to public ambulance. More updates on 12/7/10.

**Selectmen's Business**

Mealy – Food Pantry donations; Trowbridge dinner on 11/25 (12 PM and 2 PM);  
12/15/10 Mass Reservation Military Clean up at Camp Edwards.

Pickard – Attended Waste Management Forum.

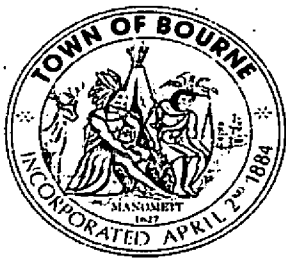
Sloniecki – Attended Cape Cod Commission Subcommittee meeting.

Ford – Attended Traffic Issues at MMA meeting; attended Waste Management Forum;  
Attended budget meeting with TA Guerino.

**Adjournment**

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 9:10 pm. UNANIMOUS VOTE.

Respectfully submitted by - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday December 7, 2010	<b><u>6:30 p.m.</u></b>	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

6:30 – 6:40 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes – 11/9/2010, 11/9/10 executive & 11/23/10
5. Correspondence
6. Board of Health and Board of Selectmen discussion with Bob Troy regarding roles and responsibilities
7. 7:15 Pole Hearing – Wallace Avenue

8. 7:30 Otis Park Drive – Chapter 90 Regulations

9. Board of Health and Board of Selectmen – recap of Solid Waste Forum at Tech School and summary of recent Cape Cod Commission SWAC ( Solid Waste Advisory Committee ) meeting of 12-1-10

10. Licenses:

- a. Concerts in the Park – 2011 – Chamber of Commerce
- b. Approve 2011 License Renewals – Common Victualer – Amusement – Innholder/Lodging – Auto Dealers – Junkyard – Taxi – Public Livery

11. Town Administrator's Report

12. Selectmen's Business

13. Adjourn

2010 DEC 3 PM 2 53  
TOWN CLERK'S OFFICE



Fire Overtime – review  
Parking at Monument Beach – site visit  
Bourne Cultural Council – Susan Cushing

**Board of Selectmen Meeting Minutes – December 7, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

2011 FEB 18 AM 9 09

\*\*\*\*\*TOWN CLERK'S OFFICE

**Attendance**

Thomas M. Guerino, Town Administrator

Bob Troy, Town Counsel

**Selectmen:**

John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

**Board of Health:**

Kathleen Peterson, Chairman

Stanley Andrews, Vice Chairman

Galon Skip Barlow, Jr.

Carol Tinkham (excused)

Donald Uitti

Guests: Phil Goddard –ISWM Director, Dan Barrett, ISWM General Manager

**List of Document(s)**

- None

**6:30 pm Call to Order**

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, there is a need to acknowledge such at this time.

**Moment of Silence/Salute the Flag**

**Public Comment – non-agenda items**

None

**Minutes**

Pickard MOVED and SECONDED by Sloniecki to approve regular minutes of 11/9/10 as submitted. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve and encumber executive minutes of 11/9/10 as submitted. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve regular minutes of 11/23/10 as submitted. VOTE 4-0-1 with abstention from Meli.

### **Correspondence**

Pickard reviewed correspondence. All correspondence is on file in the Town Administrator's office.

Item C - Cape cod Road Runners Request – meeting agenda of 12/14/10.

Item A – St. Margaret Rectory – meeting agenda of 12/14/10.

Item I – Sloniecki request for future agenda item.

1/4/11 – Joint meeting between School Committee and BOS.

### **Board of Health and Board of Selectmen discussion with Bob Troy regarding roles and responsibilities**

Discussion on the authority with respect to site/onsite land and authority over what activities are permitted site/onsite land. Atty. Troy written opinion dated 9/13/10 as he met with BOH members and BOS with TA. His opinion states responsibilities of supervision and control over the ISWM site/onsite land is a confluence of three (3) different bodies: a) Policy – TA and Director of ISWM; b) BOH acting to broad statutory authority by virtue of having authority to award and revoke of site assignment; and c) State Statute given by Director of ISWM land.

In conclusion, all three entities share concurrently different aspects over ISWM and the idea of the respective laws – work cooperative and concurrently with director of ISWM. Each operates within realm and does not interfere with realms of other entities.

