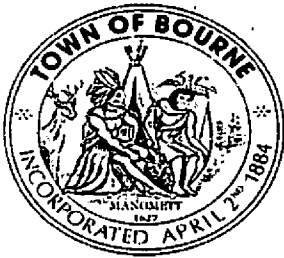


2011

Selectmen



Board of Selectmen Meeting Notice AGENDA



6:00 pm Executive Session: To discuss strategy on collective bargaining with non-union personnel and Litigation.

6:45-Joint meeting w/School Committee to fill vacancy.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 4, 2011	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
5. Correspondence
6. Certificates of appreciation for DNR and Highway Dept to be presented by BCB

7. Licenses/Appointments:

- a. 7:15 p.m. Portside Liquors – Amendment to Liquor License
- b. BBBG – Artist Fair
- c. Class I Auto Dealer – Cape Cod Mitsubishi
- d. National Marine Life Center Fund Raiser
- e. [2] Livery Licenses - Bourne Taxi – Steven Cooke Philbrick

TO IT W 03 DEC 10 10:00 AM
TOWN CLERK'S OFFICE
Use of Town Property - 13 Relay Race - Brogg Sterrett contact person

g. Request to use town property for a marquee board – Buzzards Bay Tavern

8. DNR - Shellfish Grant/Aquaculture Permit

9. Town Administrator's Report
a. budget update

10. Selectmen's Business

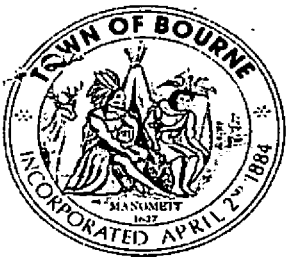
11. Adjourn

Fire Overtime – review

Parking at Monument Beach – site visit

TOWN CLERK'S OFFICE

2010 DEC 30 AM 10 59



Board of Selectmen Meeting Notice AMENDED AGENDA



6:45-Joint meeting w/School Committee to fill vacancy.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 4, 2011	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
 5. Correspondence
6. Certificates of appreciation for DNR and Highway Dept to be presented by BCB – **postponed until January 18, 2011**
7. Licenses/Appointments:
 - a. 7:15 p.m. Portside Liquors – Amendment to Liquor License
 - b. BBBG – Artist Fair
 - c. Class I Auto Dealer – Cape Cod Mitsubishi
 - d. National Marine Life Center Fund Raiser
 - e. [2] Livery Licenses - Bourne Taxi – Steven Cooke Philbrick
 - f. Use of Town Property - 13 Relay Race - Brogg Sterrett contact person
 - g. Request to use town property for a marquee board – Buzzards Bay Tavern
8. DNR - Shellfish Grant/Aquaculture Permit

TOWN CLERK'S OFFICE

2011 JAN 3 PM 3 13

9. Town Administrator's Report
a. budget update

10. Selectmen's Business

11. Adjourn

Board of Selectmen Meeting Minutes – January 4, 2011
Bourne’s Veteran’s Memorial Community Center
239 Main Street, Buzzards Bay, MA 02532

*****2011 JAN 26 6:00 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 Document(s)

- None

Pickard MOVED and SECONDED by Sloniecki to go into Executive Session to discuss strategy on collective bargaining with non-union personnel and Litigation and to reconvene in Open Session at 7:10 pm following joint meeting with School Committee. Roll call – VOTE: Sloniecki – yes; Pickard – yes; Mealy – yes; Meli – yes; Ford – yes.

6:45 pm Chm. Ford opened joint meeting with School Committee to fill vacancy. School Committee members (5), including Superintendent present.

Candidates are Catherine Walton and Michelle Holmes. Ms. Walton appointed by 5 of 5 vote.

Brief recess before going into Open Session.

7:10 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

Jay O’Hara requesting BOS take responsibility re: plowing sidewalk in a timely matter on the Bourne Bridge. TA Guerino will contact Army Corps of Engineers.

Minutes

Executive Session minutes of 11/16/10 tabled to next week.

Correspondence

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

Item L - Stir Crazy closed 12/29/10 – 02/1/11

Mealy MOVED and SECONDED by Meli to approve Stir Crazy request to closed from 12/29/10 through 02/01/10. VOTE 4-0. TA Guerino will request earlier timing of request for next year.

Item K – Pickard requested cost to the Town. TA Guerino stated information is not available at this time and discussed the grievance.

Item M – meeting has been postponed.

**Certificates of appreciation for DNR and Highway Dept to be presented by BCB =
postponed until January 18, 2011**

Licenses/Appointments:

a. Portside Liquors – Amendment to Liquor License

TA Guerino read media announcement into record. Chm. Ford reviewed protocol. Zeina Metri stated vacancy and interested in obtaining for business.

Mr. Lavine, abutter, was initially concerned of expansion being larger than the building, but now has no concerns.

Mealy MOVED and SECONDED by Pickard to approve Portside Liquors request for an expansion/amendment to liquor license per routing slip (Fire Department). VOTE 4-0.

b. BBBG – Artist Fair

Pickard MOVED and SECONDED by Mealy to approve BBBG request for Artist Fair for 14 weeks from 6/03/11 through 9/02/11 (every Friday from 1:00 pm – 3:00 pm) per routing slip and to waive any fees except for deposit of clean up. VOTE 4-0.

c. Class I Auto Dealer – Cape Cod Mitsubishi

Pickard MOVED and SECONDED by Mealy to approve Cape Cod Mitsubishi request for Class I Auto Dealer for a total of 55 cars license per routing slip. VOTE 4-0.

d. National Marine Life Center Fund Raiser

Pickard MOVED and SECONDED by Meli to approve National Marine Life Center Fund raiser request on 6/11/11 from 10:00 am – 6:00 pm per routing slip. VOTE 4-0.

Ford MOVED and SECONDED by Meli to waive fee for National Marine Life Center Fund Raiser, but collect fee for clean up. VOTE 4-0.

e. [2] Livery Licenses - Bourne Taxi – Steven Cooke Philbrick

Pickard MOVED and SECONDED by Mealy to approve Bourne Taxi request for two (2) livery licenses (2004 Mercury Marquis and 1998 Plymouth Voyager stored in Mashpee) to expire 12/31/11 per routing slip. VOTE 4-0.

f. Use of Town Property - 13 Relay Race - Brogg Sterrett contact person
Pickard MOVED and SECONDED by Meli to approve use of Town Property request for relay 10K race on 5/06/11 and 5/07/11 (11:20 pm through 3:10 am) per map and routing slip. VOTE 4-0.

g. Request to use Town property for a marquee board – Buzzards Bay Tavern
Applicant request for use of Town Property for a marquee board for Buzzards Bay Tavern per routing slip.

Applicant will come back before with Board with a picture of actual signage and where it will be posted. Pickard suggested at future liquor hearings for applicant to notify abutters of such request. TA Guerino will discuss with Roger Laporte.

Pickard MOVED and SECONDED by Mealy to table to the next meeting. VOTE 4-0.

Sloniecki arrived at meeting at 7:45 pm.

DNR – Shellfish Grant/Aquaculture Permit

Mr. Mullen suggests to Selectmen that before allowing applicants invest time and effort in the application process, decide if they want to set aside areas of Town waters and flats for exclusive use by commercial aquaculturists.

BOS is the permitting authority. Pickard inquired about SHC opinion and suggested bringing back recommendation to the BOS.

Mr. Mulvey commented on agriculture being introduced to the Town would be beneficial and suggested development of a Declaration/Statement of Interest establishing agriculture to the Town and the exploration of bottom studies.

Mr. Mullen stated included in process would be the BOS, ConCom, Marine Fisheries, Army Corps of Engineering, DEP, DEM, etc.

Mr. Mullen, per Mealy, to approach Shellfish Working Group and SHC and come back before the BOS in a public hearing setting in the near future.

Town Administrator's Report

TA Guerino sworn in Dennis Woodside as Bourne Fire Chief.
Sloniecki MOVED and SECONDED by Meli to waive 15-day waiting period for Dennis Woodside as Fire Chief. VOTE 5-0.

Author McGonagle was appointed as Lieutenant as of 1/15/11, which opens two sergeant vacancies and would like to make appointments within 21 days.

a. Budget update

Expecting a shortfall of between \$2M - \$2.8M. TA Guerino requesting an hour for discussion at the 1/18/11 meeting.

Community Building will conduct an Open Gym period (non-team sports) and at no time will private coaching be allowed.

Selectmen's Business

Mealy – Food Pantry and thanked people who made donations.

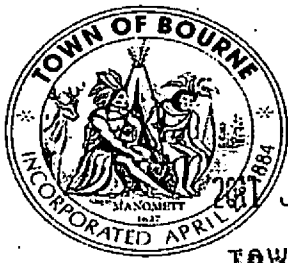
Sloniecki – recommends Mr. Mullen contact initial contact with regard to the Shellfish grant and agriculture permit. DPW re: decorations and plowing. He inquired about the Snow & Ice budget; Sergeant position qualifications, which Ford briefly reviewed.

Ford – commented on Mealy's recommendation re: Shellfish Working Group and SHC. Snow & Ice accidents.

Adjourn

Pickard MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 8:35 pm. UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.



**Board of Selectmen
Meeting Notice
AGENDA**



JAN 7 AM 11 17
TOWN CLERK'S OFFICE

EXECUTIVE SESSION 6:00 Union and non-union negotiations

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

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. Workshop – Finance Committee, School Committee, BOS – FY12 budget

**Board of Selectmen Meeting Minutes – January 11, 2011
Joint Meeting of Selectmen, FinCom and School Committee
Bourne’s Veteran’s Memorial Community Center**

2011 JAN 25 239 Main Street, Buzzards Bay, MA 02532

Attendance: CLERK'S OFFICE &

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

Mealy MOVED and SECONDED by Pickard to go into Executive Session at 6:14 pm to discuss union and non-union contract negotiations and to reconvene in Open Session at 7:00 pm. Roll call – VOTE: Pickard – yes; Mealy – yes; Meli – yes; Ford – yes.

FinCom (G. Slade excused) and School Committee in attendance. Also in attendance Superintendent of Schools and School Business Manager.

List of Document(s)
None

7:10 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.

Workshop – FY12 Budget

Selectmen requested a list of priorities moving toward FY12. During proceeding weeks, came into financial knowledge. School Committee saw report last week and FY12 proving to be the year causing most discomfort.

TA Guerino highlighted that the Board has maintained true to policies relative to Reserves. As move forward in this FY12, keep policies in tact but at the minimum. In FY10 utilized \$2.4M in Free Cash (more used in other years). Don't have that much moving forward, (\$800,000 - \$1M) \$1M being high moving into FY12.

Finance Director worked numbers. L. Marzelli, TA Guerino and the BOS are all in concurrence. Anticipating a 10% reduction in State Aid – Local Aid, Chapter 70. We don't know what legislation will vote as it is an annual act.

Fiscal 2011 Review of Sources and Uses Funds document reviewed. Discussed levy which is a \$972,000 increase.

Level funded all of Local Receipts with a small deduction; ISWM and Sewer are self sustaining. Proposing to use about \$800,000 and ability to set policy goals set by BOS FinCom. Revenue is down \$1M and 71.

General Fund – Upper Cape Tech (will bring forward when regional school agreements put together \$300,000).

Reserve Fund change is a paper change – part of the OT issue coming back at the first FinCom meeting, late January 2011. Expenses are down. Additional shortfall \$1.658M going ahead for the next fiscal year.

BOS and TA Guerino met to discussion union and non-union contracts to look at the Town side of the \$1.6M as well. This is where discussion begins tonight.

Health costs breakdown relative to school and Town is about 60-40. Cape and Islands PPO for a family their total rate vs. Bourne rate discussed. Cost per month over 12 months for Bourne is \$2,300 less than the Cape and Islands. Looking at an increase in July (10%), first time it has gone up in 3 or 4 fiscal years. Raising the healthcare appropriation by 10%. Details discussed at a later date.

Selectmen working with priorities as well as with Department Heads and staff. TA Guerino not recommending a General Override.

Discussion

\$800,000 from Free Cash – expect turn backs will be less than that. TA Guerino anticipates less than that moving forward. Not much turned back.

Budget includes funding for Human Resources Director position. This will move forward.

B. Locke - No override comment is TA Guerino's recommendation at this time.

Matt Stuck - \$800,000 from Free Cash, which falls within 1 ½% of policy number. Have certification in late summer/October and will know what we turned back. Bond rating is AA which was upgraded the year before last.

M. Mastrangelo - \$829,243 shown at end is what still have to identify after budget cuts. Numbers will fluctuate up or down depending on what the legislature does.

K. Walton – asked what percentage is the school’s budget. 60-40 for all practical purposes.

J. Ford – 50/50 rule. TA Guerino stated dozens of potential layoffs in the next fiscal year, but will address at a later date.

L. Marzelli – do not rely on estimated revenues.

J. Redman – inquired about any clean up of old Articles. Possibilities would be the availability of town property – TA Guerino to put together a committee; Capital Outlay Committee.

H. DeWaltoff – inquired of how many jobs are in jeopardy on the school side. TA Guerino could only speak to the Town side as dozens. DeWaltoff asked if BOS look into using more Reserves this time.

J. Ford stated looking at 2013 and it would be harder and should be living within means.

School Business Mgr. - school side no step increases (average salary went up about 6%), which equates to about \$420,000 teachers and \$80,000 to the balance of the rest of the employees.

T. Guerino - Town looking at \$7.8M. \$800,000 can fluctuate. If take out of Reserves, question would be what is the right number (BOS, FinCom and School Committee).

E. Ripley – in favor of exploring selling land, but suggested capital expenditures or one-time expenditures. Spend in budget and next year it won’t be there. TA Guerino commented that Revenues were up.

M. Mastrangelo - assumed no money for Capital, if no money for Capital, have to be careful for borrowing for Capital. Watch debt and borrowing capacity and there will be some hard decisions for Capital.

J. Ford - see what the State will do and go on the conservative side. Come back and fine tune.

K. Walton – requested obtaining guidelines of Reserves and responsibilities and at what point the bond companies start to review. TA Guerino will forward information to the School Committee.

TA Guerino - all groups (BOS, FinCom and School Committee) need to work together and come to a consensus to work together.

Matt Stuck– identify impacts and be objective. Superintendent LaMarsh is developing a tiered system of what the budgets will look like on 2/8/11. 2/15/11 to discuss in detail with leadership team; draft budget finalized by 2/25/11; presenting at School Committee

formalized on 3/2/11; coming before BOS and FinCom in March 2011 of impacts. Mr. Stuck inquired of what exactly can be spent with the Enterprise Funds.

S. Mealy – if School Committee goes after the extra money today, you have to come up with more money the next year. If you spend in personnel, it is forever. If you put it in capital, it is a one-time expense. He suggested the School Committee review a handbook written for the Finance Committee (on CD) which may be beneficial to the School Committee.

J. Ford - described the Enterprise Fund protocol. TA Guerino stated receiving a Host Community Fee and if anything comes over goes into Capital Reserves.

J. Ford – would like to see people to come in with ideas and ways we can save money and still have all teachers, police and fire.

T. Guerino stated needing a Facilities Manager, however, can do at the right time.

Capital Outlay Discussion

M. Mastrangelo - building consensus – priorities with the Selectmen; Also need to have a discussion of process, which is beyond scope of Capital Outlay.

J. Redman – concerned about the infrastructure of municipal buildings. DPW may come before Fire Department due to the ISWM land.

L. Marzelli – time to look at the Capital Debt Service schedule and where things start to fall off.

T. Guerino - looking at the Technology program at the School and is a priority that needs to keep moving forward.

General Discussion

B. Locke – look at individual fees to assist in budget problem.

T. Guerino - all Police and Fire are at the State maximum. He asked Department Heads to look at fee structures, and continue to update on an updated basis.

E. Ripley – violations and fines are low; J. Ford is in concurrence.

T. Guerino - added that construction is down and are a year behind.

M. Stuck – which entity controls Town owned land on the base.

J. Ford - the base comes under the State and the town has no authority except checking the liquor license; TA Guerino stated the Commonwealth comes up with a valuation of the base which is generally lower and a payment in lieu of a tax. Appealing assessment

and in negotiation was about 1/3 more and an area in the budget which is discretionary (subject to appropriation).

M. DeCicco – inquired about the proposed budgets (departmental) and the final budget is TA recommendation.

B. Grant – inquired about when process of layoffs begins; TA Guerino will begin process tomorrow and there are a number of steps that will happen.

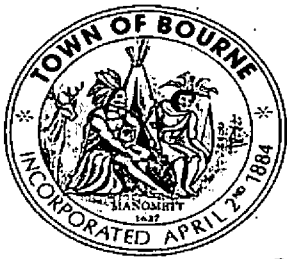
M. Ford – proposed FinCom schedule beginning the end of January and start to go into Department reviews.

S. Mealy – personally thanked everyone who came out tonight and hopes all can work together as a team and understand each other's priorities.

Adjournment

Pickard MOVED and SECONDED by Meli to adjourn. Meeting adjourned at 8:36 pm.
UNANIMOUS VOTE.

Respectfully submitted by – Lisa Groezinger



Board of Selectmen Meeting Notice AGENDA



2011 JAN 14 PM 3 52

TOWN CLERK'S OFFICE

EXECUTIVE SESSION 6:00

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 18, 2011	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
 - a. Upper Cape Cod Regional Technical School
 - b. Robert Schofield – Thanks and recognition
 - c. Mr. Ron Matherson – Three Mile Look update
4. Minutes -December 14, 2010
 - December 14, 2010 – Executive Session
 - January 04, 2011
 - January 11, 2011 – Joint Meeting

5. Correspondence

6. Licenses/Appointments:

- a. 7:30 p.m. Liquor License Transfer from Grey Gables, LLC to ACK Market, Inc.
- b. Shore & Harbor Committee Appointment
- c. Taxi Cab Rates
- d. Signage – Buzzards Bay Tavern
- e. Open Space Committee – Colin Robin

7. Certificates of appreciation for DNR and Highway Dept to be presented by BCB - Bourne Community Boating Program Presentation
8. Budget Message
9. Town Administrator's Report
 - a. Chief Martin Greene – waiver of review period
 - b. Notice of appointment of ISWM Operations Manager
10. Selectmen's Business
11. Adjourn

Fire Overtime – review

Parking at Monument Beach – site visit

Tim Mullen to bring recommendation/s to future agenda item

Board of Selectmen Meeting Minutes – January 18, 2011

Bourne's Veteran's Memorial Community Center 2011 FEB 18 AM 9 10
239 Main Street, Buzzards Bay, MA 02532

*****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)

- Bourne Community Boating, Inc. 2011 – 2 pages

Pickard MOVED and SECONDED by Meli to go into Executive Session at 6:56pm to discuss strategy on collective bargaining with non-union personnel and Litigation and to reconvene in Open Session at 7:05 pm following joint meeting with School Committee. Roll call – VOTE: Pickard – yes; Meli – yes; Ford – yes. *Mealy and Sloniecki not in attendance at the time of vote.*

7:05 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

a. Upper Cape Cod Regional Technical School
Next week.

b. Robert Scoffield – thanks and recognition
Next week.

c. Three Mile Lookout – Ron Matherson
Brief overview. Machinery brought in (bulldozer) and will be completed come spring. Corps of Engineers added safety enhancement with regard to a wider path where bikes and mile look intersect. Signage will be added.

Minutes

Pickard MOVED and SECONDED by Meli to approve and encumber for an indefinite period of time of executive session minutes of 11/14/10 as submitted. Vote 4-0.

Pickard MOVED and SECONDED by Meli to approve and encumber for an indefinite period of time of executive session minutes of 12/14/10 as submitted. VOTE 4-0.

Pickard MOVED and SECONDED by Mealy to approve minutes of 12/14/10 as submitted. VOTE 4-0.