The passage of time between 8/31/10 – 12/7/10 is for the Boards to make progress and works some items out. There was discussion for frame of reference as to what role each entity holds so each can work cooperatively.

Sloniecki inquired about a specific incident that made discussion tonight necessary. TA Guerino stated it was when there is a policy set with BOS with regard to site/onsite land for Mr. Barrett.

Chm. Ford discussed incident of communication between the three Boards. The second factor was that the BOH was looking for a separate opinion and to obtain their own counsel.

Ms. Peterson questioned site assignment as it falls under the BOH. BOH doesn't want to open/close the site assignment. Discussion tonight clarifies for the Boards.

Mr. Barlow seconded the communication problem. BOH needs access to Town Counsel. BOH needs to review issues/projects that will be implemented on site/onsite land.

TA Guerino discussed communication protocol policy forwarded to the BOH per BOS request. The BOH felt they didn't need communication formalized in the form of a

policy. With a permanent Director, issues of communication are going to the BOH. Relative to counsel, any time he received request for counsel, it was approved the same day TA received and faxed appropriately.

Mr. Barrett agreed with Atty. Troy's concurrence of all Boards' need to come together and would like to move forward together. TA Guerino stated appointments would be made by the second and/or third week of January.

Ms. Peterson requested Director Barrett's authority from Town Counsel. State Law deals with legislative act that established ISWM before the Charter was adopted. Dealing with Charter, and all doesn't integrate because of different starting points of documents. ISWM was working a pre-Charter BOS and to some extent the authority changed somewhat by going to the TA. Statue of General Manager doesn't include TA, as it didn't exist.

ISWM General Manager is appointed by the BOS. GM carries out as set by BOS and administered by the TA. Principal person in charge of day-to-day and decisions of the general facility is the General Manager.

At times the BOS may interfere with the BOH; BOH has to respect BOS general duties.

Mr. Barlow stated that the BOS is about the money; the BOH is here to protect the public health.

Mr. Barrett stated it is his duty to separate those two duties with respect to BOS and BOH. He disagrees that the BOS are all about the money. General Manager position is an administrator's position.

Chm. Ford stated with respect to BOS, Town finances is one aspect and the second is to keep the ISWM open and look at alternatives.

TA Guerino stated there is no financial benefit to the Town if ISWM is not environmentally run safely. Working group is working to move ideas forward. Chm. Ford added that if there are a lot of long-term contracts, is just paying payroll.

TA Guerino stated there are a lot of negotiations ahead.

Atty. Troy concluded that discussion was helpful and misunderstandings with respective authority. If specialized help needed, Town Counsel job is to make sure all Town Boards are served most efficiently on a fixed budget. He is first to recommend counsel when more expertise is needed. The key to resolve is that everyone needs to know what is being communicated.

Ms. Peterson suggested BOH having Town email for better communication. TA Guerino will set the BOH on Town email. Paper copies of some important information should support emails as well.

Board of Health motioned for a 5-minute recess. Unanimous vote.

Sloniecki MOVED and SECONDED by Pickard for a BOS 5-minute recess.  
UNANIMOUS VOTE.

Chm. Ford reconvened meeting at 7:25 pm.

**7:15 Pole Hearing – Wallace Avenue**

Pole necessary to upgrade the current pole line to address voltage problems in the area.

Mealy MOVED and SECONDED by Pickard to approve the installation of one new pole on Wallace Avenue. VOTE 5-0.

**7:30 Otis Park Drive – Chapter 90 Regulations**

TA Guerino opened hearing at 7:30 pm. Petition signed and forwarded to the Bourne Housing Assistance Corporation. TA Guerino suggested the Chapter 90 route like Weldon Park.

Steven Waite, commercial owner of 6 Otis Park Drive, signed petition is concerned with heavier traffic out of Harmony Road.

TA Guerino stated there would be a stop sign installed.

Adrienne Hiere from Housing Assistance Corporation stated they would install stop sign at the top of Harmony Road.

Dennis Woodside, Police Department, concluded adopting the Chapter 90 Section 16 would be beneficial and stop sign should definitely be installed.

Mr. Agrillo is against said project.

Sloniecki MOVED and SECONDED by Mealy to close public hearing. VOTE 5-0.