Pickard MOVED and SECONDED by Mealy to approve minutes of 1/4/11 as submitted. VOTE 4-0.

Pickard MOVED and SECONDED by Meli to approve joint meeting minutes of 1/11/11 as submitted.

Correspondence

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

Item E -

Mealy MOVED and SECONDED by Meli to appoint Paul Bushueff to the Barnstable County Dredge Committee. VOTE 4-0.

Item D – DCPC renewable energy. Originated from the Town of Falmouth. Given the Board's majority vote relative to the turbine project in Town based on previous discussion, TA Guerino recommends BOS written approval. Pickard requested as a future agenda item (2/8/11) and requested Mr. Blanton's attendance. TA Guerino will get copies of Board's non-approval of Bourne wind turbine proposal and approval of support of Barnstable County Commissioners 1/3/11 letter.

Licenses/Appointments:

a. Liquor License Transfer from Grey Gables, LLC to ACK Market, Inc.
Chm. Ford opened liquor license at 7:45 pm. Pickard read liquor license notice into record. Chm. Ford reviewed protocol of hearing.

Applicant Mike Hallam, Manager working with Police Department. Footage will stay the same. Employees will be TIPS trained.

Mr. Agrillo is in support of proposal. Chm. Ford closed hearing at 7:47 pm.

Pickard MOVED and SECONDED by Mealy to approve liquor license transfer from Grey Gables, LLC to ACK Market, Inc. per routing slip (Board of Health). VOTE 4-0.

b. Shore & Harbor Committee appointment

Mealy MOVED and SECONDED by Pickard to appoint Mr. Irving Salley as a member to the Shore & Harbor Committee for a term to expire 6/30/12. VOTE 4-0.

Sloniecki arrived at meeting at 8:04 pm.

c. Taxi Cab Rates

Mealy MOVED and SECONDED by Sloniecki to approve taxicab rates (increase from \$3 to \$4 pickup up to first mile/increase \$2.50 to \$3 per mile thereafter) per routing slip. VOTE 5-0.

d. Signage – Buzzards Bay Tavern

Discussion: Mr. Grillo inquired about owner waiver of liability; Mr. Mulvey inquired about size, how anchored and visibility of said signage; Pickard concerned of obstruction being a safety issue - applicant suggested cutting off legs and will drop height by 2'; Mealy concerns of the tree – move further up or down Main Street; TA Guerino recommends to be brought in during inclement weather and Town will not assume responsibility if damaged; Ford suggested a trial period of three (3) months.

Pickard MOVED and SECONDED by Mealy to approve Buzzards Bay Tavern request of 4'x4' signage for Buzzards Bay Tavern across from Holt Road and Main Street to be no higher than 4' and permission to be granted until 3/30/11 at which time BOS will review; and for said signage to not be attached to or encroaching a Town tree. VOTE 4-0.

e. Open Space Committee

Pickard MOVED and SECONDED by Mealy to appoint Colin Robin as a member of the Open Space Committee for a term to expire 6/30/12. VOTE 4-0.

Certificates of appreciation for DNR and Highway Department to be presented by BCB (Bourne Community Boating Program) Presentation

Paul Bushueff introduced new President of BCB, Cheryl Millikan. BCB, Inc. 2011 document (2 pages) with brief overview of program, including on some changes.

The Board took a 4-minute recess at this time.

Budget Presentation

Budget required by BOS by a date certain each year. Revenue forecast is limited in FY12. In the midst of difficult times, it has been well known that FY12 would be the greatest changes. There will be many reductions in schools and on the Town side. There is a shortfall of over \$1M, with the town side reduction of 22 ½ employees. The School Department will have to make substantial reductions in both personnel and programs.

Capital Expenditures recommended frozen with few exceptions; repairs to Community Building need to be considered.

TA Guerino recommends between \$800 - \$1M for the FY12 budget. Free cash is \$3.9M. Town must be prudent to protective reserves and maintain current bond rating. The Town will remain in policy guidelines as established. Town health insurance will remain reasonable and will have full compliance with statutes.

Bourne's PPO are over \$2,000 less than 100% share. TA Guerino urges Selectmen to repel any IGAC plan, rather support municipal association recommendation.

TA Guerino does not recommend a 2 1/2 % override. He cannot recommend a Facilities Manager in this budget. Departments remain understaffed. Plan developed to address most critical needs.

ISWM – FY 12 expenditure budget represents economic downturn. Well run with current management structure. Sewer – continues to run with minimal cost. Wareham has been challenging.

Budget message – sources and uses update, ambulance fees remain stagnant, health insurance will rise by 8.2% - 9.4%; Town insurance will remain stability. Fuel, electricity will increase. County bid will depict substantial increases.

This budget should not be confused with a level service budget. TA Guerino's intention is to continue to work with Department Heads. Total general fund budget without enterprise funds is about \$50M, down about \$1M.

Town doing what to do to keep budget in check.

Discussion

Usually 60/40 town/school budget split, the FY12 50/50 split recognizes town contracts were responsible relative to the financial dilemmas vs. school contracts rewarded. School will make more cuts for that \$900,000 due to their salary contracts and will be hit harder.

Ford – Rep. Hunt to come before the Board to address view of budget by 1/22/11. It is the Board's fiduciary duty to the town and concurs with TA Guerino's budget presentation.

Diana Barth, Falmouth Enterprise - inquired of restructuring of departments. There will be some departmental reorganization.

Sloniecki – inquired about prioritization. Public safety will come back first, areas of human services (COA), marine patrol boats.

In closing, TA Guerino recognized Department Heads and the Finance Director for this FY12 budget.

Town Administrator's Report

- a. Chief Martin Greene – waiver of review period

Sloniecki MOVED and SECONDED by Mealy to waive the 14-day review period.
VOTE 5-0. *TA Guerino recognized and thanked D. Doucette for stepping up into the interim Chief position.*

It was noted that the formal swearing in ceremony for the Fire Chief would be held on Monday January 24, 2011 at 11:00 in Town Hall. Guerino also informed the Board that the swearing in ceremony for the new police Sergeants would be held on the 26th at 9:00 in Town Hall.

- b. Notice of appointment of ISWM Operations Manager
Deferred to next week.

Selectmen's Business

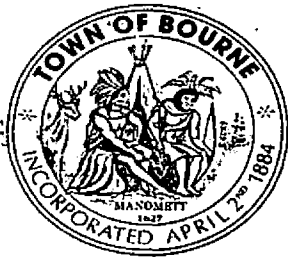
Sloniecki – after hearing the TA budget message, he would like to see the economy recover quickly.

Ford – commented positively on the Board's fiduciary responsibility to the Town.

Adjourn

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 9:15 pm. UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



Date

Tuesday
January 25, 2011

Time

4:30 p.m.

Location

Bourne Town Hall
Town Administrator's Office
24 Perry Avenue
Buzzards Bay

4:30 p.m. Call to order

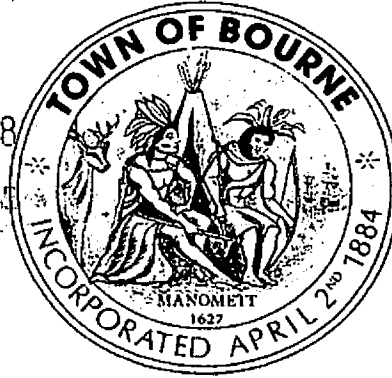
Canal
Public Hearing Sagamore Deli and Package Store, Inc., 227 Route 6A,
Sagamore – pursuant to Chapter 138, Sections 16B, 70 and 67 for
modification, suspension, revocation or forfeiture of the year round retail
package goods store license for the sale of all kinds of alcoholic beverages.

TOWN CLERK'S OFFICE

2011 JAN 21 AM 8 58

2011 JAN 28 AM 10 48

TOWN CLERK'S OFFICE



BOARD OF SELECTMEN

MEETING NOTICE

Joint Meeting between the Board of Selectmen and Finance Committee

DATE

**Monday
January 31, 2011**

TIME

7:00 p.m.

LOCATION

**J. Bourne Public Library
19 Sandwich Road
Bourne, MA**

AGENDA

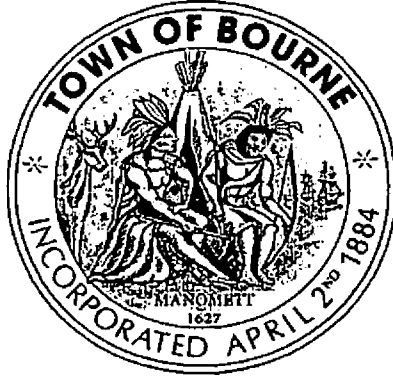
Joint Meeting to review FY 12 Proposed budget.

Other Business


**Thomas M. Guerino
Town Administrator**

Date: January 28, 2011

**Town Clerk
Selectmen**



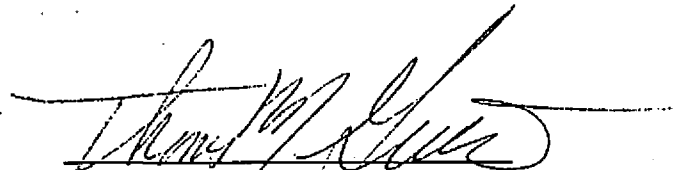
BOARD OF SELECTMEN

MEETING NOTICE

Joint Meeting between the Board of Selectmen and Finance Committee

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

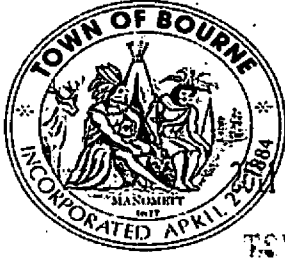
**Joint Meeting to review FY 12 Proposed budget.
Other Business**


Thomas M. Guerino
Town Administrator

Date: Feb 1, 2011

TOWN CLERK'S OFFICE

2011 FEB 1 PM 12 17



Board of Selectmen Meeting Notice AGENDA



FEB 4 PM 1 00
TOWN CLERK'S OFFICE

EXECUTIVE SESSION – Litigation and Neg. with non-union personnel: 6:00
SEWER COMMISSIONERS MEETING: SET Overage RATE: 6:45

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 8, 2011	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
Mandy Speakman – Accreditation
Upper Cape Regional Students
4. Minutes:
 - a. Regular - 10.26.10; 12.7.10; 01.18.11
 - b. Executive Session – 01.04.11; 01.18.11
5. Correspondence
6. Dan Barrett – ISWM update/report regarding town counsel opinion and introduction of Mr. Asa Mintz – ISWM Operations Manager
7. [Space intentionally left blank]
8. Otis Update – Lynda Wadsworth - 30 minutes
9. Blanton and Anderson DCPC – Wind Turbine
10. Licenses/Appointments:
 - a. Board of Appeals Alternate – Harold Kalick
 - b. Plymouth-Carver Aquifer Advisory Committee - Valerie Massard
 - c. Gianna's House Fundraiser – BB Park – request to waive fee

- d. Cranberries – “soft & friendly” entertainment-Friday, Saturday & Sunday
- e. Request from the Aptuxet Post 5988 requesting a Sunday 10:00 a.m. opening
- f. 4th July Parade – Use of Town Property

11. DNR FY12 Fee Recommendations; Inspection Fee recommendations

12. Town Administrator's Report

- a. Budget
- b. Reminder of ATM and STM Article submission deadline.
- c. HR Director update

13. Selectmen's Business

- a. ISWM Town Meeting-Special Town Meeting Articles (discussion and possible vote)
- b. Notice of Joint BOS/FinCom/ BOH/ Charter review session on ISWM set for February 15, 2011

14. Adjourn

Board of Selectmen Meeting Minutes – February 8, 2011

Bourne's Veteran's Memorial Community Center

239 Main Street, Buzzards Bay, MA 02532

2011 MAR 4 AM 9 41

Attendance

Thomas M. Guerino, Town Administrator

TOWN CLERK'S OFFICE

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

List of Document(s)

- 102d Intelligence Wing Otis ANG Base Cape Cod MA Economic Impact Brochure – FY2010
- MMR Board of Selectmen's Briefing dated 2/8/11 – 21 pages

Mealy MOVED and SECONDED by Pickard to go into Executive Session at 6:00 pm to discuss Litigation and negotiations with non-union personnel and to reconvene in Open Session. Roll call – VOTE: Pickard – yes; Meli – yes; Mealy – yes; Ford – yes.

7:05 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

John Johnson, Chm. of the Charter Review Committee, reminded the Board of their meeting tomorrow night.

Bob Schofield, Cape Cod Light Compact, rate set for the next three years (starting next July) will be \$7.75/kw hr. This will impact the Town of Bourne of about \$110,000/year savings.

Mandy Speakman, Bourne Senior Center is now accredited; it is the 6th out of 351 Council on Aging in Massachusetts. A spring celebration is planned.

Recognition of UCT staff and students for work within the Town - Kevin Farr, Superintendent of UCT, introduced staff and students for work for the roof on the Administration Building; and the underground lighting at Keith Field.

Minutes

Pickard MOVED and SECONDED by Meli to approve minutes of 10/26/10 as submitted. VOTE 4-0.

Pickard MOVED and SECONDED by Mealy to approve 12/7/10 as submitted.

VOTE 4-0.

Pickard MOVED and SECONDED by Mealy to approve minutes of 1/18/11 as submitted. VOTE 4-0.

Pickard MOVED and SECONDED by Mealy to approve and encumber executive minutes of 1/4/11 as submitted. VOTE 4-0.

Pickard MOVED and SECONDED by Mealy to approve and release executive minutes of 1/18/11 minutes as submitted. VOTE 4-0.

Correspondence

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

Item K - Pollution Task Force – recognition of Mr. Mulvey's 12 years' assistance.

Dan Barrett – ISWM update/report regarding Town Counsel opinion and introduction of Mr.

Asa Mintz – ISWM Operations Manager

ISWM Working Group's goal is to keep all boards informed on what ISWM intensions are. Per Atty. Troy's opinion, most of the "heavy lifting" at ISWM will be left to the Board of Health. A more in depth review at the 2/15/11 meeting to keep RFP process moving forward.

Introduction of Mr. Asa Mintz, ISWM Operations Manager.

Otis Update – Lynda Wadsworth

Camp Edwards Training Site – scenario based training overview.

Brief overview and changes

Air National Guard 102d Intelligence Wing

Provides worldwide precision intelligence and command and control for expeditionary combat support and homeland security.

Cape Cod Air Force Station

PAVE PAWS; wind turbines proposed.

Coast Guard

The only Coast Guard Aviation facility in the Northeast which is part of Homeland Security. Funding received was used to upgrade lighting and resurfaced and repainted runways.

Army National Guard

Annual training, at Camp Edwards, for all New England states. This prepares soldiers for combat missions.

Discussion

Meli commented on including all of Bourne and not only Bournedale for the base use. Mealy (sits on MMR Senior Management Board) concurs and offered any outreach assistance moving forward.

Blanton and Anderson DCPC – Wind Turbine – Mr. Blanton is out of the area and unable to attend

Mr. Anderson discussed the Planning and Regulatory Panel and Hearing for DCPC. Testing is no longer the hub height. After hearing, discussion and if vote to approve will send to full assembly (either approve or disapprove).

Differences between DCPC vs. DRI: DCPC – certain size of land where it has one (1) year for the Cape Cod Commission to be in confinement for just that area; DRI sets up boundaries on the requirements.

Pickard for future agenda item – Planning Board, ZBA, BOH, Conservation to see if the Town is getting their money's worth for the \$150,000 to the Cape Cod Commission. TA Guerino will put a placeholder for the Warrant if needed.

Mr. Mulvey noted how invasive turbine flickering can be.

Licenses/Appointments:

a. Harold Kalick - ZBA

Pickard MOVED and SECONDED by Mealy to appoint Mr. Harold Kalick as an alternate member to the Zoning Board of Appeals for a term to end June 30, 2011. VOTE 4-0.

b. Plymouth-Carver Aquifer Advisory Committee – Valerie Massard

Pickard MOVED and SECONDED by Mealy to appoint Ms. Valerie Massard as a member to the Plymouth-Carver Aquifer Advisory Committee until suspended or revoked. VOTE 4-0.

c. Gianna's House Fundraiser – BB Park – request to waiver fee

TA recommendation to waive event fee, but collect deposit for 4/16/11. To be re-discussed briefly on 2/15/11 meeting between 6:30 pm – 7:00 pm.

d. Cranberries – soft and friendly entertainment – Friday, Saturday and Sunday

TAGuerino will bring back similar guidelines of other places that have live entertainment, put through another routing slip and bring before the Board on 2/22/11.

e. Request from the Aptucxet Post 5988 requesting a Sunday 10:00 am opening

Chm. Ford would like to know if abutters have been notified. TA Guerino will bring back and resend routing slip to the next hearing.

f. 4th of July Parade – Use of Town Property

Pickard MOVED and SECONDED by Meli to approve Bourne 4th of July Parade Committee 7/4/11 9:00 am – 12:00 pm per routing slip. VOTE 4-0.

Inspection Fee recommendations

Adjustment for Inspection fees are minimal, which includes building, electrical, gas and plumbing and mechanical.

Mealy MOVED and SECONDED by Pickard to accept recommendations for the Inspector for building, electrical, gas, plumbing and mechanical as proposed. VOTE 4-0.

DNR FY12 Fee Recommendations

TA Guerino asked the Board to review DNR memorandum and bring back before the Board.

Town Administrator's Report

a. Budget

Met with Representatives of the LIUNA union District Representative and are moving forward. Budget will go into more detail at the next joint meeting will be Monday, 2/14/11 and Tuesday, 2/15/11 and regular Board meeting on 2/22/11.

b. Reminder of ATM and STM Article submission deadline

Technical deadline is 2/16/11 - Groups, committees and boards should have articles drafted for the ATM. STM deadline is the due 3/18/11. Two placeholders are

c. HR Director update

Interviews are moving forward.

Mealy MOVED and SECONDED by Pickard for TA Guerino to draft letter on behalf of the Selectmen thanking Ms. Laura Tassanari for her assistance to the Town of Bourne.

Selectmen's Business

Ford – Retirement of Sgt. Devillez and grateful for his service; The passing of Chief Woodside's father.

Mr. Mulvey recommended the Board contact Mr. Neziricki and ask what the Cape Cod Commission does for the Town of Bourne in lieu of a meeting.

- ISWM Town Meeting-Special Town Meeting Articles (discussion and possible vote)

Pickard MOVED and SECONDED by Mealy for the Board to authorize and draft of Selectmen articles for the ATM. VOTE 4-0.

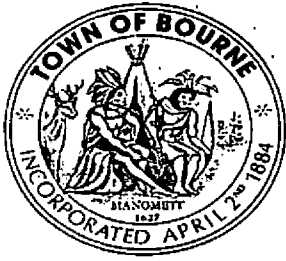
- Notice of Joint BOS/FinCom/BOH/Charter review session on ISWM set for 2/15/11 – Selectmen meeting at 6:30 pm

Mealy – donations to the Food Pantry.

Adjourn

Pickard MOVED and SECONDED by Mealy to adjourn. Meeting adjourned at 9:25 pm. UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.



**Board of Selectmen
Meeting Notice
AGENDA**



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

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday February 14, 2011	7:00 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

1. Joint Meeting to review FY12 proposed budget
2. Other business

TOWN CLERK'S OFFICE

2011 FEB 8 AM 9 07

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

2011 MAR 2 PM 2 41

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

FinCom member(s) excused:

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

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

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

List of documents

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

Meeting called to order
7:00 pm

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

Reserve Fund Transfer
None.

BUDGET DISCUSSION AND REVIEW

Recreation Department – Krissanne Caron

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

TA Guerino stated that winter enhancement and science programs are tutorial programs for students which have been added and have been well received.

Total budget proposed is \$103,230.

Discussion

Budget is reduced by \$4,000 most coming out of buildings and grounds. Items that need to be done are: fence repairs, dugout repairs, playground resurfacing which is required by law.

For next year's budget discussion, Chm Ford (FinCom) asked with regard to capital, what would the Recreation Department do for maintenance at various facilities to keep them in good working order to prevent the need for huge dollar amounts in the future.

TA Guerino to talk with Judy Cox before discussion of the Lifeguard budget (\$25,000 - \$30,000 range). Chm. Ford (FinCom) made note to discuss at a future date.

Police Department – Chief Dennis Woodside

TA Guerino introduced Chief Woodside to the FinCom.

Department workforce is down. Some people need to be sent to training. Department has a three (3) cruiser patrol plan which is working, but is not necessarily the safest route.

Department is looking at a current total of 26 patrol officers with the addition of three (3) by next year but with potential of one or more vacancies within the patrol ranks.

Discussion

Transfers vs. new recruits with needed training as being able to put employees to work right away. Quinn bill education is factored into the salaries. TA Guerino stated the State paid \$14,000 last year and he anticipates not getting any money this year.

The bulk of OT (\$228,000) is based partially on Sergeant shift coverage. When appropriate, the Chief recommends adding another Sergeant when one is on vacation.

The OT, due to lack of people, is not a realistic number and will only increase moving forward. OT was offset with grants in the past.

Sick days have decreased compared to other years.

Salary expenditure for additional patrolmen voted for in the overrides not in this budget because it comes out of the funds remaining in the Town meeting Article. After the officers are hired and trained the Article money will be in the salaries budget. The balance of \$253,000 in the Article would fund three (3) officers with equipment.

Department has five (5) patrol sergeants, one (1) detective sergeant and two (2) Lieutenants. Mastrangelo recommended that the Town have a plan in place before we get too far behind in the number of officers and staff. Chief Woodside stated that is exactly what he is doing.

Discussion on the last override as being a permanent increase to the tax levy.

Chm. Ford (FinCom) stated there are two issues. One is hiring to fill brand new positions that weren't there beforehand; and the other is hiring to fill positions that were already in existence. For these positions, there is a pool of candidates that is the same due to the screening process and having to send new hires to the academy. This has resulted in the town staying even by taking care of vacancies as they occur.

Revised total budget is \$3,312,976.

ISWM budget – Dan Barrett

There has been an increase in staff in some areas so that ISWM can complete some projects that had been put off in the past...

ISWM will be moving to the new residential recycling area this Spring. Next new project is the rearrangement of the entrance.

Taking soils and ash from SEAMASS. ISWM is \$1.5M ahead of expenses. Will need to review post closure amount of \$1.3M.

Reducing OT by staggering shifts. Anticipate fuel cost increases.

Discussion

Annual fixed costs (engineering, consultants, inspections). Air permits are moving targets.

Leachate and C&D transfer was discussed. Leachate has been held the same. There is a decrease in C&D transfer.

TA Comments

Articles due by Wednesday 2/16/11 for the ATM; Due date for STM is 3/18/11.

Selectmen Comments

None.

Finance Committee Comments

None.

Public comment

None.

Future Agenda

Warrant Articles reviews.

Adjournment

Grant MOVED and SECONDED by Galusha to adjourn. Meeting adjourned at 8:55 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

TOWN OF BOURNE
BOARD OF SELECTMEN
February 15, 2011
7:00 p.m.
Bourne Middle School
Media Center

Agenda Items

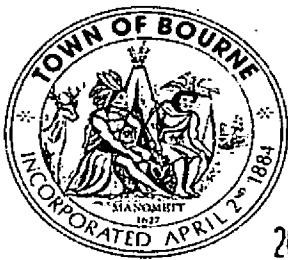
Joint meeting between BOS, ISWM, BOH, FinCom and EAC to continue discussion of future options for ISWM.

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

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

TOWN CLERK'S OFFICE

2011 FEB 11 PM 3 35



Board of Selectmen Meeting Notice AGENDA



2011 FEB 11 PM 3 03

TOWN CLERK'S OFFICE

Date

Tuesday
February 15, 2011

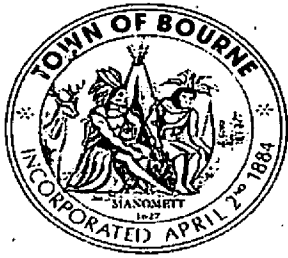
Time

8:00 p.m.

Location

Bourne Veterans Memorial
Community Center
239in Street, Buzzards Bay

Hearing on application from Route 28 LC, Michael Tasha to amend his current license for the storage of a total of 85,500 gallons of gasoline; diesel, kerosene, biofuel and heating oil located at 1413 Route 28A, Cataumet. MA



Board of Selectmen Meeting Notice AGENDA



EXECUTIVE SESSION – LITIGATION - PM 4 34

union negotiation 6:40 P.M.

TOWN CLERK'S OFFICE

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 22, 2011	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. Representative Randy Hunt

7. Housing Assistance Corporation – Update on Housing Development – Giselle Gauthier – Housing Development Director

8. Lyn Dalzell – Herbicide spraying moratorium. – possible vote

9. Licenses/Appointments:
 - a. 8:00 p.m. Underground/aboveground for Route 28 LLC
 - b. NMLC Fundraiser – 5K walk run
 - c. Cranberry's Restaurant – Entertainment License
 - d. Class II Auto Dealers License – Auto Marine Industries

10. CPC – Overview, use and regulatory rules - Finance Director, Town Clerk
 - a. Deed restriction of Church

11. Town Administrator's Report
 - a. Budget – Update and Discussion
 - b. Mid year financial update of accounts – ISWM

- c. Initial presentation of Investment Policy – Board action required pursuant to Selectmen's Policies and Procedures document.
- d. Vote on Refunding School bonds
- e. Pocasset River Bridge update

12. Selectmen's Business

- a. Declare vacancy in the Office of the Board of Selectmen
- b. Technical correction to the Special Permit for Cumberland Farms

13. Adjourn

Board of Selectmen Meeting Minutes – February 22, 2011
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

2011 APR 6 PM 4 11
TOWN CLERK'S OFFICE

List of Document(s)

- None

Sloniecki MOVED and SECONDED by Mealy to go into Executive Session to discuss Litigation and non-union negotiations at 6:00 PM. Roll call – VOTE: Pickard – yes; Meli – yes; Sloniecki – yes; Mealy – yes; Ford – yes.

7:00 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 Mealy to approve minutes of 2/8/11 as amended. VOTE 4-0-1 (Sloniecki).

Pickard MOVED and SECONDED by Mealy to approve executive session minutes of 2/8/11 as submitted. VOTE 4-0-1 (Sloniecki).

Correspondence

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

For the record, Sloniecki stated that facts were incorrect with regard to Mr. Farrell and the Ethics Committee. He requested information he submitted to Town Clerk and reporters Ms. Barth (Bourne Enterprise) and Mr. Gately (Bourne Courier) be put in the Selectmen's file.

State Representative Randy Hunt

Staggering rising costs of healthcare discussed. Looking at the Governor's budget - \$286,000 less in Local Aid funding. Local Aid is down by half a billion dollars. Healthcare has consumed, over 5-year period, \$2 billion more than in FY08 (not including spending of cities and towns healthcare).

Need to put emphasis on the priority with Local Aid.

Discussion

There are bigger cuts that what Governor previously thought. Mr. Hunt is meeting with Chairman of House Ways and Means and will relay the message that towns cannot balance their budget with cuts they are making in Boston. TA Guerino requested passing along that towns need to have the ability to plan with regard to the GIC.

Housing Assistance Corporation

Tabled to a future Selectmen meeting. TA Guerino will contact Housing Director.

Herbicide Spaying Moratorium – Lynn Delzel

Concerns of NStar returning to herbicide spraying. 78% of the right of way for NStar covers private or public wells on the Cape. Prior to 2004 they could control the under grown by cutting and since then used herbicide spraying to control it. She questioned the need to add more chemicals to our environment.

Testing has been done in clay soil, but not on Cape Cod. Ms. Delzel requests the vote be forwarded to NStar moving forward.

Mealy MOVED and SECONDED by Sloniecki that the Board adopt the Herbicide Spraying Moratorium on Cape Cod as outlined. VOTE 5-0.

Licenses/Appointments

a. National Marina Fundraiser

Sloniecki MOVED and SECONDED by Mealy to approve request of National Marina fundraiser on 5/29/11 a 5K walk per routing slip, waiving fee and take deposit and return after the event. VOTE 5-0.

b. Cranberries LLC – Entertainment license

Pickard MOVED and SECONDED by Sloniecki to approve Cranberries Restaurant request of entertainment license of seven (7) days a week 11:00 am – 12:00 am; all outside entertainment on Sundays 11:00 am – 11:00 pm; Friday & Saturday 11:00 am – 12:30 am with no percussion or bass instruments per routing slip (Fire Department). VOTE 5-0.

c. Class II Automobile License

Sloniecki MOVED and SECONDED by Mealy to approve request of Automobile Industries at Clay Pond Road for four (4) automobiles as outlined, pending receipt of bond per routing slip. VOTE 5-0.

d. Underground Gas Tanks – public hearing

Chm. Ford opened hearing. Michael Albey, applicant. Discrepancies of tanks found by Mr. Doyle read into record by Sloniecki. Mr. Albey corrected all discrepancies and if amended license goes through, he will comply with correctly labeling what is present.

Sloniecki MOVED and SECONDED by Pickard to approve Route 28 LLC request to amend current license [storage of a total of 88,500 gallons of gasoline, diesel, kerosene and biofuel and heating oil to include: four (4) 10,000 gallon underground tanks; one (1) 10,000 gallon heating oil; one (1) 10,000 gallon red diesel fuel; one (1) 10,000 gallon clear diesel fuel; one (1) 10,000 gallon Siamese fuel; and one (1) 8,000 gallon Siamese with 4,000 gallon of super gasoline; 4,000 gallon diesel fuel; one (1) 20,000 gallon underground heating oil; one (1) 500 gallon above ground kerosene tank; and one (1) proposed 20 gallon underground tank for biofuel] as outlined and per routing slip (Fire Department, BOH, TC). VOTE 5-0.

Chm. Ford closed public hearing.

CPC Overview – Linda Marzelli

TA Guerino stated that for the record, not acting on Item A as both counsels need to review. Discussion of Use and Regulatory rules.

Schedule prepared by Finance Director.

70% - Open Space

10% - Historic

10% - Community Housing

10% - Other (Recreation projects to date)

Total of \$1,074,000 Town estimated to receive, which is a “balancing act”.

Undesignated balance – most came from Land Bank fund. Money sits and is used per Town Meeting vote.

Review of schedule on what Fund 28 still has for outstanding projects.

Mealy suggested having CPC come in to explain why still holding monies for 2005, 2006 and 2007 (Land purchases, 3-Mile Look purchases). There is an Article for Town Meeting 2011 to put some money back.

Mr. Johnson, Chm. of CPC and other members of the CPC present tonight. Currently, legislation has filed an Act of Sustained Community Preservation. Legislation adjourned and has been re-filed and is now sponsored by 26 representatives to discuss funding resource for stability.

Currently, there is a bill to expand funding to rehabilitate municipal outdoor parks, which is now restricted to only those created by CPA funds. Said change would mirror legislature that allows for Historic resources.

With regard to turn backs, in 2005 the Town purchased County Road property. Open Space decided to turn over and close out, bringing back again if needed. Under Historic will turn back most amount of money. In 2008, \$33,500 balance for Town Hall boiler replacement (\$80,000 budgeted). \$10,000 for Historic sites is in process of putting sites on the National Register. Town-approved \$15,000 for Hoxie playground with the local community to raise \$10,000 is still in process.

CPC is reviewing projects this year, which are not as numerous as they have been in the past. No date for the public hearing at this time.

TA Report

Budget will be discussed next Monday 2/28/11.

TA Guerino memo sent to the Board 2/21/11 with regard to House numbers will be well beyond time we have to get ready to publish report. He will have final report relative to staff and other reductions on 3/2/11 meeting.

Judy Cox lifeguard proposal brought to the Board for further discussion.

General Fund Local Receipts: Personal and real estate taxes are up from last year. Miscellaneous - FY08 estimated to collect \$119,000 and today taken a total of \$109,000 (money that comes in from the school). Another item in Miscellaneous, few items was time specific. Host Community Fee down \$31,000. Shared Costs is a timing issue. Education adjustment (they changed accounting) made as they spent \$200,000 less than last year. Schools prepaid a lot of tuitions that doesn't jump into 2011.

Local Receipts: Actual \$113,000 and what taken in is down. Could end up \$256,000 down from what collected last year.

ISWM Revenues: Charges are up \$928,000. Took in extra money from sales. In 2010 collected \$1M than budgeted.

Sewer Department: On track with what they were at last year.

Expenditures: Wareham has variables to the bill costs (chemicals to run plant, formula). Their bill came in well after closed books and will have to deal with at a Special Town Meeting. Consulting contract with Wareham is about to expire. The bill received is in accordance to what Selectmen from each town has signed off on. Met with Town Manager and Waste Water Treatment Director and John from Wareham two (2) months ago and requested review of their document. Formulas were checked and were accurate. TA Guerino believes it is the personnel that plug in the numbers appropriately. Date of 3/17/11 and will have a meeting scheduled.

Initial presentation of Investment Policy (Addendum). This is a direct result from auditor on investment policy and BOS request of an investment policy. Only change would be financial investment policy and will come back and ask Selectmen to put to vote. This

is the introduction. First reading will be at 3/1/11 meeting; then goes to other departments for comment (includes FinCom); 2nd reading (final reading) at 3/15/11 meeting; Adoption will be at the first meeting in April.

Vote on Ability to Refund Old Middle School Debt. Proposal that if Bourne accepts vote tonight, SBA to prepay this issue giving net present value \$10,300,000. Bond sale of \$929,242 to take place of current debt schedule and shortens life of loan finishing in 2016. Net savings in 2012 is \$185,000. Whole amount that town will save by doing refunding is \$1,550,000 (estimate as haven't sold the bond. Process will begin soon).

Mealy MOVED and SECONDED by Pickard that the Town issue bonds or notes for the purpose of refunding all or any portion of the Town's \$1,605,000 Middle School bond of 2001 originally dated as of 6/15/01 including, if any, the payment of any premium and accrued interest associated therewith and all the costs incidental and related thereto in pursuant to Chapter 44, Section 21 of the MGL or any other enabling authority.
VOTE 5-0.

Pocasset River update: There has been an inspection of being deficient. Working with Pare Engineering to put together specifications to do necessary repairs in the Fall 2011. Contract is over at Atty. Troy's office for review. Moving to get bid and spec out moving forward (through Chapter 90 or Capital Outlay money).

Selectmen's Business

Swearing in of Sgt. Czyryca next Monday upon retirement of Sgt. Devillez.

Highway Dept, Town Planner and TA Guerino meeting with regard to store parking on Shore Road at Monument Beach. This will add 5-7 parking spots for people to do business not beach parking. Site visit with Mr. Agrillo after Board reviews proposals relative to the other parking issues as well. Consensus of Board is to have visit before receiving proposal. TA Guerino will set up site visit.

Sgt. Devillez offered the whole campus as far as parking and make the Board aware. TA to draft letter to the Admiral and entire staff of the MMA in appreciation.

Declare vacancy on the Board of Selectmen. Mealy's personal decision was based on his use of time. He wants to give residents opportunity and time to run a successful campaign. This is effective as of May.

Sloniecki MOVED and SECONDED by Pickard that the Board call a Special Election pursuant to authority and MGL Chapter 41, Section 10 to fill the unexpired term of Stephan F. Mealy who's seat is vacate as of 5/16/11 and to file forthwith a notice with Town Clerk certificated that the Board of Selectmen has called a Special Election on 5/17/11 to fill vacancy caused by resignation by Stephan F. Mealy. VOTE 4-0-1 (Mealy).

Technical Correction to Special Permit on Cumberland Farms. Based on Memorandum from Atty. Troy on 3/17/11. Technical correction needed to be made.

Selectmen Sloniecki MOVED and SECONDED by Mealy for the following in accordance with judgment on Land Court and affirmed by the Appeals Court and entered on or about on 4/10/06 and the unanimous vote of the Selectmen the attached and referenced special permit is hereby amended to reflect a technical correction as follows: strike the language which contains incorrect references to the parcel number and add "to reflect the subject property as Parcel 15 and a portion of Parcel 13.1. VOTE 5-0.

Compensation for Clerks: Request of compensation for Charter Review Committee with regard to a policy to hire a secretary. Charter Review Committee hired a secretary and it was not a fit. TA Guerino indicated to Mr. Johnson he could find a mechanism and brings before the Board. He does not find a mechanism. Chm. Ford will table until he hears from the Board otherwise.

Chief Martin Greene: Recognized and thanked members of the Fire Department for volunteering at the National Guard to assist in the homecoming of our troops.

Sloniecki - Bass Ackwards Awards Race: Mr. Mullen, DNR, does not have the capacity to patrol the celebration of this event. TA Guerino suggestion of applicant contact State Police and Coast Guard for possible assistance. Issue is how to make it work. Sloniecki raised issue with Surveyor's findings with regarding to routing slip and asked about a record to keep track of licensed. Old tanks were not tracked prior.

Pickard - Attended troops homecomings and all came back who were deployed.

Mealy - Food Pantry contributions appreciated.

Adjourn

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 9:30 pm. UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.

Dastous, Anne

From: lgroezienger@gmail.com
Sent: Friday, February 18, 2011 8:23 AM
To: Chapman, Wendy; Dastous, Anne
Subject: FinCom meeting notice of Mon. 2/28/11 @ 7 pm - TO POST

Reserve Fund: \$191,495.97

JOINT MEETING NOTICE
Finance Committee/Board of Selectmen
Monday, February 28, 2011
7 PM at the Community Building

AGENDA ITEMS:

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

Michele Ford
FinCom Chairman

Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE

2011 FEB 18 AM 9 43

**Joint Meeting of February 28, 2011
Finance Committee and the Board of Selectmen
Jonathan Bourne Library
Bourne, MA 02532**

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

FinCom member(s) excused: John Redman

Board of Selectmen – John Ford, Chairman; Mary Meli, Clerk; and Stephen Mealy

Member(s) excused: Don Pickard, Vice Chairman; Jamie Sloniecki

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

Guests: TA Guerino; Linda Marzelli, Financial Director; Mandi Speakman, COA; Patrick Marshall, Library; Barry Johnson, Town Clerk; Fire Chief Martin Green

List of documents

- COA packet – miscellaneous documents and pamphlets
- FY2010 Value of the Library – 10 pages
- Town of Bourne Draft Simulation – 2 pages
- Fire Department Budget – 3 pages
- FD Calls by district – 1 page
- FD Staffing by Stations – 4 pages
- FD EMS – 1 page

Meeting called to order

7:00 pm

Approval of minutes

DeWaltoff MOVED and SECONDED by Perry to approve minutes of 2/14/11 as submitted. UNANIMOUS VOTE.

Reserve Fund Transfer

None.

2011 MAR 9 AM 9 53
TOWN CLERK'S OFFICE

BUDGET DISCUSSION AND REVIEW

Council on Aging – Mandi Speakman, Director

As far as staffing, proposed is the Assistant Director hours cut from 35-25 hours (28% reduction); lay off of one full-time secretary; full-time bus driver hours cut from 40 hours to 32 hours. Grant funds have been eliminated.

Discussion

Once the Census comes in (April/May), percentage of the voting population is aged 60+ can be determined.

Tax write-off program will be reduced.

Mealy – adding \$35,000 would significantly benefit the COA (\$15,000 - restore the Asst. Director (also Volunteer Coordinator); \$25,000 to restore secretary for 17.5 hours/week, an unbenefited position).