Sloniecki MOVED and SECONDED by Pickard to approve request for Chapter 90 Section 16. VOTE 5-0.

Mealy noted the installation of a stop sign at the end of Harmony Hill Road where it intersects with Otis Park Drive.

**Board of Health and Board of Selectmen – recap of Solid Waste Forum at Tech School and summary of recent Cape Cod Commission SWAC (Solid Waste Advisory Committee) meeting of 12-1-10**

Chm. Ford reconvened joint meeting at 7:50 pm. TA Guerino stated SEMASS contract is running out. TA Guerino and Phil Goddard attended with a subcommittee of Solid Waste Advisory Committee meeting. No decisions to be made, but ideas to consider for BOS and BOH.

Mr. Barrett thought the forum was successful with 14 towns participating, including County Commissioners. Accomplished the goal to have Bourne Facility be known to other towns. SWAC is working on negotiations and would like to have 20-year contracts giving Bourne an interesting dilemma. They also decided a 1½ years of bargaining. The group put out a request for Expressions of Interest to vendors. ISWM will continue to pursue and will be looking for BOS and BOH direction.

Pickard inquired about removal of DPW facility and move ISWM, if the required airspace were available for the 20-year contract. Mr. Barrett stated no and is working on solutions moving forward.

TA Guerino stated that additionally, as have the stability to move forward, it gives all the players the comfort ability to pursue other avenues. A Change in Law would release responsibility to ISWM if it would be shut down.

Chm. Ford inquired about the relationship between the BOH and tonnage of ISWM. Mr. Barrett stated this would require MEBA, Cape Cod Commission and DEP approval.

Mr. Barlow stated tonnage is set by traffic. If need to modify site assignment, being a BOH issue, would probably move in that direction. Financial benefits for Bourne would end sooner.

Mealy inquired about the process. DEP permit for 150 tons/year – no other permits required. ISWM presenting process to the BOS through Cape Cod Commission SWAC. Currently there are 3 or 4 plans floating, which would come to BOS and BOH. TA Guerino stated there would be no signing of a contract without BOS approval. BOH will sign off first before plan comes to the BOS. Mr. Barrett and TA Guerino would need to prove to BOH by answering long-term questions.

Pickard inquired if the Tier II communities participating with the Cape Cod Commission SWAC. They are Kingston, Plymouth, Pembroke, Halifax, Hanson, Norwell; request for Interest was new to them.

TA Guerino discussed the sum of possibilities with the 20-year, plenty of opportunities or alternatives for all players. Mr. Barrett stated looking at alternatives.

Mr. Mulvey raised issue with regard to Town Counsel opinion of Town policy to BOS through the TA and imposing on ISWM General Manager.

Chm. Ford stated not seeing any Charter changes per Town Counsel, nor recommendations. TA Guerino stated big issues still need to be run through the elected officials.

TA Guerino recommends further joint meeting (next one in March) on a quarterly basis moving forward.

BOH adjourned meeting at 8:40 pm.

**Licenses:**

**a. Concerts in the Park – 2011 – Chamber of Commerce**

Sloniecki MOVED and SECONDED by Pickard to approve request as submitted by Chamber of Commerce for Concerts in the Park (July 7 – August 25 from 5:00 pm – 9:00 pm) as submitted per routing slip and recommend to waive fee, but also to take deposit for clean-up if necessary. VOTE 5-0.

**b. Approve 2011 License Renewals – Common Victualer – Amusement –**

**Innholder/Lodging – Auto Dealers – Junkyard – Taxi – Public Livery**

Pickard MOVED and SECONDED by Sloniecki to approve the following common victualer licenses for the calendar year of 2011: American Lobster Mart; Atlantic Beach Pizza; Beach Plum Bakery; Clammy's Pantry; Corner Café; The Daily Brew; Deb's Veggie Depot; Dunkin Donuts (24 Meeting House Lane, Sagamore; 278 Main Street Buzzards Bay; 174 Clay Pond Road, Monument Beach; 688 MacArthur Blvd Pocasset; 343 Scenic Highway Buzzards Bay); Flip Flops Café & Gifts; East Wind Lobster, Friendly Ice Cream Corp; Ginny's Restaurant; Graziella's Pizza & Seafood; Hacienda; Hollyberry's; International House of Pancakes; The Knotty Brew; Krua Thai; McDonalds Corp (15 Meetinghouse Lane Sagamore Beach); McDonalds (370 MacArthur Boulevard Monument Beach); Monument Beach Pizza; Nick's Pizza; Patriot Diner; Pocasset Deli; Prime Time House of Pizza; Sam's Snack Bar; Skiane's Ice Cream; Starbucks Coffee; Subway (282 Main Street Buzzards Bay); Subway Sandwiches (626 MacAthur Blvd. Pocasset); and Wicket Sweets. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following Lodging license for the calendar year of 2011: Noah's Ark. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following Weekday Amusement licenses for the calendar year of 2011: Knights of Columbus and The Daily Brew. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following Sunday Amusement license for the calendar year: J&S Vending, Inc. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following General license for the calendar year of 2011: J&S Vending, Inc. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following Coin Operated Amusement Device license for the calendar year of 2011: J&S Vending, Inc. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following Auto Dealers – Class I licenses for the calendar year of 2011: Atlantic Subaru; Battles Buick GMC; Bobcat of Boston/South; Cape Cod Harley-Davidson/GZ Riders, Inc.; Falmouth Toyota Scion; New England RV & Marine, Inc.; Nissan of Bourne. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following Auto Dealers – Class II licenses for the calendar year of 2011: Battles Used Cars & Trucks; Bay Motors; Buzzards Bay Garage; Cape Cod Restorations, Inc.; Canal Auto; Cataumet Auto Sales, Inc.; Coastal Motors and Equipment; Diamond Motors; Falmouth Motorcar, Inc.; Kent Auto; Madmikes Used Car Sales; Miracle Auto Sales; Southeast Truck Center, Inc., Towers Used Cars. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following Auto Dealers – Class III – Junk Yard license for the calendar year of 2011: Knowlton's Garage, Inc. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve the following Tax licenses for the calendar year of 2011: Steven Cooke Philbrick (one [1] vehicle); Any Occasion Limousine (three [3] vehicles); Fantasy Limousine (three [3] vehicles); Green Shuttle of Cape Cod (four [4] vehicles); Road Runner (one [1] vehicle). VOTE 5-0.

#### **Town Administrator's Report**

Met with Department Heads with regard to the Budget. Presented to BOS as move forward.

Request at Base for mini testing of the plumes in Pocasset and will be reporting back. This will be something to key an eye on.

Final paperwork on Housing Grant for 16 or 17 units downtown within Buzzards Bay. Good process.

Next week Executive Session 6:15 pm or 6:30 pm with regards to matter of personnel and will get into detail. At request of one of Selectmen deals with performance of an employee. Also workshop of goals (last meeting before Holidays).

Police Chief and Fire Chief – calling list for Police Chief waiting to hear back. Received score for Fire Chief, 17 day period at the end of this week or Monday and will get template for list. Discussion with BOS pursuant to rules and regulations on where to go for Fire Chief appointment. Sometime in January will notify Town.



**Selectmen's Business**

Sloniecki – Fire Department tent set up for donations; Food Pantry request; improvement of microphones for guests on a round table discussions; TA will draft letter for Bob Schofield. Mr. Sala would like to formally thank Mr. Schofield – next BOS meeting or the first week in January.

Pickard – Pocasset Market collections; attended meeting at Jordan Hospital re: upcoming healthcare issues – Aquafor (TA Guerino to request Mr. Mallaney to participate or to seek if anyone interested).

Meli – thanked volunteers and for donations at the Canal Club before Thanksgiving.

Mealy – Drilling at the Base north Otis rotary collection of dry water samples; Sr. Management Board meeting on 12/15/10 will have additional information; Home for the Holidays fundraiser; LED Holiday Lights; Loss of Charley Miller and thanked family for his work at Monument Beach.

Ford – Managed Care re: controlled healthcare prices; request to extend oyster season, BOS forwarded to Tim Mullen who was not in favor – BOS concurs.

Mr. Mulvey commented of 9V batteries for microphones.

**Adjournment**

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 9:10 pm. UNANIMOUS VOTE.