Total proposed budget is \$276,097, which is a 17 ¼ % reduction.

Ford (FinCom) proposes another joint meeting on 3/14-11 for to discuss approaches to prioritize items to come up with a final budget.

Library Budget – Patrick Marshall, Director

Upcoming goals would be the evaluation of library workflows; weeding/de-selection of library materials; new technology; and evaluation of library space.

Library staffing needs would include Information/Technology librarian; library assistant; and custodian.

State Aid was used to upgrade computers, provide technology support, upgrade telephones, purchase book card shelves and furniture, purchase a security system, a self check-out system, repair masonry out front, repair electrical issues, and offset heating system repairs.

The State Municipal Appropriation Requirement (MAR) is about \$490,000 budget, which is below what State requires for minimum standards.

Discussion

Proposed budget is \$474,795, which is a reduction.

Restoring a half-position would significantly benefit the Department.

Town Clerk – Barry Johnson

Major change was the staffing area, which was a priority and funds were shifted around. Total of two (2) 35-hour positions (adding the second 35-hour position).

New Ethics Compliance law and the new Open Meeting Laws put a burden on the Department.

Recommendation to increase death, birth and marriage license fees, which would add about \$8,000 to General Fund revenues..

Total proposed budget is \$89,348.

Election & Registration – Barry Johnson

Money was taken out of this Department, and put in the Clerk's budget which was level funded.

Looking at two (2) elections this year; Presidential election and the annual election in May 2011. There is a possible movement to combine State primary with the Presidential election, holding both in June.

Discussion of proposed phasing and addition of a precinct (precinct 7) to bring Buzzards Bay "home". This could be revisited at the Special Town Meeting, October 2011.

Total proposed budget is \$47,850.

Fire Department – Chief Martin Green

Personnel and payroll – three (3) vacancies. Taking \$62,000 from Supervisors to Firefighters. Losing two (2) firefighters.

Presently three (3) stations are staffed: Buzzards Bay, Sagamore and Pocasset. Proposing only two (2) stations be staffed: Buzzards Bay and Pocasset. Sagamore will lose 4-6 minutes of Fire & ALS coverage. The closing of Sagamore Station will increase response time of Fire & ALS town-wide. All villages will be impacted.

Presently have a staff of 34 total. Working to reduce sick time, but long-term sickness and injuries cannot be reduced).

Discussion

\$102,000 needed to keep open and maintain Sagamore station. Mealy - discussion held on keeping open vs. closing.

Administrator --. Fire Inspector discussion. Research has shown that revenues generated by hiring an inspector would not offset the additional cost.

State sets the fee structures.

TA Comments

None.

Selectmen Comments

Mealy – asked what the deadline is for proposing an override and was told it would have to be a Special Town Meeting article with a due date of 3/18/11. TA Guerino stated that we need more than two months to do so and that the Town needs to look at one in FY13.

Finance Committee Comments

School and Sewer budgets not yet discussed.

Public comment

None.

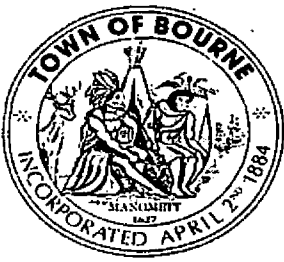
Future Agenda

Finish up Department reviews.

Adjournment

Grant MOVED and SECONDED by Galusha to adjourn. Meeting adjourned at 9:50 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



6:00 - EXECUTIVE SESSION – Labor negotiations /Neg. with non-union personnel

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 1, 2011	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 : February 15, 2011
 5. Correspondence
6. Gisele Gauthier – Housing Assistance Corporation – Possible action
7. Licenses/Appointments:
 - a. Aptuxet Post VFW – Request for Sunday 10:00 a.m. serving liquor
 - b. Transfer in liquor license from KKP, LLC to KKP, Inc., and an addition to the existing premise.
 - c. Best Buddies Bike Ride
8. Town Administrator's Report
 - a. Budget
9. Selectmen's Business
10. Adjourn

2011 FEB 25 PM 1:53
TOWN CLERK'S OFFICE

Board of Selectman
Executive Session
March 1, 2011

2011 MAY 11 PM 1 13

TOWN CLERK'S OFFICE

Attendees:

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

Chairman Ford called the Board of Selectman (BOS) in session at 6:00 p.m. and Mr. Sloniecki made the motion to enter executive session to discuss union and non-union personnel and to later return to open session. The motion was seconded by Mr. Mealy. Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

The Town Administrator (TA) distributed a memorandum depicting the proposed layoffs and budget reductions. After some review and the BOS concurred that the layoffs and reductions seemed appropriate given the current economic state. Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

The TA asked the BOS if they were in agreement and supported the contract for the recently appointed Chief of Police. Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes. He also informed the BOS that he has prepared the contract for the Human Resource Director and noted that previously agreed upon items, such as vacation time, were included. Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

The TA excused himself at this time. Chairman Ford referred to the idea of a one-year contract to be offered to the TA. He asked if there was consensus regarding this potential offer. Mr. Pickard stated that he would not support a one-year contract. Mr. Sloniecki stated that he would prefer a two-year contract. Further discussion determined that, although improvements have been made regarding the TA's performance, it would be appropriate to offer a one-year contract at this time. Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: no, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

At 7:05 p.m. Mr. Sloniecki made a motion to adjourn executive session and to return to open session. Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Released John A Ford Jr

Board of Selectman
Executive Session
March 1, 2011

2012 MAY 23 PM 4 25
TOWN CLERK'S OFFICE
BOURNE, MASS

Attendees:

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

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Dastous, Anne

From: lgroezinger@gmail.com
Sent: Tuesday, March 01, 2011 9:52 PM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom meeting agenda for Mon. 3/7/11 - TO POST

Reserve Fund: \$191,495.97

JOINT MEETING NOTICE

Finance Committee/Board of Selectmen
Monday March 7, 2011
7 PM
Community Building.

Meeting Agenda

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Review budgets, including but not limited to:
 - a. Bourne School District
 - b. Upper Cape Tech School District
4. TA Comment (for informational purposes only)
5. Selectmen Comment (for informational purposes only)
6. Finance Committee Comment (for informational purposes only)
7. Public Comment (for informational purposes only)
8. Future agenda items

Michele Ford
Finance Committee Chairman
Sent from my BlackBerry® by Boost Mobile

2011 MAR 2 PM 9 17
TOWN CLERK'S OFFICE

2011 MAR 15 AM 9 40

Joint Meeting of March 7, 2011

Finance Committee and the Board of Selectmen

Jonathan Bourne Library

Bourne, MA 02532

TOWN CLERK'S OFFICE

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

FinCom member(s) excused: John Redman, Bill Grant

Board of Selectmen –;Mary Meli, Clerk; Don Pickard, Vice Chairman; Jamie Sloniecki and Stephen Mealy

Member(s) excused: John Ford, Chairman,

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

Guests: TA Guerino; Bourne Schools Superintendent Lamarche; Fire Chief Martin Green

List of documents

- BPS packet dated 3/7/11 – 23 pages (double-sided)
- Budget Analysis FY12 – 2 pages
- Judy Cox proposal for lifeguard staffing – 1 page

Meeting called to order

7:00 pm

Approval of minutes

DeWaltoff MOVED and SECONDED by Galusha to approve minutes of 2/28/11 as submitted. VOTE 7-0-3.

Reserve Fund Transfer

Locke MOVED and SECONDED by Ripley to approve transfer of \$31,396.00 to replace 2006 pick up at Fire Department. Approx. \$28,000 insurance proceeds received will be added to Reserve Fund at the Special Town Meeting UNANIMOUS VOTE.

BUDGET DISCUSSION AND REVIEW

School Budget – Steven M. Lamarche, Superintendent of Schools

Mr. Lamarche reviewed the FY2012 budget presented to the School Committee on 3/2/11.

School lost \$339,788 of positions that have not been replaced. Grant reductions totaled \$523,499.

Entire budget is \$19,802,000 for FY12, a 4% increase. Level programming budget includes contractual obligations, student services increases and loss of Federal Grant Revenue.

Total FY12 Projected Revenue is \$1,744,000.

Personnel reduction recommendations reviewed totaling 6.4 full time/4 part-time for a total of \$356,068.

Personnel additions total \$71,667. Program changes include reduction of freshman athletics and BMS interscholastic sports for a total of \$37,466.

If more money were available he would recommended adding back total of \$162,000 which includes:

- Waste water treatment
- BEA
- Grade 3 teacher @ Bournedale
- Grade 6 teacher @ BMS
- BHS teacher

Discussion

\$1.1M reduction in budget.

School system budget does not included health insurance costs or other benefits.

Step increases are entering the last year of the contract.

AP's and SAT scores discussed briefly and are numbers the Superintendent will need to discuss with the School Committee and teachers moving forward.

Sloniecki inquired if \$19,000 given back to school if freshman sports could be put back in the budget. Superintendent's priority would be adding a teacher for students over sports.

Meli inquired about the support of two (2) physical education teachers. Superintendent stated he would like to see the well being of the students. Mealy also inquired about other school district reductions with regard to grants. Some districts did have reductions.

Special Education breakdown reviewed briefly. Total cost is \$5,878,550. Special Needs costs were also discussed. The school must meet the needs of those students, and it is expensive for the community.

In summary, would like to get \$162,000 to get grade 3 Bournedale; grade 6 BMS and a BHS teacher (elective course).

Public Comments

Susan Baracchini inquired about the School Physician. It is mandated.

Angela Sweeten commented on core academic subject teachers being cut and suggested integrating the technology into all the classes. Superintendent is looking to do such integration.

Sloniecki inquired about the OT position. OT position is to educate and assist students to the best of the district's ability.

Mr. Mulvey inquired about utilizing instructors at MMA and UCT so the three (3) schools could make course available to students. Superintendent will pursue suggestion.

\$5M + Special Education costs for Bourne, and Galusha inquired what other districts pay. Mr. Lamarche can get information but did not have it with him.

Michele Holmes commented on the impact of the students and teachers with this proposed budget.

Katherine Walton, School Committee member, commented on the cuts and their increasing every year. Chm. Ford (FinCom) stated that raising taxes places a hardship on everyone. The Town cannot continue to argue that they want to be a low cost Town with a high level of service. Ms. Walton further inquired of anything done to increase Revenue. Chm. Ford (FinCom) stated a Town cannot offset a \$1M shortfall by increasing fees, and said citizens have to ask themselves what kind of services do they want and what level of services.

Mealy stated the school salary costs are up \$600,000; the Town side is up \$200,000 in contracted salaries for a total increase \$800,000.

Laurie McAnough commented on reduction in guidance counselors and asked if they are full time instructors. She also inquired about adding fees for lifeguards and for recycling and curbside pick up.

Slade commented on stimulus funds and inquired if there is any more type funding. It cannot be predicted but are looking.

Susan Baracchini inquired if transportation of students who claim are homeless is mandated; inquired of the sale items from the Cody and Hoxie schools (some items are

on municipal bid and will go to the General Fund); and that tuition reimbursement is contractual to teachers.

Kim Gardner inquired about seeking other new collaborative costs.

Anne –Marie Siroonian inquired about the budget process. Chm. Ford (FinCom) briefly reviewed the process. Chm. Ford (FinCom) stated reductions of personnel by Department were reviewed. (UCT and Sewer Department still need to be reviewed). Selectmen will go back and work with TA, Finance Director and the FinCom based on discussions with Department Heads. Then they will discuss what the priorities are and lastly would there be an override? Next year will be even more severe cutbacks for the next fiscal year.

Tracy Beauman commented on the schools as being our future.

Susan Baracchini stressed the importance of a well-rounded education. She suggested temporary beach stickers to raise revenues.

Galusha said that how we fund education in the country needs to be raised to State and Federal legislatures.

Pickard commented that health insurance and general liability insurance for the schools comes from the General Government budget. The Town also funds the Retirement Fund.

Mastrangelo commented that trash pick-up is paid for by ISWM administrative costs, but we should think about the cost.

TA Comments

Budget numbers are the best guess as actual House numbers will come in April. Augmentations may be needed.

Free Cash total \$4,347,000 which is within 2% of Selectmen's goal to have in Free Cash.

Judy Cox handout proposing an alternate to all beaches being closed to fully staff to a central location total cost of \$28,504 to discuss at the next meeting.

Selectmen Comments

Sloniecki commented on the Town's ability to pay back money and avoiding having the bond-rating go down.

Pickard inquired if a summary similar to the school's could be done on the Town's side.

Finance Committee Comments

Next meeting will be 3/14/11.

Public comment

None.

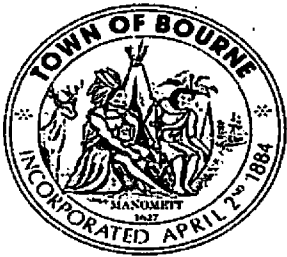
Future Agenda

Sewer Department and UCT budgets and lifeguard proposal.

Adjournment

Ripley MOVED and SECONDED by Galusha to adjourn. Meeting adjourned at 9:20 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



**Board of Selectmen
Meeting Notice
AGENDA**



**6:00 P.M. – Executive Session –
non-union negotiations and litigation**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 8, 2011	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

WORKSHOP

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/Appointments:

7. Liquor License - 7:15 p.m. Lobster Trap – Request for Year Round All Alcoholic

8. Stratford Capital Group – Coady School Proposal presentation

9. Working meeting with Capital outlay Committee.

10. Adjourn

TOWN CLERK'S OFFICE
2011 MAR 4 PM 4 18

Board of Selectman
Executive Session
March 8, 2011

2012 MAY 23 PM 4 25

TOWN CLERK'S OFFICE
BOURNE, MASS

Attendees:

John Ford, Chairman
Jamie Sloniecki, ~~Vice Chair~~
Mary Meli, Clerk
Stephen Mealy
Donald Pickard *vice chair*
Thomas Guerino, Town Administrator
Robert Troy, Town Counsel

At 6:00 p.m. Mr. Sloniecki made the motion to enter executive session to discuss non-union personnel. Mr. Mealy seconded the motion and Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Attorney Troy explained that the Town Administrator (TA) would not be present at the beginning of meeting, but would be called in later. Chairman Ford asked the Board of Selectman (BOS) to offer any comments or changes regarding the draft one-year contract for the TA. Discussion ensued regarding the proposed 4% increase in salary. Attorney Troy explained that the 4% was more of an off-set than an increase because mileage and automobile usage were adjusted in the contract. Chairman Ford added that severance was decreased to three months from the six months in the previous three-year contract. Mr. Pickard stated that he would not support a one-year contract. Ms. Meli pointed out that the one-year contract was proposed as a form of a warning, indicating that the BOS has some concern with the TA's performance. She added that she could not comprehend offering a one-year contract and an increase simultaneously. Attorney Troy commented that there have been improvements made over the past year.

Chairman Ford asked if the BOS wanted to table this item until the following week and asked for a roll call. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

At 6:45 p.m. the TA was asked to join the meeting. Attorney Troy discussed the fact that Attorney Michael Gilman, who has served as labor counsel to the Town, now resides in North Carolina. Discussion ensued and it was determined that Attorney Troy should now serve in this roll. Mr. Pickard made the motion that, as of March 8, 2011, Attorney Robert Troy would serve the Town of Bourne in all labor matters. Mr. Mealy seconded the motion and Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

At 6:55 p.m. Mr. Sloniecki made the motion to adjourn executive session and to return to open meeting. Roll call vote was taken. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Board of Selectman
Executive Session
March 8, 2011

2011 MAR 11 PM 1 13
TOWN CLERK'S OFFICE

Attendees:

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

At 6:00 p.m. Mr. Sloniecki made the motion to enter executive session to discuss non-union personnel. Mr. Mealy seconded the motion and Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Attorney Troy explained that the Town Administrator (TA) would not be present at the beginning of meeting, but would be called in later. Chairman Ford asked the Board of Selectman (BOS) to offer any comments or changes regarding the draft one-year contract for the TA. Discussion ensued regarding the proposed 4% increase in salary. Attorney Troy explained that the 4% was more of an off-set than an increase because mileage and automobile usage were adjusted in the contract. Chairman Ford added that severance was decreased to three months from the six months in the previous three-year contract. Mr. Pickard stated that he would not support a one-year contract. Ms. Meli pointed out that the one-year contract was proposed as a form of a warning, indicating that the BOS has some concern with the TA's performance. She added that she could not comprehend offering a one-year contract and an increase simultaneously. Attorney Troy commented that there have been improvements made over the past year.

Chairman Ford asked if the BOS wanted to table this item until the following week and asked for a roll call. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

At 6:45 p.m. the TA was asked to join the meeting. Attorney Troy discussed the fact that Attorney Michael Gilman, who has served as labor counsel to the Town, now resides in North Carolina. Discussion ensued and it was determined that Attorney Troy should now serve in this roll. Mr. Pickard made the motion that, as of March 8, 2011, Attorney Robert Troy would serve the Town of Bourne in all labor matters. Mr. Mealy seconded the motion and Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

At 6:55 p.m. Mr. Sloniecki made the motion to adjourn executive session and to return to open meeting. Roll call vote was taken. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Released John A Ford Jr

Fire Overtime – review

Parking at Monument Beach – site visit

Tim Mullen to bring recommendation/s to future agenda item

Board of Selectmen Meeting Minutes – March 8, 2011

Bourne's Veteran's Memorial Community Center

239 Main Street, Buzzards Bay, MA 02532

8 AM 11 25

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

Capital Outlay Committee

Mary Jane Mastrangelo
Ken Legg
Other?
John O'Brien
Elinor Ripley

List of Document(s)

- None

Sloniecki MOVED and SECONDED by Mealy to go into Executive Session to discuss Litigation and non-union negotiations at 6:00 PM. Roll call – VOTE: Pickard – yes; Meli – yes; Sloniecki – yes; Mealy – yes; Ford – yes.

7:00 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

No minutes.

Correspondence

No correspondence.

Stratford Capital Group, Rich Hayden– Coady School Proposal presentation

Stratford Group is the only company that took out a proposal.

Stratford specializes in the rehabilitation of historic schools into housing. Proposal is in conformance with Mass. Commission Restoration and Dept. of Interior standards, State and Federal credits to finance said project. DHCD financing will be used to create an affordable project for people ages 55+.

Proposing adding an addition on the back of the building without violating historic rules. Complete state-of-the-art restoration of the interior.

Michael Gardinier reviewed site plan, which plans to keep boundary line, creating a new layout for parking (90 total spaces), trash and recycling area. Footprint of existing school will stay the same. Creating two-story loft spaces in the gym by using the height and some secondary spaces where there are no historic windows. No basement in the addition.

Historic landscaping would remain. Green initiatives will be used in project (Energy Star requirements). Selectmen invited to visit and review current project in Weymouth.

Discussion

Copy of Stratford proposal is available at the Town Hall.

Total bedroom number is 145. Population is a 55+ open community property. 80% will be Bourne residents. Average age of 60. Professionally managed by a third party management community.

Construction period will be about a year and includes a third party GC to put work out to bid, most likely local subcontractors.

Discussion of baseballs hitting the school as it is near a baseball field. Stratford is comfortable with the risks.

The addition matching the existing façade will be based on the dialogue with the National Park Service.

Ms. Mastrangelo stated said project is what the Capital Outlay has been looking for.

Mr. Agrillo inquired about acreage, wastewater, airborne elements, etc. with the construction. Stratford stated that said proposal is only in the beginning stages and will be working with various Boards/Committees of Bourne.

Skip Barlow, President of Bourne Historical Society, stated that the whole thought behind said proposal was to preserve building on the outside.

Stratford will be the project owners from the beginning of construction. A management company will be used to manage the property.

Betsey Cavaro stated that she personally feels this is a good project.

Patty Debourne, abutter, inquired about why the addition, traffic, performance bonds, and septic treatment. (Addition is proposed to make project financially beneficial).

TA Guerino said a traffic study will be completed. Stratford commented on accessing subsidization. With regard to specific risks, Stratford doesn't buy the property until everything is in place. The Town will control the property until Stratford purchases it.

All mechanic systems will be removed.

Mealy MOVED and SECONDED by Meli that the Board endorses the Stratford Capital Group concept of residences at the Coady School as presented. tonight. VOTE 5-0.

Licenses:

Chm. Ford read hearing notice into record and reviewed protocol. Atty. O'Connor for applicant. Applicant David P. Delancey, Manager.

TA Guerino stated all abutters were notified and all green cards have been returned.

All staff is TIPS certified, more staff may be added.

Discussion

Mr. Agrillo supports said proposal.

TA Guerino stated no complaints with the Lobster Trap.

Chm. Ford closed hearing at 7:20 pm.

a. Liquor License – Lobster Trap – Request for Year Round All Alcoholic
Sloniecki MOVED and SECONDED by Pickard to approve Lobster Trap request to transfer from a seasonal common victualer license for the sale of wine and malt beverage license to a year round common victualer all alcoholic beverages license per routing slip (BOH, Fire Dept.). VOTE 5-0.

Working meeting with Capital Outlay Committee

Capital Outlay Program requests FY2011 – FY2015 and Financial Planning Document briefly reviewed.

Capital Outlay believes putting building committees together may impact the priorities. However, prioritization and timing will need to be reviewed on individual committees. Main topics would be the DPW, Police and Fire.

Chm. Ford stated that with the highway and the refinancing of the Middle School some debt will open up. TA Guerino added that the Board can make a policy stating monies in access of the Host Community Fee goes to a specific capital expenditure line item (savings account) to have a dedicated source of funds to offset the debt.

Ripley is in support of adopting the concept of dedicating capital expenditure funds for these facilities.

Fire Chief supports the Capital Outlay discussion of combining the two stations (Pocasset and Monument Beach) and declaring the third a surplus, putting money into a capital fund. Question raised if Pocasset station can be used as storage, but it is not feasible.

Mealy suggested looking at the broad debt moving forward.

Chm. Ford said to not overestimate the \$7M-\$8M for the Highway Dept.

Mastrangelo recommends not moving forward with any building project until a Facilities Manager was hired. Mastrangelo suggested having Facilities Manager position funded out of both the Town and School budgets.

TA Guerino suggested adding a Facilities Management Department when financially appropriate. He sees the addition of an Accountant as a priority over a Facilities Manager.

The next step is another workshop inviting Finance Director to look at the long-term debt to see what can be done and when it can be done.

Mealy suggested putting together a plan for the \$52M facilities project, setting dates by listening to people who have gone through these type of projects.

TA Guerino suggested a DPW facility with 35,000 – 40,000 sq. ft. of storage, and fill with what is needed. He also commented on the cost of tying the sewer with Bourne Elementary system.

Mastrangelo suggested Linda Marzelli come to said workshop with a year-by-year debt schedule to build for example the DPW facility for discussion.

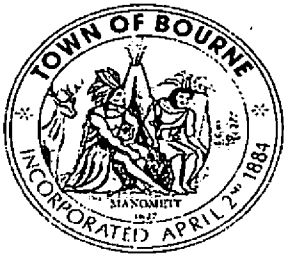
Discussion on possible action (placeholder-due date 3/18/11?) relative to the Cape Cod Commission (user friendly and getting money's worth of \$165,000) by placing an Article at either the Special Town Meeting or Town Meeting. Chm. Ford suggested inviting Town Planner for opinion and discussion at the 3/15/11 meeting.

Mr. Mulvey suggested to balance discussion by asking the Cape Cod Commission opinion.

Adjourn

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 9:30 pm. UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.



**Board of Selectmen
Meeting Notice
AGENDA**



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

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday March 14, 2011	7:00 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

1. Joint Meeting to discuss budget action

TOWN CLERK'S OFFICE
2011 MAR 11 PM 12 52

Chapman, Wendy

From: Igroezinger@gmail.com
Sent: Wednesday, March 09, 2011 10:29 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom meeting of Mon. 3/14/11 - TO FILE

Reserve Fund: \$160,099.97

MEETING NOTICE

Finance Committee/Board of Selectmen Monday March 14, 2011
7 PM
Community Building.

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

Michele Ford
FinCom Chairman
Sent from my BlackBerry® by Boost Mobile

2011 MAR 9 AM 10 40
TOWN CLERK'S OFFICE

Chapman, Wendy

From: lgroezinger@gmail.com
Sent: Tuesday, March 15, 2011 9:27 PM
To: Chapman, Wendy
Cc: Johnson, Barry
Subject: FinCom joint meeting with BOS agenda of Mon. 3/21/11 - TO POST

Reserve Fund: \$160,099.97

MEETING NOTICE

Finance Committee/Board of Selectmen Monday March 14, 2011
7 PM
Jonathan Bourne Public Library

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Budget discussion - revenue and expense alternatives
4. Warrant - receive from Town Administrator
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Michele Ford
FinCom Chairman
Sent from my BlackBerry® by Boost Mobile

2011 MAR 16 AM 9 48
TOWN CLERK'S OFFICE

Johnson, Barry

From: lgroezinger@gmail.com
Sent: Wednesday, March 09, 2011 10:46 AM
To: Johnson, Barry
Subject: Amended FinCom/BOS meeting agenda of 3/14/11 - TO POST

MAR 9 AM 11 45

TOWN CLERK'S OFFICE

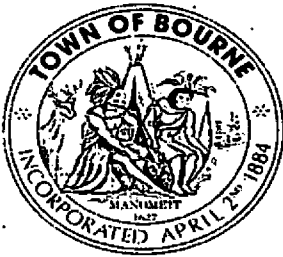
Reserve Fund: \$160,099.97

***AMENDED* MEETING NOTICE**

Finance Committee/Board of Selectmen Monday March 14, 2011
7 PM
Community Building.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Review budgets, including but not limited to:
 - a. Sewer Department
 - b. Upper Cape Tech
 - c. Lifeguards proposal
4. Budget discussion
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Michele Ford
FinCom Chairman
Sent from my BlackBerry® by Boost Mobile



Board of Selectmen Meeting Notice AGENDA



6:00 -EXECUTIVE SESSION – NONUNION PERSONNEL NEGOTIATIONS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 15, 2011	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: Regular 3/8/11 - Executive Session 2/22/11
5. Correspondence
6. Licenses/Appointments:
 - a. Baseball Parade
 - b. Dick Melloni Bike Ride
 - c. Fishing Clinic
 - d. MS – One Day Liquor License
7. DNR fee recommendations – Mr. Mullen (Discussion and possible vote)
8. Charter Commission report to the Selectmen
9. Approval of Road Name for new subdivision – Pippin Way
10. Planning Director and Planning Board report regarding the Cape Cod Commission (Discussion and possible vote)
11. Town Administrator's Report
 - a. Budget
 - b. Article review discussion.
12. Selectmen's Business
 - a. Discussion regarding funding dilemma for coast line and estuary protection
 - b. Funding for continuation of Mass. Estuaries program
13. Adjourn

TOWN CLERK'S OFFICE

2011 MAR 11 PM 3 23

Fire Overtime – review

Parking at Monument Beach – site visit

Tim Mullen to bring recommendation/s to future agenda item

Board of Selectman
Executive Session
March 15, 2011

2011 MAY 11 PM 1 13

TOWN CLERK'S OFFICE

Attendees:

John Ford, Chairman
Jamie Sloniecki, Vice Chair
Mary Meli, Clerk
Stephen Mealy
Donald Pickard

At 6:00 p.m. Chairman Ford made the motion to enter into executive session to discuss non-union personnel. The motion was seconded by Mr. Sloniecki. Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Chairman Ford asked the Board of Selectman (BOS) if there were any changes or recommendations regarding the draft proposed one-year contract for the Town Administrator (TA). Discussion ensued regarding the percentage, if any, for an increase. Chairman Ford suggested a 2% increase on the TA's base salary, which would bring his earnings to \$131,675. Mr. Pickard stated that he would not support a one-year contract. Ms. Meli, noting that a one-year contract was being offered due to concerns the BOS has with the TA's performance, could not justify an increase to salary at this time.

After further discussion changes were agreed upon and Mr. Mealy made the motion to offer the TA a one-year contract including the following changes: the term of the contract will be from June 30, 2011 to June 30, 2012, the salary will be \$131,675. Section 6 Automobile, shall now read, "The Employee shall use a vehicle owned by the Employer that relates to the official business of the Town. In the event the Employee is required to use his personal vehicle for official business for the Town, Employee shall be entitled to reimbursement for such use in accordance with standards of the Internal Revenue Service." The motion was seconded by Chairman Ford at which time he asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: no, Mr. Ford: yes, Ms. Meli: no, and Mr. Mealy: yes.

At 6:45 Mr. Sloniecki made the motion to return to adjourn the executive session and to return to open session. Mr. Mealy seconded the motion and Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Released John A. Ford

Board of Selectman
Executive Session
March 15, 2011

2012 MAY 23 PM 4 25

TOWN CLERK'S OFFICE
BOURNE, MASS

Attendees:

John Ford, Chairman
Jamie Sloniecki, Vice Chair
Mary Meli, Clerk
Stephen Mealy
Donald Pickard *vice chair*

At 6:00 p.m. Chairman Ford made the motion to enter into executive session to discuss non-union personnel. The motion was seconded by Mr. Sloniecki. Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Chairman Ford asked the Board of Selectman (BOS) if there were any changes or recommendations regarding the draft proposed one-year contract for the Town Administrator (TA). Discussion ensued regarding the percentage, if any, for an increase. Chairman Ford suggested a 2% increase on the TA's base salary, which would bring his earnings to \$131,675. Mr. Pickard stated that he would not support a one-year contract. Ms. Meli, noting that a one-year contract was being offered due to concerns the BOS has with the TA's performance, could not justify an increase to salary at this time.

After further discussion changes were agreed upon and Mr. Mealy made the motion to offer the TA a one-year contract including the following changes: the term of the contract will be from June 30, 2011 to June 30, 2012, the salary will be \$131,675. Section 6 Automobile, shall now read, "The Employee shall use a vehicle owned by the Employer that relates to the official business of the Town. In the event the Employee is required to use his personal vehicle for official business for the Town, Employee shall be entitled to reimbursement for such use in accordance with standards of the Internal Revenue Service." The motion was seconded by Chairman Ford at which time he asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: no, Mr. Ford: yes, Ms. Meli: no, and Mr. Mealy: yes.

At 6:45 Mr. Sloniecki made the motion to return to adjourn the executive session and to return to open session. Mr. Mealy seconded the motion and Chairman Ford asked for a roll call vote. Mr. Sloniecki: yes, Mr. Pickard: yes, Mr. Ford: yes, Ms. Meli: yes, and Mr. Mealy: yes.

Minutes — Board of Selectmen — Executive session September 27, 2011 Meeting

Called to order at 6:02 P.M.

In open session Mr. Sloniecki made a motion to enter executive session regarding contract negotiations and the Town Administrator's contract and to return to open session at the conclusion of the Executive session. The motion was seconded by Mr. Baldwin and by roll call vote was agreed to by the Board.

Mr. Sloniecki —yes; Mr. Ford — yes; Mr. Baldwin — yes; Mr. Meier — yes; Chairman Pickard —yes.

It was discussed that section 11 of the Town Administrator's contract needed language changes as the disability and life insurance Sections were cut and pasted from the previous contract, thus discussing year 2 and three of the contract. Given that the TA's current contract agreement is for one year that language needed to be changed. There are no dollar amounts to be changed.

Mr. Sloniecki made a motion to make the necessary changes to the Town Administrator's contract to reflect the required changes to Section 11 regarding Life and Disability insurances by inserting the word "...4500 dollars during the term of this agreement...". The motion was seconded by Mr. Meier and by roll call vote agreed to by the Board.

Mr. Sloniecki —yes; Mr. Ford — yes; Mr. Baldwin —yes; Mr. Meier—yes; Chairman Pickard —yes.

The issue regarding the re-issuance of 24 hour municipal vehicle use for the Town Administrator was brought up for discussion. Mr. Guerino was requesting that the BOS reinstate usage of the vehicle which he had for the previous 5 years of his employment. Mr. Ford indicated that there was a tradeoff for the 4800 stipend for the car and other expenses, the Board had agreed to this during the contract negotiations in the spring. He was in absolute disagreement that this should be discussed or re-voted as the contract was negotiated in good faith. Mr. Sloniecki responded that this was taken away not in good faith at all and was more spiteful than substantive. There was considerable additional discussion amongst the Board and Town Administrator.

Mr. Sloniecki Made a motion to re-instate The Town Administrator's vehicle for 24 hour use Monday Through Friday only. Mr. Meier seconded the motion and the motion was agreed to by a majority of the Board pursuant to a roll call vote.

Mr. Sloniecki — yes; Mr. Ford —no; Mr. Baldwin —yes; Mr. Meier — yes; Chairman Pickard — no.

In further discussion Mr. Sloniecki thought it was unfair not to let the Town Administrator know now, if the Board of Selectmen would offer the Town Administrator another one year contract. The majority of the Board was against offering Mr. Guerino another one year contract.

Mr. Ford-- No; Mr. Meier -- No; Mr. Sloniecki-- yes; Mr. Baldwin-- yes; Chairman Pickard-- no

Mr. Daniel Barrett entered the executive session. The Board discussed the current progress of negotiations with Covanta SEmass) regarding long term ash, cover and Bourne municipal trash disposal. There was substantial discussion on what the best long term options for the town. The Board thanked Mr. Barrett for the update and acknowledged the good work the Futures working group was doing. They encouraged Mr. Barrett to continue negotiations.

A motion to adjourn the Executive Session was made by Mr. Meier and Seconded by Mr. Ford. Upon a roll call vote the meeting adjourned at 7:08 P.m.

Mr. Sloniecki — yes; Mr. Ford —yes; Mr. Baldwin — yes; Mr. Meier — yes; Chairman Pickard —yes.

Board of Selectmen Meeting Minutes – March 15, 2011

Bourne’s Veteran’s Memorial Community Center

239 Main Street, Buzzards Bay, MA 02532

*****2011 APR 8 AM 11:29*****

Attendance: CLERK'S OFFICE

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)

- None

Sloniecki MOVED and SECONDED by Mealy to go into Executive Session to discuss non-union personnel negotiations at 6:00 PM. Roll call – VOTE: Pickard – yes; Meli – yes; Sloniecki – yes; Mealy – yes; Ford – yes

7:00 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

Robert Schofield update on Cable Advisory Committee. Cable contract is due to expire on 5/22/11. Negotiations with Comcast begin 3/22/11 with a second meeting 3/28/11 to discuss local studio and equipment presently using and setting up a 504 non-profit for the Town and taking over running studio from Comcast. Updates will be given as progress is made.

Minutes

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 3/8/11 as submitted. VOTE 5-0.

Pickard MOVED and SECONDED by Meli to approve and unencumber executive session minutes of 2/22/11 as amended. VOTE 5-0.

Correspondence

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

Item E – appointment of a representative to the MMR Military Civilian Community Council (MC3). To be put on agenda for the 3/22/11 Selectmen meeting.

Item H – \$10,000 for initial review on downtown façade improvements.

Licenses:

a. Baseball Parade

Sloniecki MOVED and SECONDED by Mealy to approve annual Little League Bourne Baseball Parade on 4/23/11 at 10:00 am per routing slip, waiving fee and require deposit be refunded after event. VOTE 5-0.

b. Dick Melloni Bike Ride

Pickard MOVED and SECONDED by Sloniecki to approve Dick Melloni Youth Foundation Bike Ride on 9/18/11 from 7:00 am – 3:30 pm per routing slip (BOH), waiving fee and require deposit be refunded after event. VOTE 5-0.

c. Fishing Clinic

Sloniecki MOVED and SECONDED by Pickard to approve Fishing Clinic - 4th Annual Teach & Take a Child Fishing on Saturday, 6/5/11 (rain or shine); three two-hour clinics from 8:00 am – 6:00 pm per routing slip. VOTE 5-0.

d. MS – One Day Liquor License

Sloniecki MOVED and SECONDED by Pickard to approve National Multiple Sclerosis Society Cape Cod Getaway Event on 6/25/11 from 1:00 pm – 6:00 pm per routing slip (FD). VOTE 5-0.

DNR fee recommendations – Mr. Mullen (discussion and possible vote)

Recommendations for the Fall:

- Resident Beach Permits - \$15 to \$25 (generate additional \$18,500)
- Non-Resident Beach Permits - \$30 to \$50/\$60 depending what penalties are (generate additional \$9,750)
- Shellfish permits – no increase at this time.
- Mooring permits - \$70 to \$80; no change in commercial permits (generate additional \$18,000)
- Marina fees – 7% increase (generate additional \$51,000 based on season's commitment)

Total recommended increases for FY12 - \$97,250

Mealy suggests revisit recommendations prior to next December (when bills go out) to see what other towns would be charging and for SHC review.

Meli raised issue with increasing beach permit. Chm. Ford suggests a public hearing before taking action. TA Guerino suggested looking at the non-resident beach sticker increase if not looking at the resident beach sticker.

Charter Commission report to the Selectmen - John Johnson, Chairman

Charter Commission members present. Report will be put online and make hard copies available at the library and other places.

Recommendations:

- Selectmen move to proceed to appoint Committee with regard to Sewers (appointed members).

MGL model assumes town existing with water and sewer (combined). Very detailed and organized and needs a lot of study before deciding which route to go.

- Policy role of Selectmen

Moved time to 45 days for getting goals in. Took out "broad" under Policies (BOS control by policies). Written policies give the public a sense of what the Selectmen want to do with the Town; and TA carries out.

- Prohibitions of the BOS

No Selectmen may hold any town office or Town employee; No former Selectmen hold any compensated office or employee for two years after term of being Selectmen.

- Open Meeting Law

Keep rules of procedure consistent with regard to Open Meeting Law. Addition of the minutes of multiple member board/committees be permanently posted on Town website. Meetings of BOS, School Committee, BOH and Planning Board to be televised if possible. No meeting shall be cancelled due to not being able to be televised.

- Selectmen appoint Fire Chief and Police Chief.

Town Administrator recommendation, BOS appointment - Strong Chief/Weak Chief

- Administration of Bourne

Town Administrator residency required.

- HR Director

Town Administrator position expanded giving authority to write contracts being approved at the end by the Selectmen.

Approval of Road Name for new subdivision – Pippin Way

Pickard MOVED and SECONDED by Mealy to approve Pippin Way road name for new subdivision. VOTE 5-0.

Planning Director and Planning Board report regarding the Cape Cod Commission (discussion and possible vote)

Cape Cod Commission Executive Director, Paul Niedzweicki, Cape Cod Commission Representative Michael Blanton, Planning Board members.

Ms. Moore felt there was a conflict between regulatory and planning. On the other hand, the CCC assisted with planning the Disaster Plan; completing LCP; and Growth Incentive Zone.

Examples of conflicts between regulatory and planning with Growth Incentive Zone and Wind Turbines discussed. Ms. Moore believes planning and regulatory should be separate. Resources for planning in small towns are available.

Discussion

Chm. Ford noted receiving assistance from the CCC with regard to the supermarket at the Sagamore Outlet Mall.

Pickard inquired about the provisions with regard to square footage. Ms. Moore said it was the GIZ that would handle that issue (lower thresholds, reserve Open Space, or down zoning), but the Town must also mitigate outside of the zone. Bourne has been progressive with regard to Open Space, which requires mitigation.

Sloniecki read excerpt (3rd paragraph of CCC letter dated 3/15/11) citing the cost of the CCC comes from homeowner's property tax.

Mr. Agrillo would like to not use the CCC.