Respectfully submitted by – Lisa Groezinger

BOARD OF SELECTMEN

EXECUTIVE SESSION MINUTES DECEMBER 14, 2010

2012 MAY 23 PM 4 25

TOWN CLERK'S OFFICE

BOURNE, MASS

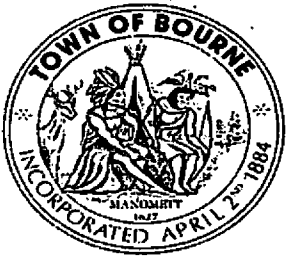
Pursuant to a motion to enter an executive session to discuss litigation voted in public session the Board Chairman, Mr. Ford turned the meeting discussion over to Town Counsel Robert Troy.

Mr. Troy updated the Board on the MCAD case presently before the Town regarding Martha McGonagle. Mr. Troy also discussed an agreement regarding this MCAD and the pending promotion of Sgt. McGonagle to Lt. Upon completion of Town Counsel's review and recommendations MR SLONIECKI made a MOTION to sign the agreement between the Town and Martha McGonagle including all releases of any liability past present and future. These documents are to be held in escrow. The MOTION was seconded by Mr. MEALY.

Upon further discussion, MR SLONIECKI withdrew the motion and MR. MEALY withdrew the second. Mr. PICKARD made a motion to sign the agreement and not to have the documents mentioned above escrowed. Mr. SLONIECKI seconded the motion and by a roll call vote the Board the Motion was passed.

MR. SLONIECKI, yes; MS. MELI, yes; MR. MEALY, yes; MR. PICKARD, yes; CHARIMAN FORD, yes.

Town Administrator Guerino and Chief Earl Baldwin were present and a discussion occurred regarding the Town Administrator's recommendation to appoint Sgt. Dennis Woodside as Chief of Police upon the retirement of Chief Baldwin. Members of the Board of Selectmen had questions relative to aspects of Sgt. Woodside's overall performance. Chief Baldwin answered any question that the Board posed. Mr. Guerino indicated that he planned to go forward with the appointment and would request a waiver of the 14 day review period that is provided to the Board, pursuant to the Charter. The Board unanimously concurred.



## Board of Selectmen Meeting Notice AGENDA



### 6:00 -EXECUTIVE SESSION - Personnel matter and Litigation

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday December 14, 2010	7:00 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, the need to acknowledge such at this time

7:10 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes - 11.23.10
5. Correspondence

6. Licenses/Appointments:

- a. Shore & Harbor
- b. Cape Cod Roadrunners Jan 9 Winter Fun Run – Routing slip
- c. BOS action of request from Buzzards Bay Tavern

7. Town Administrator's Report - Goals Update

- a. Trash bid for privatization – Selectmen Action
- b. Ambulance bid for privatization – Selectmen Action
- c. Org. Chart draft proposal - Discussion
- d. Financial - review
- e. Transparency - review
- f. Community Development

2010 DEC 10 PM 4 20  
TOWN CLERK'S OFFICE

8. Selectmen's Business

- a. Bourne Historical Society request for Hoxie Flagpole to be displayed at Aptuxcet Trading Post Museum complex.
- b. Comcast - RFP from Cable Committee

9. Adjourn

**Board of Selectmen Meeting Minutes – December 14, 2010**

**Bourne's Veteran's Memorial Community Center**

**239 Main Street, Buzzards Bay, MA 02532**

\*\*\*\*\*

**Attendance**

7:01 PM 26 PM 4 07  
Thomas M. Guerino, Town Administrator

TOWN CLERK'S OFFICE  
John A. Ford, Jr., Chairman

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

**List of Document(s)**

- None

Pickard MOVED and SECONDED by Sloniecki to go into Executive Session to discuss litigation and to reconvene in Open Session at 7:00 pm. Roll call – VOTE: Sloniecki – yes; Pickard – yes; Mealy – yes; Meli – yes; Ford – yes.

**7:17 pm Call to Order**

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, there is a need to acknowledge such at this time.

**Moment of Silence/Salute the Flag**

**Public Comment – Non-Agenda Items**

Gilbert Taylor briefly updated the Board on the Homeless for the Holidays fundraiser.

Joe Agrillo commented on his approval of last week's meeting with regard to the Regulations.

**Minutes - 11.23.10**

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 11/23/10 as submitted. VOTE 4-0-1 with abstention from Meli.