Planning Board member Chris Farrell praised the work of the CCC. One point raised was with the Land Use Vision Map. Town cannot get GIZ until it has a Land Use Vision Map. Second point of renewable energies are not being affordable due to what have to go through to complete project. In summary, he believes it is up to the townspeople to make decision with regard to the CCC.

Mr. Mulvey in favor of using the CCC as they are not politically tied to the town is an advantage.

Mr. MacPhee, Pocasset, in favor of the work of the CCC as it helps protect the Town (back up defective planning). He made reference to wind turbines.

Mr. DeCicco, Buzzards Bay, commented on CCC assisting with 40B housing projects for developers as the payback to the town is little.

Mr. Nieldsweicki, of the CCC, offered to listen to tonight's meeting to answer every question/point raised to measure the results moving forward. Some facts need to be straightened out on how the CCC works. He invited Selectmen to tell the CCC how they can work better for the Town.

TA Guerino asked Mr. Nieldsweicki if the CCC has ability to separate. There is incredible separation between the two and doesn't see the conflict. He will take criticism to the CCC.

Peter Meier, Chm. Affordable Housing Authority, sees CCC a great benefit to the Affordable Housing Authority. Mealy inquired if the Town can make better use of the CCC and the answer was yes.

Mr. Agrillo inquired about a list of employees of the CCC.

Mr. Blanton offered his view having represented the Town before the CCC. He believes the CCC is a clearinghouse of planning and regulatory information.

Meeting between Selectmen and Mr. Neidzweicki is planned in the future and will discuss above further.

Sloniecki MOVED and SECONDED by Pickard for a 5-minute recess. VOTE 5-0.

Town Administrator Report

a. Budget

Received from Planning Department the new Generation Wind DRI application to the Commission. Executive Summary to be put on the website.

Selectmen and FinCom discussed items relative to the budget. Areas discussed were the custodian at the Community Building, and the COA position.

TA Guerino believes if the Town takes between \$800,000 - \$1M from reserves. This will not put the town in jeopardy in FY12 and FY13. Chm. Ford states not to take any more than that amount. TA Guerino addressed Financial Director's suggestion to utilize a portion of that money (\$150,000 - \$200,000) and put in Overlay to bring budget to threshold that he recommended to the Town.

Outline provided to Selectmen and FinCom is feasible, given the need of the community and what the various departments do impact town-wide. COA funding is a priority as it is the intake position for all human services agencies. TA Guerino was told the tax write off program involves CORI checks, placement, work done by certified folks and cannot add another 70-80 CORI to the HR Director position at this time.

Town Counsel opinion states that if the BOS wants to take any action as a result of discussion of his report, BOS has authority to take action under TA Report section.

b. Article review discussion

As a side note, article listing for the Warrant will be available for 3/22/11 meeting.

Discussion of hiring 3 firefighters that might be laid off vs. not readily filled police positions. TA Guerino responded by saying it is easier to set staffing in the fire department (minimal manning). When have police sector car(s), town can dispatch and allocate resources in a more nimble manner when you have fixed equipment in an emergency situation.

Chm. Ford discussed the COA and the volunteer program; the tax write-off program; and keeping the building clean as being a priority.

Mealy discussed FY13. He doesn't want to see the closing of Sagamore Station as it will affect service.

Chm. Ford stated that with the recession, to look at all things need next year (step increases, pay raises). TA Guerino stated that with non-teaching employees, when brought contracts forward, and looked at other communities who were taking "0", when reviewed the best bang for the buck on the municipal side, didn't do steps for 2 years. Steps were more expensive than the COLAs. Municipal employees came to the table, accepted doubled co-pays (not including Fire/Police).

TA Recommendation:

\$66,000 – COA (closer to \$57,000)

\$10,001 – Comm. Bldg.

\$102,000 – Fire Department

\$14,000 – DNR for pump out boat/waterways improvement

As far as timing, TA stated the sooner the BOS respond to his recommendations (COA at least) it relieves pressure with regard to the layoffs.

Mealy would like to hear from Ms. Marzelli before moving forward with the TA recommendation next week. TA Guerino will distribute Financial Director's report to the BOS as soon as he can (FinCom as well).

Selectmen's Business

a. Discussion regarding funding dilemma for coast line and estuary protection

\$65M dilemma is being taken up in Congress. It will be continued in the upcoming year and not relative to today.

b. Funding for continuation of Mass. Estuaries program

Falmouth approached TA Guerino stating they are going to work on Meganset Harbor and asked if Bourne would like to tie into Squateague. Town has report for Phinney's Harbor, but it seems Falmouth owes Bourne \$30,500 in work for reports because they didn't do Redbrook.

Testing was done at Back River and Eel Pond, but never saw any documentation. TA Guerino suggests going after the \$30,500.

Mealy requesting a full account relative to where Bourne has identified 5 different on-going projects breakdown.

Mealy MOVED and SECONDED by Pickard to table action from Falmouth until get the breakdown of the Bourne projects. VOTE 5-0.

Adjourn

Sloniecki MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 10:20 pm. UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Wednesday, March 16, 2011 8:27 AM
To: Dastous, Anne
Subject: Fw: FinCom/BOS joint meeting of Monday 3/21/11 - TO POST (corrected)

Sent from my BlackBerry® by Boost Mobile

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

From: lgroezinger@gmail.com
Date: Wed, 16 Mar 2011 02:28:45
To: Wendy Chapman<wchapman@townofbourne.com>
Reply-To: lgroezinger@gmail.com
Cc: Barry Johnson<bjohnson@townofbourne.com>
Subject: FinCom/BOS joint meeting of Monday 3/21/11 - TO POST (corrected)

Reserve Fund: \$160,099.97

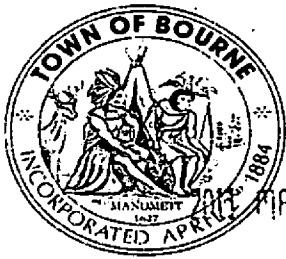
MEETING NOTICE

Finance Committee/Board of Selectmen Monday Marche 21, 2011
7 PM
Jonathan Bourne Public Library

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Budget discussion - revenue and expense alternatives
4. Warrant - receive from Town Administrator
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Michele Ford
FinCom Chairman
Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 MAR 16 PM 9 48



Board of Selectmen Meeting Notice AGENDA



Date

Tuesday
March 22, 2011

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 : 02/22/11 – 03/15/11
5. Correspondence

6. Licenses/Appointments:

a. 2011 Seasonal Liquor renewals and accompanying licenses

1. Chart Room
2. The Sagamore Inn
3. The Lobster Trap Fish Market and Restaurant
4. Betty Ann's Dairy Freeze, LLC
5. Lazy Sundaes Ice Cream
6. Seafood Shanty, Inc.
7. Whistle Stop Ice Cream Co., Inc.
8. Cataumet Light Mini Golf

b. appointment of a representative to the MMR Military Civilian Community Council (MC3)

c. SSG Matthew A. Pucino Memorial Foundation Motorcycle Run

d. ABCC population vote

7. Second reading of proposed town Investment policy

a. Financial review for future years – Finance Director

8. Town Administrator's Report

a. Budget augmentation proposal discussion and possible vote.

b. Staff reduction update

c. Establish site visit date for Monument Beach Parking

d. Parking Fees – Chief Woodside

9. Selectmen's Business

10. Adjourn

**Board of Selectmen Meeting Minutes – March 22, 2011
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)

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

List of Document(s)

- None

2011 APR 6 PM 4 11
TOWN CLERK'S OFFICE

7:00 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

Sloniecki MOVED and SECONDED by Meli to approve minutes of 3/15/11 as submitted.

UNANIMOUS VOTE

Correspondence

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

Item D – Sloniecki request for member name for files.

Item H – TA Guerino meeting with Atty. Troy and will discuss process for each particular parcel. At the maximum would be put on the Fall Special Town Meeting.

Item F – BOS to draft letter to Mr. Carrara Sr. of recognition for his service to the community.

Licenses/Appointments

a. 2011 Seasonal Liquor renewals and accompanying licenses

Sloniecki MOVED and SECONDED by Meli to approve 2011 seasonal liquor licenses for: Chart Room, The Sagamore Inn, The Lobster Trap Fish Market and Restaurant. VOTE 4-0

Sloniecki MOVED and SECONDED by Mealy to approve Common Victualer (food) licenses for Betty Ann's Dairy Freeze, Lazy Sundaes Ice Cream, Seafood Shanty, Inc., Whistle Stop Ice Cream Co., Inc. VOTE 4-0

Sloniecki MOVED and SECONDED by Mealy to approve General Amusement license for Cataumet Light Mini Golf. VOTE 4-0

Sloniecki MOVED and SECONDED by Mealy to approve Food Amusement license for Chart Room, The Sagamore Inn and the Lobster Trap Fish Market, Inc. VOTE 4-0

Sloniecki MOVED and SECONDED by Mealy to approve Weekday Amusement Amount for the Chart Room. VOTE 4-0

Sloniecki MOVED and SECONDED by Mealy to approve Sunday Amusement Amount for Chart Room. VOTE 4-0

b. Community Counsel (MC3) until suspended or revoked.

Sloniecki MOVED and SECONDED by Meli to appoint Don Pickard to the Community Counsel (MC3) until suspended or revoked. VOTE 4-0

Future Agenda to the Sr. Management Board -

c. SSG Matthew A. Pucino Memorial Foundation Motorcycle Run

Sloniecki MOVED and SECONDED by Mealy to approve SSG Matthew A. Pucino Memorial Foundation Motorcycle Run on 7/9/11 beginning at 11:00 pm (rain date of 7/10/11), waive fee and return deposit at complete of event. VOTE 4-0

d. ABBC population vote

Sloniecki MOVED and SECONDED by Mealy to acknowledge the temporary increased resident population as of 7/10/11 be 40,000 and submit to ABBC as required on an annual basis. VOTE 4-0

Second reading of proposed Town Investment Policy

Brief synopsis read into record by Mealy of proposed Town of Bourne Investment Policy. Extended appreciation to TA Guerino and the Finance Director for putting together.

Adoption of Town Investment Policy to be put to vote on 4/5/11.

a. Financial review of future years – TA Guerino

Governor's numbers are at a 7.2% reduction in State Aid and most managers are using the 10% number until they receive the House and Senate numbers.

Estimate Scenario and Override Scenario briefly reviewed with Tax Levy; State; Local Receipts; Available Funds; and Other Sources.

Estimated Scenario

TA Guerino explained that in the next contract negotiation period (FY13) it will be relative to the step increases. Town step increases are average, but in the current economy he doesn't believe the Town can continue to support. Bourne needs to have a full classification study.

Insurances are increases in property value (new facilities and wind facilities not in the fixed rate).

Override Scenario

TA Guerino stated there will be a supplemental appropriation at the Congressional relative to Snow and Ice. This will be available tomorrow (3/22/11) from ISWM.

A \$2M override would mean 50 cents per thousand per household. This will carry the Town for about three (3) years. TA Guerino stated the Town can afford to go into Overlay to \$800,000 - \$1M, which is one year's revenue increase and will inflate the numbers the next year.

If it doesn't happen, further reduction of staff and services will occur over the next several years. 2013 shows new contract renewals. Step increases are average.

Mealy requested another scenario to move numbers for salaries and expenses from 13% to 17%. TA Guerino will get information to the Board.

TA Guerino stated that the general consensus at the FinCom meeting last night was they would like the School Committee go back and take another look at their \$162,000 shortfall in their budget to keep the additional three (3) teachers. Also discussed at last night's FinCom meeting was the UCT budget of a 5% increase in salaries. TA Guerino stated that the School Committee is going to review their BET contracts.

TA Report

a. Budget augmentation proposal discussion and possible vote

The Town has the ability to put back \$800,000 to \$1M into the budget. Discussed at last night's FinCom was to put money back into Operations side with: Fire Station - \$107,000; COA - \$57,000; Town Hall Assessors - \$40,000; Community Building custodian - \$14,000; Pump out boat - \$14,000 (both boats).

Discussion

TA Guerino would like to see coverage in the Administration office for \$10,000 as moving down to one (1) person in the office not including TA Guerino. Pickard inquired about the Sewer responsibilities be shifted to another person, but TA Guerino does not have anyone. The Swimming program of \$8,000 will cover swimming lessons at the MMA for a fee. No lifeguards. Library would be \$26,400 for a half-time person.

Sloniecki asked about a way to monitor the OT in the Fire Department. This \$107,000 will help keep down overtime.

Fire Department

Sloniecki MOVED and SECONDED by Mealy to endorse the TA recommendation for the FY13 budget of \$107,000 to the Fire Department for the purpose of maintaining three (3) stations. VOTE 4-0

Council on Aging

Sloniecki MOVED and SECONDED by Meli to endorse the TA recommendation for the FY13 budget for the Council on Aging in the amount of \$57,000. VOTE 4-0

Community Building

Mealy recommended looking into a way to offset part of the cost of this position. TA Guerino cannot mandate OT hours on weekends. OT will be reduced substantially - \$14,000 is a net figure which would come out to be \$9,000 - \$10,000.

Sloniecki MOVED and SECONDED by Pickard to endorse the TA recommendation for the FY13 budget for the Bourne Veteran's Community Building custodian part-time position in the amount of \$14,000. VOTE 3-1. (Mealy).

Sloniecki MOVED and SECONDED by Meli to not vote on the remainder of the items at this time. (Assistant Assessor's office, Pump out boat, ¼ - ½ position in the Selectmen's office, Lifeguards and the Library of \$26,400. VOTE 4-0

TA Guerino would like to bring back the Assessor's position when money comes back to the Town.

b. Staff reduction update

TA Guerino to meet with Atty. Troy to discuss different scenarios trying to keep people, but he believes the Town needs to move ahead not knowing what the financial situation will be.

c. Establish site visit date for Monument Beach parking

Site visit set for 4/12/11 at 6:15 pm.

d. Parking Fees

Defer to another date.

Relative to the Bass Ackwards event, Mr. Mullen met with Mr. Zane today. Mr. Mullen in contact with State agencies and surrounding communities for assistance.

Trash collections and recycling bids went out, receiving six (6) bids. Full report and TA Guerino recommendations at a later date.

HR Director on her second week of employment.

Selectmen's Business

Sloniecki read into record comments on the Wind Turbine project that was brought forth to him prior to tonight's meeting. A meeting with Mike McLaughlin with regard to the decrease of value of homes near wind turbines presentation for review given to the Board tonight.

Pickard announcement of William Donkin's family.

Draft Warrant copies given to the Board tonight.

Hoxie received no formal RFP for re-use of building. Letter of intent received was provided by a Coalition of groups to utilize the facility as a multi-purpose center. TA Guerino will bring to the Board. Also looking at a repair of the flat part of the roof.

Adjourn

Sloniecki MOVED and SECONDED by Meli to adjourn. Meeting adjourned at 8:45 pm.
UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.

Dastous, Anne

From: lgroezinger@gmail.com
Sent: Tuesday, March 22, 2011 11:19 AM
To: Chapman, Wendy
Cc: Dastous, Anne
Subject: FinCom mtg notice - TO POST

Reserve Fund: \$160,099.97

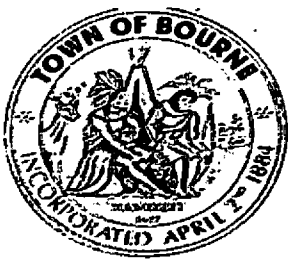
MEETING NOTICE

Finance Committee
Monday March 28, 2011
7 PM
Community Building.

1. Minutes of previous meeting
2. Reserve Fund Transfers
3. Warrant article review
 - a. Charter review committee article
 - b. Capital outlay article
 - c. Quorum article
4. Warrant - vote articles
5. TA Comment (for informational purposes only)
6. Selectmen Comment (for informational purposes only)
7. Finance Committee Comment (for informational purposes only)
8. Public Comment (for informational purposes only)
9. Future agenda items

Michele Ford
FinCom Chairman
Sent from my BlackBerry® by Boost Mobile

TOWN CLERK'S OFFICE
2011 MAR 22 AM 11 50



Board of Selectmen Meeting Notice AGENDA



SEWER COMMISSIONERS 6:45 –

Appointment of Wastewater Comm. Member – possible vote.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday April 5, 2011	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: 03.22.11 and 2.22.11
5. Correspondence
6. Energy Advisory Committee on Green Vehicle policies – discussion and possible vote
7. Licenses/Appointments:
 - a. Mass Maritime – former Beachmoor – Year Round Food and Entertainment Licenses and One Day Liquor Licenses: 4/29/11 - 5/7/11 - 5/14/11 - 6/10/11 - 6/12/11 - 7/9/11 - 7/10/11 - 7/17/11 - 7/21/11 - 7/25/11 - 7/31/11 - 8/13/11 - 8/19/11 - 9/17/11
 - b. Buzzards Bay Tavern Sign
 - c. Buzzards Bay Tavern – COAD License
 - d. ALS Motorcycle Dedication – Use of Town Property
 - e. Easter Egg Hunt – Clark Field – Use of Town Property
 - f. 1199 United Healthcare Workers – Hoxie School – Use of Town Property
 - g. AFN Motors, Inc.–Class II Car Dealer–Add Corp Member-Issue License pending receipt of corporate papers reflecting change.
 - h. Frank Battles, Inc., change in location for Class II Dealer's License
 - i. Taylor's Point Association Fundraiser – Use of Town Property
8. Penny Myers – Henshaw property sign
9. Shellfish Regulation Amendment
10. Town Administrator's Report
 - a. Investment Policy final reading and possible vote.
 - b. Staff reductions update.
11. Selectmen's Business
 - a. Revote Budget Appropriations
 - b. Sign Warrant for STM/ATM/Election Warrant
12. Adjourn

2011 APR 1 PM 3 59
TOWN CLERK'S OFFICE

Board of Selectmen Meeting Minutes – April 5, 2011
Bourne's Veteran's Memorial Community Center
239 Main Street, Buzzards Bay, MA 02532

2011 MAY 3 AM 11 34
TOWN CLERK'S OFFICE

Attendance

Thomas M. Guerino, Town Administrator

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

Don Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephen F. Mealy

List of Document(s)

- None

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

TA Guerino requesting Items #7, #8 and #9 before #6 tonight. V. Chm. Pickard stated meeting to proceed as requested.

Ms. O'Brien read into record a letter regarding the Aptuxcet – contact Mass. Highway Department regarding the demolition to the old gas station. She submitted letter to the Board. TA Guerino will contact Mass. DOT and Assessor's Office for follow-up.

Sloniecki and the 3/10/11 Planning Board meeting. Issue with public comment on pros and cons. Mr. Sloniecki read into record public comments of Mr. Elrick (Energy Coordinator) and Mr. O'Keefe (Energy Advisory Committee). Map created by Ms. Moore at the request of Mr. Sloniecki indicating Fall Zone and new construction of wind turbines. Mr. O'Keefe to explain comment "broad brush overkill and irresponsible" and to Mr. Elrick what part seems "to be schizophrenic?" comment and hoping Mr. Elrick will respond at his presentation tonight.

Chief Green, relative to FD uniforms. Example of traditional shirt displayed to be worn every Friday for Red Shirt Friday beginning 4/15/11 honoring fallen heros.

Minutes

Sloniecki MOVED and SECONDED by Mealy to approve minutes of 2/22/11 as submitted. UNANIMOUS VOTE.

Sloniecki MOVED and SECONDED by Mealy to approve minutes of 3/22/11 as submitted. UNANIMOUS VOTE.

Correspondence

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

Item F – Mealy follow-up on possible cuts.

Item B – Pickard will attend.

Sloniecki entered Will Harden letter into record with regard Pepsi Community Service Day and volunteer services. Service date of 5/14/11 early am – early pm, food and drink. Food and t-shirts sent to the troops overseas.