**Correspondence**

Meli reviewed correspondence. All correspondence is on file in the Town Administrator's office.

Item B – Joint meeting on 1/4/11 at 6:30 pm between BOS and School Committee with regard to the vacancy on the School Committee.

**Licenses/Appointments:**

- **Shore & Harbor**

Deferred to 1/4/11 meeting. Vacancy is still being advertised.

- **Cape Cod Roadrunners Jan 9 Winter Fun Run – Routing slip**

Pickard MOVED and SECONDED by Sloniecki to approve Cape Cod Road Runners request for a 31<sup>st</sup> Annual Winter Fun Run on 1/9/11 per routing slip. VOTE 5-0. *Fee schedule apportioned to all routing slips whether applicable or not. In this case, it would be N/A.*

- **BOS action of request from Buzzards Bay Tavern**

Meli read letter into record from St. Margaret's Church who is opposed to request by the Buzzards Bay Tavern.

Sloniecki MOVED and SECONDED by Pickard to deny Buzzards Bay Tavern request for a 10:00 am opening on Sundays per routing slip. VOTE 5-0.

**Town Administrator's Report - Goals Update:**

**Financial Management**

**- Formalize systems for Cash Management**

**Cash Management Manual**

- Quarterly Financial Reports with documented trending and highlighted explanations regarding Revenue and Expense/Seasonal anomalies
  - First quarter provided and reviewed
  - Second quarter due to BOS in January 2011
- Monthly highlights for ISWM regarding trash volumes and finances
- Quarterly/Semi annual review of financial data for Sewer Enterprise Fund – reports regarding IMA and Bourne/Wareham compliance
  - Review in January 2011 BOSC's are up to date on IMA discussions
- Review and formalization of billing system for Sewer
  - Has been administratively completed
  - BOSC to adopt formally at next BOSC meeting

A Jt. Meeting requested between Bourne and Wareham in Bourne with regard to why not being implemented in two (2) years.

**Municipal Management**

**- Revise Organizational structure**

**- Reduce span of direct report to TA**

**- Create revised Organizational Chart**

- Comply with Charter regarding Departmental Reorganization – draft completed
- TA to meet with Bob Lawton in January 2011 to collaborate on strategy to implement and provide cost breakdowns.

Police Depts. – Sr. officers will be on Tom's office next week with regard to contracts language.

**- Mandatory Department Head performance Evaluations**

- Work with new HR Director to formulate schedule and revise evaluation criteria
- Finalize and implement Personnel Policy Manual through revision and adoption of required policies
- New hire delayed due to Town Meeting and Charter issue
- Reinforce use of Town Counsel Policy requiring TA approval – completed

- Standardize vacation, sick and other workplace leave areas (compensatory/earned time)
  - Senior Officers have agreed to discuss other issues Quinn issue resolve – Mike Gilman drafting final language

### **Physical Asset Management**

#### **- Buildings and Land**

- Develop inventory list of all municipally owned land parcels w/o Conservation/other restrictions and create internal process for identifying real estate and land for sale or other disposition
- Update full asset inventory list
  - Provided to BOS re: Buildings and Land
- Continue/reinstitute asset inventory listing/tagging by March 2011

Pickard inquired any meetings to determine any small parcels that can be put up for auction. TA stated a meeting with Tax Collector to determine such; Mary Jane Mastrangelo participate.

Chm. Ford suggested procurement for inventory.

BOS decision to move forward (now or in July).

#### **- Evaluation of Public vs. Private operations:**

- **Ambulance** – draft bid document received; BOS needs to establish working group to move forward

TA looking for BOS to reaffirm commitment to moving forward in establishing a “SWAT” team as TA is not qualified for bidding of ambulance. Said committee to review TA draft and work with appropriate people. TA to draft charge of committee for BOS review. Quality of service should be equal or better to what the Town has.

Pickard recommends for said committee for financial aspect: FinCom - 1; Capital Outlay -1; BOS -1; and Finance Director; Fire Chief; 2 members at large. BOS will require report.

Mr. Taylor suggested looking at the Town of Marshfield.