Energy Advisory Committee on Green Vehicle – Rick Elrick, Energy Coordinator

Mr. Elrick began to respond to Mr. Sloniecki with regard to the Planning Board meeting by saying it would be unprofessional to not express his personnel opinion to the public with regard to the stringent wind regulations. V. Chm. Pickard asked TA to request Mr. Elrick and the Chm. of the Energy Advisory Committee come before the Board at the 5/19/11 Selectmen meeting to discuss the responsibilities of the Energy Coordinator and the Energy Advisory Committee:

FY2011 Green Community Designation and Grant Program.

Criteria:

1. As-of-right siting – renewable energy/alternative energy (solar)
2. Expedited permitting
3. Energy Baseline/20% Energy reduction plan
4. Purchase only fuel-efficient vehicles
5. Minimize life-cycle costs

Fuel Efficient Vehicle Policy reviewed for Town of Bourne/Bourne School District. Exemptions (heavy-duty vehicles and police cruisers) reviewed. Hand-me-down vehicles included in the policy. Vehicles less than 8,500 lbs before adding required equipment (Sewer/DNR) going over said weight would be recognized. As far as mileage, the Town can meet or exceed requirement.

Meli inquired about the policy and the purpose. Policy asks to look at life cycle of vehicle and incorporates view in a formal way.

To proceed with said policy, out of approximately 100 vehicles, 25 could be replaced into said category.

TA Guerino recommends Green Vehicle Policy first reading (in a acceptable format policy) at the 5/24/11 moving forward on just the Fuel Efficiency Policy, including Right-as-zoning discussion.

Mealy concerns relative to the vehicle recordings discussed. Mr. Mulvey raised issues with storage, etc.

Mr. Angelo commented on considering the life cycle in addition to the fuel economy vehicles are important.

Licenses/Appointments

a. Mass. Maritime

Sloniecki MOVED and SECONDED by Meli to approve Mass. Maritime formerly Beachmoor request of year round food and entertainment licenses and one day liquor license (4/29/11, 5/7/11, 5/14/11, 6/10/11, 6/12/11, 7/9/11, 7/10/11, 7/17/11, 7/21/11, 7/25/11, 7/31/11, 8/13/11, 8/19/11 and 9/17/11) per routing slip. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meli to approve Weekday and Sunday Amusement year round licenses for the Mass. Maritime Academy. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meli to approve Mass. Maritime Academy common victualer license year round. VOTE 4-0.

b. Buzzards Bay Tavern signage

TA Guerino reported blocked vision reported at the St. Margaret School parking lot.

Mealy MOVED and SECONDED by Meli to approve a 4'x4' signage not to exceed 4' on Main Street Buzzards Bay Tavern with permit to expire 6/30/12 request per routing slip. VOTE 4-0.

c. Buzzards Bay Tavern COAD license

Sloniecki MOVED and SECONDED by Meli to approve Buzzards Bay Tavern request for COAD license per routing slip. VOTE 4-0.

d. ALS Motorcycle Dedication – use of Town property

Sloniecki MOVED and SECONDED by Meli to approve ALS Motorcycle Dedication on 7/24/11 (rain date 7/31/11) 11:30 am – 1:00 pm per routing slip, waiving fee but require refunding deposit. VOTE 4-0.

e. Easter Egg Hunt – Heather Pizzoni at Clark Field

Sloniecki MOVED and SECONDED by Mealy to approve Easter Egg Hunt at Clark Field on 4/23/11 from 10:00 am – 11:00 am per routing slip, waiving all fees and deposits. VOTE 4-0.

f. 1199 United Healthcare Workers – Hoxie School Use of Town Property

Sloniecki MOVED and SECONDED by Mealy to approve 1199 United Healthcare Workers use of Town property at Hoxie School grounds and parking lot on 6/24/11 (tent set up) and 6/25/11 (event) from 8:00 am – 6:00 pm per routing slip. VOTE 4-0. *(TA Guerino comment of United adding community service will be incorporated in this event. FD does not want access to building and TA Guerino to look into Bouse Houses)*

g. AFN Motors Inc. – Class II Car Dealer Add Corp. Marter-issued License

Mealy MOVED and SECONDED by Sloniecki to approve AFN Motors Inc. add Corp. Marter-issued license per routing slip, pending payment of license. VOTE 4-0.

h. Frank Battles, Inc. – change in location for Class II Dealers license

Sloniecki MOVED and SECONDED by Mealy to approve Frank Battles, Inc. change in location for Class II Dealers license request per routing slip. VOTE 4-0.

i. Taylor’s Point Association Fundraiser

Sloniecki MOVED and SECONDED by Meli to approve Taylor’s Point Association fundraiser request on 5/21/11 per routing slip, accepting deposit and waive fee. VOTE 4-0.

Penny Myers – Henshaw Property sign

Requesting permission to erect signage “Little Buttermilk Bay Woods” on Open Space property. Also to replace temporary signage at Monk’s Park with plans for more locations with public location and identical verbiage and logo.

Sloniecki MOVED and SECONDED by Meli to approve Open Space signage as presented. VOTE 4-0.

Shellfish Regulation Amendment – Mr. Mullen

Request for three (3) areas this spring for the purposes of propogation and general management of the fishery. To close designated Recreational Shellfish Area in Phinney’s Harbor known as Tobey Island, North Side; a portion of Cohasset Narrows at Taylor Point; and an area in Little Bay known as Ram Cove. Propogation closures would be effective 4/25/11.

As indicated in his letter, Mr. Mullen states if have everything in water prior to 6/15/11, he can open up in the Fall.

Mealy MOVED and SECONDED by Sloniecki to approve proposed closures as indicated in letter as presented by Mr. Mullen tonight. VOTE 4-0.

TA Report

a. Investment Policy final reading and possible vote

Table until 4/19/11 meeting.

b. Staff reductions update

In the second phase of process moving forward. TA Guerino met with each employee personally. Other positions funded but not filled, net loss of actual nine (9) people full and part-time.

Bridge at Sandy Pond that needed to be replaced is complete.

On fuel bids, using the OEM price and put to bid in September. All Town Administrators concur not risking the current prices being the lowest.

Recommends moving forward with Estuaries Study with regard to peer review. TA Guerino recommends to not move forward with any Estuaries Studies in FY12 with regard to Neganset. TA Guerino will follow through with a letter to the Town of Falmouth.

Selectmen's Business

a. Revote Budget Appropriations

Sloniecki MOVED and SECONDED by Meli to correct vote taken on 3/22/11 per Town Administrator recommendation to reflect the FY12 budget for appropriation of the part time custodian position at the Bourne Veterans Building in the amount of \$14,000. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meli to correct vote taken on 3/22/11 per Town Administrator recommendation to reflect the FY12 budget appropriation of Council on Aging in the amount of \$57,000. VOTE 4-0.

Sloniecki MOVED and SECONDED by Mealy to correct vote on 3/22/11 per Town Administrator recommendation to reflect the FY12 budget appropriation of \$107,000 for Fire Department for the purpose of maintaining three (3) stations.

b. Sign Warrant for STM/ATM Election Warrant

Deferred to 4/12/11 or 4/19/11 depending on action of Workshop.

Mealy - Recognition of submarines produced by Hydroid Inc. of Pocasset, MA with regard to Air France jet crash in Brazil in 2009. TA Guerino will invite participants in before the Board.

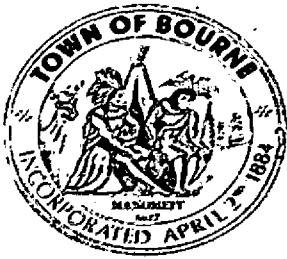
Meli - Recognition of Trowbridge Tavern Red Cross fundraiser.

Sloniecki – explained why raised issue under Public Comment. There are other places where wind turbines could go, as depicted on Map by Ms. Moore (red dots). Doesn't believe it is in Mr. Elrick and Mr. O'Keefe's charge with regard to their comments.

Adjourn

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

Respectfully submitted – Lisa Groezinger, sec.



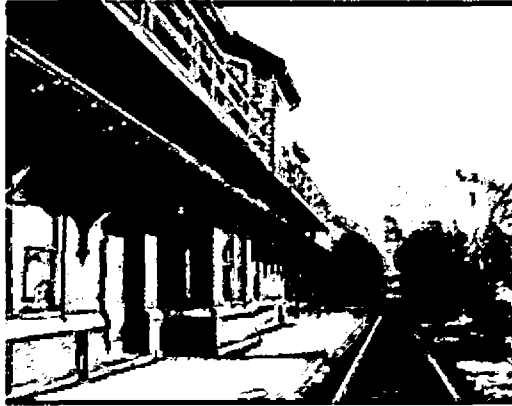
2011 APR 8 PM 4 20

TOWN CLERK'S OFFICE

**Board of Selectmen
Meeting Notice
AGENDA**



6:15 - Train Station Monument Beach – Parking



Date

Tuesday
April 12, 2011

Time

7:15 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

1. 7:15 (Items 1-5) Call to order
2. Licenses/Appointments:
 - a. Marconi Club – One Day Liquor
 - b. Shawn Patrick's Ice Cream Vault – Food License
 - c. Farmers Market – Use of Town Property
 - d. May Day – BBG – Use of Town Property
 - e. Cartwheels – Renewal of General, COAD, and Sunday Licenses
3. Final Report of Capital Outlay Committee
4. Review STM/ATM Articles
5. Signing of warrant for STM/ATM
6. Adjourn

**Board of Selectmen & Capital Outlay
Workshop Minutes – April 12, 2011
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)
Don Pickard, Vice Chairman
Mary Meli, Clerk
Jamie Sloniecki
Stephen F. Mealy

Capital Outlay Committee
Mary Jane Mastrangelo, Chairman
John Redman
William Ware
Elinor Ripley

Final Report of Capital Outlay Committee

Fire Department priority. Discussion on ambulance 134 – original retro fit, but issues with rebuild. The earliest a new ambulance will be delivered is 1/2012. Pickard mentioned putting a committee together to discuss said item.

Sloniecki would like to move forward to the ATM. Consensus of the Selectmen is the agreement with the final report of the Capital Outlay Committee.

Capital Improvement Projects - \$50M - \$70M of buildings:

- DPW or Police Building \$7.5M – 0.14 impact on tax rate
- Pocasset Fire Station - \$2.5M – 0.05 impact on tax rate
- Buzzards Bay Fire Station - \$3.5M – 0.06 impact on tax rate.
- Peebles School - \$43M – 0.31 impact on tax rate

Schedule 1 – Long-term debt schedules 2012 – 2019 reviewed. Increase of \$2.5M each year beginning next year.

Schedule 2 – total debt (kicks in 2014).

Schedule 3 & 4– before refunding complete, debt service falls below the policy mainly due to the Middle School (falls out next year). Leaves room for a smaller project and would fall within the limits.

Capital Outlay Committee would like to see a Capital Needs Committee established, which includes a member of the Capital Outlay Committee.

Committee relative to the ambulance may include discussion of Pocasset or Buzzards Bay Police stations. Mr. Ware (Capital Outlay) would be happy to serve on such committee. Looking at \$1.4M vs. in 2015 over \$2M, which would be a hit from the general budget.

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TOWN CLERK'S OFFICE
BOURNE, MASS

Discussion of creative financing for the DPW as it needs to be moved for ISWM. Capital Outlay Committee has established a host community fee for the capital stabilization fund. Any access host community fee will be put towards the DPW, a shared cost, or any other capital project that is able to sustain itself. TA Guerino concurs the access should come out of the access community host fee. Ms. Marzelli will discuss with Mr. Goddard and report back to the Board.

Mastrangelo discussed having success with presenting two (2) different scenarios for Capital Outlay projects at ATM. Mealy would like to see this with all Capital Outlay projects.

Discussion of new ambulance cost. Ambulance supplies are set up the same in each vehicle. TA Guerino discussed the cost effectiveness of a rebuild vs. new. Bargains may be found with the fire apparatuses.

Capital Outlay Committee priority puts ISWM/DPW at the top of the list, then a new Police station. A subcommittee would be needed - BOS agenda item for future meeting. TA Guerino sees starting process at the end of May (5/24/11).

Mealy suggested that the Town has this much money to put into a capital program to undertake any project. If said project comes in higher, the Town can address at that time.

Future workshop with Capital Outlay Committee (Chief of Police and DPW) for membership of subcommittee to be defined for possible the 6/7/11 meeting. TA Guerino can draft Charges for separate committees (DPW, Police).

Mr. Mulvey suggested a consensus of the Selectmen, FinCom and Capital Outlay Committee on capital projects. Each department would plead their case. Once a project is agreed upon, a subcommittee would take over. Mealy would normally agree, but stated some projects have been on the books for several years. Pickard concurs and would like to see DPW and Police station projects run parallel, and would like to see an estimate on what time commitment and duration of study would be. TA Guerino suggested nine (9) months.

Sloniecki stated his priority pick would be ISWM/DPW. Mealy would like to see the Police Station. Mealy stated it would be a hard decision to make.

Capital Outlay Committee discussion on Police station being a priority as it is a number feeling comfortable with. Mastrangelo believes both are equally important, but it is a matter for the Town to decide. She would like to bring two projects to the ATM. Ripley concurs with Mastrangelo.

Pickard inquired about the use of Sagamore Station for administrative work. TA Guerino stated it was not brought forward at this time.

TA Guerino added both committees would need generic expertise, but each facility needs specific knowledge. Department Heads would be exoficio members. Charge will be developed with TA Guerino.

Sloniecki MOVED and SECONDED by Mealy for a five (5) minute recess. UNANIMOUS VOTE.



**Board of Selectmen
Meeting Notice
AGENDA**



2011 APR 14 PM 3 53

6:15 – Review of unencumbered town owned land for possible sale or other disposition – Ms. Coreen Moore

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday April 19, 2011	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. Licenses/Appointments:
 - a. Stan Gibbs – Use of Town Property
 - b. Steven Lamarche – Education/Scholarship Committee
7. Energy Committee Charge review

8. Bottle Bill Meredith Chase (mail copy of agenda)
9. Hoxie School Re-use consortium presentation
10. Parking on Shore Road and Beach Street Monument Beach
11. Review outstanding Town Meeting Articles (possible vote)
 - a. Article 24 - Wind Energy Conversion Systems
12. Adopt FY12 Annual Town Budget
13. Town Administrator's Report
 - a. Budget amendment – Local Aid - possible vote
14. Selectmen's Business
 - a. Administrator's contract - (discussion and poss. Vote)
 - b. Annual performance appraisal of T.A.
15. Adjourn

**Board of Selectmen
Minutes – April 19, 2011
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

2012 FEB 8 AM 10 11
TOWN CLERK'S OFFICE
BOURNE, MASS.

List of Document(s)

- None

7:00 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 Potter commented on amending the wind turbine bylaw discussion at the Planning Board. He raised issues with what he believed to be violations of the Open Meeting Laws and the Charter. Requested petition article to be heard at Town Meeting on 5/9/11 or thereafter. TA Guerino stated he discussed with Pickard to move ahead for tomorrow's meeting and to post a Special Town Meeting for Monday, 5/9/11. He also stated Town Counsel's opinion for a Special Town Meeting. Police Chief will post the Article in the Warrant, and the Planning Board will hold a hearing (which has been advertised). Said hearing will be cancelled should the Selectmen elect to not proceed. TA Guerino will have more information at tomorrow evening's session.

TA Guerino introduced the Town's new Human Resources Director.

Minutes – 3/1/11 and 4/12/11

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 3/1/11 as submitted. VOTE 5-0.

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 4/12/11 as submitted. VOTE 4-0-1 (Ford).

Correspondence

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

Item H – TA Guerino to thank Ms. Fantozzi for support as Bourne’s Rep. to the Cape Cod Water Protection Collaborative.

Item I – TA Guerino to bring ideas forth.

Item J – Designation of Crowd Manager for 100 people or more.

Item K – SHC recognition of recommendation of privatization of Bourne’s Marina’s.

Licenses/Appointments

a. Stan Gibbs – Use of Town Property

Pickard MOVED and SECONDED by Sloniecki to approve Stan Gibbs Canal Fisherman’s Classic fundraiser request for use of Town Property on 8/6/11 (rain date 8/7/11) from 7:00 am – 6:00 pm routing slip, waiving fee and taking refundable deposit. VOTE 5-0.

Energy Committee Charge review

Meli, Clerk, read into record the EAC charge. Ms. Caporelli, Chairman, discussed what the Committee has accomplished. Hiring of Energy Coordinator, studies performed, solar trash cans, siting of turbine at Upper Cape Tech have been a few of the items the Committee conducted.

Sloniecki stated his difference of opinion with regard to personal comments from members of the EAC at a wind energy hearing. Since that meeting, Sloniecki would like to discuss after Town Counsel opinion. He did commend the work of the EAC; Chm. Ford stated that this is the opinion of one Board member and stated his opinion is to let people speak and be heard; Pickard believes holding personal comments is not the purpose of a committee.

TA Guerino suggested at least one member of the EAC to serve on each of the building committees as they are established (DPW, Police Station).

Pickard suggested the EAC come before to the Selectmen to discuss the Charge for review and possible changes.

Mr. O’Keefe (EAC) apologized for his comments and stated he has only the best interests for the Town. Mr. Elrick (Energy Coordinator) stated that both he and Mr. O’Keefe were speaking of the Wind Bylaw at the hearing.

Bottle Bill - Meredith Chase

Mr. Elrick (Energy Coordinator) recommends the support of the Bottle Bill.

Mealy MOVED and SECONDED by Meli to support Resolution in Support of Updating the Massachusetts Bottle Bill and the Resolution as presented tonight. VOTE 5-0.

Hoxie School Re-use consortium presentation – Ms. Bizer-Knox

Ms. Bizer-Knox, Friends of Bella F. Hoxie School member and is looking for Selectmen to endorse use of Hoxie School for Art, Science and Culture studies (infants to adults) moving forward. Ms. Bizer-Knox read into record the Letter of Intent. Studies would include after-school programs and summer camps for examples. Their goal is to be a non-profit organization.

Maintenance and financial package discussed. TA Guerino commented on Foundation funding, Community Block grant money might be available. Pickard suggested the Town can transfer ownership of the Hoxie in the amount of \$1 from the Town to the 501C. Mr. Mulvey stated including a clause if project fails, the property/land ownership goes back to the Town.

Mr. MacDonald read into record the Comprehensive Plan, Section 13.1 and is in support of preserving the Hoxie School.

Mealy MOVED and SECONDED by Meli to endorse the concept of the Hoxie School Re-use consortium as presented. VOTE 5-0.

Parking on Shore Road and Beach Street Monument Beach

TA Guerino recommendations after site visit last week:

1. No parking signs to be placed on westerly side of Shore Road between the entrance and exit of the five parking spaces approved under Planning Board site Review/Special Permit 04-2010 for 440 Shore Road (Deb's Veggie Depot).
2. Parallel parking spaces will be established by the DPW on the east side of Shore Road approximately along street numbers 437 to 445. Number of spaces to be determined by the DPW based on required length of spaces. Existing driveways will be left open for access. Street signs designating length of stay will be placed along this area. Length of stay to be determined by the Board of Selectmen.
3. Parallel parking spaces will be established by the DPW on the south side of Beach Street approximately along street numbers 8 to 18. Number of spaces to be determined by the DPW based on required length of spaces. Existing driveways will be left open for access. Street signs designating length of stay will be placed along this area. The length of stay is to be determined by the Board of Selectmen.
4. Signage to be placed at Shore Road and Thomas Philbrick Road showing that Public Parking is allowed on the westerly side of Thomas Philbrick Road.

Mr. Sala discussed additional parking spaces will be anywhere between 8 on Shore Road. There is no overnight parking anywhere in the Town of Bourne.

Abutter from Bakery commented positively on the angular parking. Inquiry of use of space on the north side; area between 2 telephone poles (Town Engineer and Public Works designate "no parking", attempting to include an island/barrier).