Mr. Mulvey offered issues for BOS to consider questioned how many possible bidders and where would be garaged, response time, equipment (age, when replaced)

Pickard MOVED and SECONDED by Meli to endorse an Ad Hoc Committee to study the feasibility of contracting ambulance services with a financial perspective and said committee consist of one member of the Finance Committee; Fire Chief; Finance Director and two (2) members at large having public accounting and/or auditing experience. VOTE 5-0.

- **Trash** – ready to bid

Trash bids will be given diligently as there is now consistent management in place at ISWM. With regard to ISWM Capital energy, brief annual update in February.

Ready for formal RFP. This is a cost benefit analysis. Trash and recycling – 3 year bid with option of additional 2 years TBD by the Town. Requesting toters and to provide rubbish barrels to be included in the bid. Looked at what cost is health insurance, workers comp, bonding – all different costs; on the other side consider what utilize folks for (plowing, service).

Another issue would be to keep recyclables vs. hauling company to take. Recyclers are that of the hauler. Moving forward, the big question is service (equal or better to service currently received).

Pickard MOVED and SECONDED by Mealy that the Town proceed to authorize the TA to move forward with an RFP with regard to trash bid privatization and to include other trash components in the bid. VOTE 5-0.

- **Marinas** – discussion on specifications

Make use of the SHC members

- Custodial consolidation (work with School Department – preliminary discussion taken place with Super. of Schools; implementation can take two different paths:
  - BOS to decide if a Facilities Manager can be afforded for FY12 and if so, this needs to be deferred until that person puts a plan in written form for review and concurrence by the BOS and School Committee.
  - If the position does not move forward, the Super. and TA will need to obtain concurrence from School Committee, BOS in a formal MOU for review and begin discussions with bargaining units.

Pickard would like to see TA and Superintendent of schools come up with a plan.

### **Municipal Transparency**

#### **- Assure full compliance with New Open Meeting Law**

- Website maintenance and expansion of reports available on line
- More televised meetings of elected boards and committees
- Encourage volunteer trainings
- Encourage new local access for expanded service – possible training and use of Senior tax write off workers
- Create formal calendar/schedule of boards and committees appointed by the BOS to report activities at regularly scheduled BOS meetings

### **Economic and Community Development**

- Seek potential utilization of graduate student “studio projects” for short-term targeted Eco/Comm. Development projects
- Determine whether “peer to peer” DHCD funds would be beneficial for knowledge sharing to Town Planning and Planning Board Departments – not available at this time.
- Board to update on Growth Incentive Zone project status – 12/2/10 full Cape Cod Commission had public hearing and voted approval of Bourne’s Land Use Vision Map paving the submitting the GIZ application; BOS updated how CCC could help with SWAT team for targeted growth assistance



- Endeavor to maintain current level of grant funding town-wide – maintaining and writing new grant proposals the BOS approved
- BOS to hold workshop/forum to receive reports from NFP organizations – BFDC, BBBG, Chamber, CCC – planned in TA calendar for February 2011.

### **Budget Update**

Preparing a budget of level funding, plus contracts, Dept. Heads to look at a 10% reduction in budget.

Mr. Mulvey inquired of a reduction in force for the next two (2) budget years. TA stated not in a position to discuss at this time, but the goal is to keep employees working.

### **Selectmen's Business**

- **Bourne Historical Society request for Hoxie Flagpole to be displayed at Aptuxet Trading Post Museum complex**

Sloniecki MOVED and SECONDED by Mealy to grant request of Bourne Historical Society to display Hoxie Flagpole at Aptuxet Trading Post Museum complex. VOTE 5-0.

- **Comcast - RFP from Cable Committee**

Request for a cable television renewal proposal – RFP to Comcast to continue service. Legal requirements that need to go into said RFP were sent to TA by email.

Pickard MOVED and SECONDED by Sloniecki to approve RFP from the Cable Committee to Comcast. VOTE 5-0.

Sloniecki – skating rink up.

Meli – will be on Sat. for the Food Pantry

Mealy – donations to the Food Pantry

TA – revised date from 2/6/11 with regard to the Coady and Hoxie schools to 2/11/11.

Ford – next BOS meeting will be 1/4/11.

### **Adjourn**

Pickard MOVED and SECONDED by Mealy to adjourn. Meeting adjourned at 9:30 pm.  
UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.