Mr. Farrell urges the Town look at and create a paved public area/employee parking across the fire station (between tracks and fire station).

TA Guerino requested Mr. Sala and Mr. Leitzel discuss with Fire Chief. Once comments are received will put above recommendations on an Executive Order. Sloniecki requested putting on a map, including recommendations.

Review outstanding Town Meeting Articles (possible vote)

a. Article 24 – Wind Energy Conversion Systems

TA Guerino recommends does not need action tonight.

Article 3 – TA Guerino recommends deferred until after hear Articles 13 and 12.

Article 5 – State Aid Highway

Sloniecki MOVED and SECONDED by Mealy to endorse and approve the placement of Article 4 on the Annual Town Meeting Warrant as presented. VOTE 5-0.

Article 14 – Close Out available balances

Pickard MOVED and SECONDED by Sloniecki to approve the placement of Article 14 on the Annual Town Meeting Warrant as presented. VOTE 5-0.

Article 19 – CPC Administrative

Sloniecki MOVED and SECONDED by Meli to endorse and approve Article 19 on the Annual Town Meeting Warrant as presented. VOTE 5-0.

Article 22 – Changes to the Charter as proposed by Charter Committee

Postpone to 4/26/11.

Article 24 – not discussed at the meeting tonight, but will be determined tomorrow.

(5/29/11)

Town Administrator Report

a. Budget amendment – Local Aid – possible vote

State-owned land stayed the same.

TA Guerino met with School Dept. and Finance Director. Would like to use Local Aid as we cannot justify a reduction in local receipts lower than we have them. Based on discussions, the School would take \$250K = 3 classroom teachers (162K), additional for fuel (50K – gasoline/diesel/natural gas) Freshman Sports (19K) .5 custodial (19K).

Town would recall one (1) of three (3) Assessors positions (35K) add to police (85K). Put 50K into fuel/oil and natural gas, restore pump out boat and harbor patrol (30K) and

restore various line items at DPW, etc. (30K contracted services, summer wage and signs as examples). The ¼ time position in the BOS/TA (12K) would be restored to ½ time and custodial hours at Town Hall would be restored the 10 hours (10K). We also need to set-aside 12K for education/training for LIUNA as negotiated.

Total of the School and Town is 514K.

Mealy raised issue with regard to additional funds from State and rather than take less money from Reserves, putting some back into the budget.

Ford MOVED and SECONDED by Pickard to approve the Budget Amendment for Local Aid of an additional \$250,000 on the School side and an additional \$264,000 on the Town side as presented tonight. VOTE 5-0.

Sloniecki MOVED and SECONDED by Pickard for a 5-minute recess. UNANIMOUS VOTE.

TA Business

Proposed Sources and Uses from Governor. TA will have differences in written form for the Board.

Ford MOVED and SECONDED by Sloniecki to support General Operating Budget as presented in the amount of \$52,441,830. VOTE 5-0.

Mealy recognized the work of TA Guerino and Linda Marzelli for this budget.

TA Guerino signed final contract with the railroad relative to the traffic litigations at Monument Beach.

Refinancing the bond of the school. Bond rating has been upgraded from AA- to a AA due to Fiscal Policy adherence, commitments to the Reserves and as a community had quick response to budget as changes needed to be made. TA Guerino recognized work of Finance Director.

Selectmen's Business

a. Administrator's Contract – discussion and possible vote
Postpone to 4/26/11.

b. Annual performance appraisal of TA
TA Guerino to give self-evaluation to the Board and will need to be completed by 5/6/11. Chm. Ford requested Board members to meet with TA Guerino the week of 5/2/11. TA Guerino requesting to put TA annual performance in either March or April for next year.

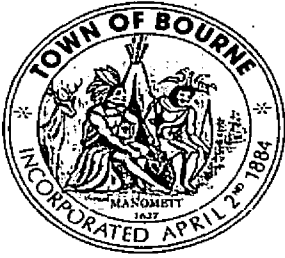
Chm. Ford on behalf of the Selectmen commended Town Hall, DPW and ISWM union employees who gave up their step increases.

Pickard – ribbon cutting in May at the landfill; Chm. Ford will meet with TA Guerino and Ms. Moore at 2:00pm; Letter to the Editor regarding Fire Chief position (HR Director to follow-up with notifying applicants in the future) and other points raised by Mr. Mahoney. Pickard justified his vote for the new Fire Chief.

Adjourn

Sloniecki MOVED and SECONDED by Mealy to adjourn. Meeting adjourned at 9:55 pm. UNANIMOUS VOTE.

Respectfully submitted – Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday April 20, 2011	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. 6:30 Call to order
2. Selectmen to call for and establish a Special Town Meeting for May 9, 2011 at 7:30 P.M.
3. Sign Special Town Meeting Warrant
4. Adjourn

TOWN CLERK'S OFFICE

2011 APR 15 PM 3 29



Board of Selectmen Meeting Notice



AGENDA

2011 APR 22 PM 3 19

6:00 – Executive Session – Non-Union Personnel
TOWN CLERK'S OFFICE

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday April 26, 2011	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 : Executive Sessions of May 19, 2010, March 1, 8, 15, 2011
April 5, 2011
5. Correspondence
6. Licenses/Appointments:
 - a. Jordan Hospital Family Run/Stroll Benefit – Use of Town Property
 - b. March of Dimes – Use of Town Roads
 - c. Appointment of members to Ambulance Study Comm.
7. Adopt Article 3 of the Annual Town Meeting
8. Final disposition of the town proposed investment policy (possible vote)
9. Discussion Cable TV Contract extension – (possible Vote)
10. Town Administrator's Report
11. Selectmen's Business
 - a. Dedication of Monument Beach Marina Pier in memory of Mr. Charles Miller
 - b. Town Administrator Contract – Discussion and Possible Vote
12. Adjourn

Town owned properties with Coreen Moore

Capital Outlay subcommittee to be established in May after Annual Town Meeting

Fire Overtime -- review

Parking at Monument Beach -- site visit

Tim Mullen to bring recommendation/s to future agenda item

2011 MAY 13 PM 12 01

TOWN CLERK'S OFFICE

Board of Selectman

Executive Session

April 26, 2011

Bourne Veterans Memorial Community Center

239 Main Street, Buzzards Bay

Attendees:

John Ford, Chairman

Donald Pickard, Vice Chairman

Mary Meli, Clerk

Jamie Sloniecki

Stephan Mealy

Thomas Guerino, Town Administrator

Robert Troy, Town Counsel

At 6:00 p.m. Mr. Sloniecki made the motion to enter into executive session to discuss non-union personnel. Ms. Meli seconded the motion and a roll call vote was taken. Mr. Ford – yes, Mr. Pickard – yes, Ms. Meli – yes, Mr. Sloniecki – yes, and, Mr. Mealy – yes.

Mr. Guerino, referencing the one-year contract he was offered by the Board of Selectman (BOS) stated that he had some concerns regarding some of the included provisions. Mr. Pickard stated that it was unfortunate that Mr. Guerino did not attend the executive session in which the contract was discussed as he would then have a better idea of how the BOS determined the particulars of the contract.

Mr. Mealy made the motion to extend the current Town Administrators contract for one year, but to strike the provision for using the Town vehicle to travel to his residence during the week. He added that the contract would be effective beginning July 1, 2011. A roll call vote was taken. Mr. Ford – yes, Mr. Pickard – no, Ms. Meli – yes, Mr. Sloniecki – yes, and, Mr. Mealy – yes.

At 6:57 p.m. Mr. Mealy made a motion to adjourn the executive session and to return to open meeting. Mr. Sloniecki seconded the motion and a roll call vote was taken. Mr. Ford – yes, Mr. Pickard – yes, Ms. Meli – yes, Mr. Sloniecki – yes, and, Mr. Mealy – yes.

Board of Selectmen Meeting Minutes – April 26, 2011
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

2011 MAY 13 AM 9 48
TOWN CLERK'S OFFICE

List of Document(s)

- Cape Cod Commission Vision Project – 2 pages

Pickard MOVED and SECONDED by Meli to go into Executive Session to discuss non-union personnel at 6:00 PM and to reconvene in open session. Roll call – VOTE: Sloniecki – yes; Pickard – yes; Meli – yes; Mealy – yes; Ford - yes.

7:11 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

William Boyde, Troop 44, is an Eagle Scout candidate. His Eagle Scout project is to replace old playground with new fencing and a new playground outside the Otis Attic. One requirement is to attend local meeting. Chm. Ford would like to see his written report of his experience.

Minutes

Pickard MOVED and SECONDED by Sloniecki to approve and encumber executive session minutes of 5/19/10 as amended. UNANIMOUS VOTE.

Pickard MOVED and SECONDED by Sloniecki to approve and encumber executive session minutes of 3/01/11 as amended. UNANIMOUS VOTE.

Pickard MOVED and SECONDED by Sloniecki to approve executive session minutes of 3/08/11 as amended. UNANIMOUS VOTE.

Pickard MOVED and SECONDED by Sloniecki to approve executive session minutes of 3/15/11 as amended. UNANIMOUS VOTE.

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 4/05/11 as submitted. VOTE 4-0-1 (abstention from Ford).

Correspondence

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

Item H – Sloniecki thanked Atty. Troy for quick opinion with respect to the Alternative Energy Advisory Committee.

Item E - TA Guerino recommends seeking Town Counsel opinion.

Licenses/Appointments

a. Jordan Hospital Family Run/Stroll Benefit – Use of Town property

Pickard MOVED and SECONDED by Sloniecki to Jordan Hospital Family Fun/Stroll Benefit use of town property request on 5/7/11 from 7:30 am to 1:00 pm, waiving fee but accept refundable deposit per routing slip. VOTE 5-0.

b. March of Dimes – Use of Town roads

Pickard MOVED and SECONDED by Sloniecki to approve March of Dimes use of Town roads request on 6/19/11 from 10:00 am – 1:00 pm, collecting both fees per routing slip (BOH, FD). VOTE 5-0.

c. Appointment of members to Ambulance Study Committee

Pickard MOVED and SECONDED by Mealy to appointment of Mr. Richard Conron and Mr. Gary Seidelman to the Ad Hoc Advisory Committee to study the Feasibility of Contracting Ambulance Services for terms until the task is complete. VOTE 5-0. *Amend date in item #7 of Executive Order No. 11-01 from "2011" Annual Town Meeting to "2012" Annual Town Meeting.*

Adopt Article 3 of Annual Town Meeting

Sloniecki MOVED and SECONDED by Mealy to endorse and adopt Article 3 of the Annual Town Meeting Warrant as presented. VOTE 5-0.

Final disposition of the Town proposed investment policy (possible vote)

Mealy MOVED and SECONDED by Sloniecki that the Board of Selectmen adopts the Town of Bourne Investment Policy as presented. VOTE 5-0.

Discussion Cable TV Contract extension (possible vote)

Comcast not ready to sign new contract agreement by close of 5/22/11 when current contract expires. Comcast contract cannot be extended 10 years. This allows the Town to continue with negotiations.

Ford MOVED and SECONDED by Pickard the Board of Selectmen, in its role as statutory Issuing Authority for the Town of Bourne, is hereby issuing a preliminary assessment of denial of Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/ Virginia/Vermont LLC's cable television renewal proposal to the Town of Bourne, dated February 17, 2011. The Board of Selectmen will issue a written statement of reasons within fourteen (14) days of tonight's vote, in

accordance with 207 CM\$ e.06 (3), detailing the reasons for its preliminary assessment of denial. VOTE 5-0.

TA Report

TA Guerino asks the Selectmen re-enter a very brief executive session related to non-union personnel upon adjournment of open session meeting.

Selectmen's Business

a. Dedication of Monument Beach Marina Pier in memory of Mr. Charles Miller

Pickard MOVED and SECONDED by Mealy that the Board of Selectmen prior to opening of Monument Beach Marina dedicates the pier in memory of Mr. Charles Miller, long time town volunteer. VOTE 5-0.

Sloniecki inquired about a plaque. TA Guerino working with the Miller family on wording. Sloniecki suggested a temporary plaque for said dedication.

b. Town Administrator contract – discussion and possible vote

Chm. Ford will bring forward in the near future.

Sloniecki – asked Chm. to mention vote for 5/9/11 Special Town Meeting. TA Guerino will speak with Mr. Mullen with regard to the 5/17/11 Pepsi clean up.

Mealy – remind people of donations to the Food Pantry.

Meli – May Day Celebration

Pickard – ISWM working group traveled last Friday to the turnkey Landfill in Rochester, NH for the purpose to look at the condenser machinery, which is utilized by said landfill. Equipment evaporates leachate, this is technology the working group would like to look into to decrease the Town's cost. Leachate, even at post closure of the landfill, will need to be disposed of for up to 20 years. The size of the machinery is about 20' x 40'.

Mr. Mulvey asked what the best financial scenario would be for the Town. Pickard stated the Group will look into all options for the best financial move for the Town.

Ford – 4/22/11 met with Dodi Perry (Town Planner's Office) with the Director of the Cape Cod Commission, Tom Donovan (land builder) and Chris Farrell (Planning Board) in reference to a company that was going to be leaving a complex in Bourne. Executive Director CCC cited a Vision Project (handed out to the Board). Ms. Perry will make a notation and send to TA Guerino. TA Guerino also recommends the Selectmen over their signatures, to prepare letters and send out to: Mass. Business Development, MOBD, Department of Housing and Community Development Administration of the Federal Department of Commerce and the Massachusetts Legislative Delegation to offer technical and or financial assistance to expand this company in the Town of Bourne.

Attended 4/25/11 FinCom meeting and Mr. Potter with regard to the Wind Energy project. Taking consideration is height, width and power generated with regard to setbacks. FinCom voted 8-2-1 to support Article 1 of the 5/9/11 STM. Chm. Ford would like Town Planner's position. TA Guerino will get back to the Board. Chm. Ford encouraged citizens to attend Town Meeting.

TA Guerino stated that there would be discussion to the Town's position of not staffing the lifeguards this year. TA Guerino recommends the Board review proposal to see whether to put back into the budget. Chm. Ford suggested the Board look at other areas (MMA or YMCA) as well.

Chm. Ford stated for the record:

STM and ATM on 5/2/11 at 7:00 pm
STM 5/9/11 at 7:30 pm with regard to the Wind Energy bylaw.

Adjourn

Sloniecki MOVED and SECONDED by Meli to adjourn public session and to go into executive session and to not reconvene open session. Meeting adjourned at 8:30 pm.
Roll call: Sloniecki – yes; Pickard – yes; Meli – yes; Mealy – yes; Ford – yes.

Respectfully submitted – Lisa Groezinger, sec.



Board of Selectmen Meeting Notice



APR 28 PM 4 08
TOWN CLERK'S OFFICE

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday May 2, 2011	6:30 p.m.	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
Minutes –May 2, 2011**

Bourne High School 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

2011 MAY 13 AM 9 48
TOWN CLERK'S OFFICE

List of Document(s)

- None

6:13 pm Call to Order Mr. Ford, Mr. Sloniecki, Ms Meli, Mr. Pickard present. Mr. Mealy was excused and joined the meeting at 6:33.

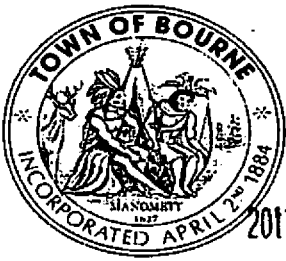
The Board of Selectmen Unanimously Voted to endorse Articles 22, 34 of the Annual Town Meeting Warrant. The Board voted via roll call vote as requested by Mr. Sloniecki to endorse Article 23 with Mr. Ford, Mr. Pickard and MS. Meli voting in the affirmative and Mr. Sloniecki voting in opposition.

Mr. Mealy arrived after the vote was concluded and requested to the Town Administrator that is opposition to article 23 be noted.

The Board took no action on Article 1, of the May 9 STM warrant.

Mr. Sloniecki made a motion to recess this portion of the meeting to attend the second night of the Annual town meeting and to adjourn the meeting at the conclusion of the session. Ms. Meli seconded the motion and it was unanimously agreed to by the Board.

Meeting adjourned at 6:38 P.M.



Board of Selectmen Meeting Notice

2011 APR 28 PM 4 07 AGENDA



TOWN CLERK'S OFFICE

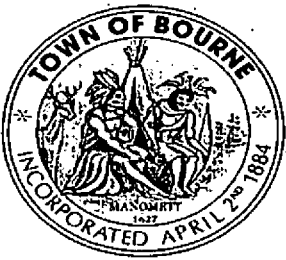
AMEND

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday May 3, 2011	6:30 p.m.	Bourne High School Conference Room (across from Library)

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 to Order
2. Bond signing
3. Discussion and possible vote of remaining Town meeting Articles
Articles 21, 22, 23 and Article 1 of the May 9, 2011 STM
4. Town Meeting
5. Adjourn

Thomas M. Guerino
Town Administrator



Board of Selectmen Meeting Notice AGENDA



Date

Tuesday
May 3, 2011

Time

6:45 p.m.

Location

Bourne High School
Conference Room
(across from Library)

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 to Order
2. Bond signing
3. Sign – Statement of Reasons for Comcast non-renewal
4. Town Meeting
5. Adjourn

2011 APR 26 PM 12 31
TOWN CLERK'S OFFICE

**Board of Selectmen
Minutes – May 3, 2011**

Bourne High School 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 Document(s)

- None

6:36 pm Call to Order.

The Board of Selectmen reviewed the Middle School Bond refinance recommendations and the results of the bid. Ms. Meli, serving in the capacity of Clerk of the Board of Selectmen read the motion to accept and grant the bond on the rates and terms provided.

MOTION: Mr. Sloniecki moved to accept the motion as read regarding the refinancing of the Bourne Middle School. Mr. Pickard Seconded the motion and Chairman Ford then took a roll call vote with the following results; Mr. Mealy, yes; Mr. Sloniecki, yes; Mr. Pickard, yes; Ms. Meli, yes; Mr. Ford, yes. A copy of the voted motion is included with these minutes.

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Bourne, Massachusetts (the "Town"), certify that at a meeting of the board held May 3, 2011, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all of the Town's \$20,605,000 General Obligation Bonds dated June 15, 2001 maturing on and after June 15, 2012 (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$960,000 General Obligation School Refunding Bonds of the Town dated May 1, 2011 (the "Bonds"), to Roosevelt & Cross, Inc. at the price of \$976,969.45 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

2011 MAY 13 AM 9 48
TOWN CLERK'S OFFICE

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2012	\$275,000	3.00%	2015	\$150,000	2.00%
2013	240,000	2.00	2016	100,000	2.00
2014	195,000	2.00			

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 12, 2011, and a final Official Statement dated April 26, 2011 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located, at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

MOTION: Mr. Mealy moved that the Board recess this portion of the meeting to attend Town Meeting and to have the meeting adjourned at the conclusion of tonight's session. Mr. Pickard Seconded the motion and it was unanimously agreed to by the Board. This portion of the meeting recessed at 6:51 P.M.

Respectfully submitted,

Thomas M. Guerino
Town Administrator

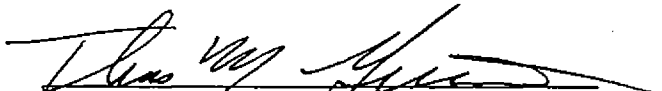


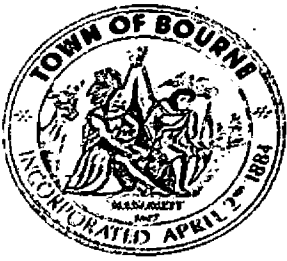
2011 MAY 5 AM 8 51
Board of Selectmen
Meeting Notice
TOWN CLERK'S OFFICE



<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday May 9, 2011	6:30 p.m.	Bourne High School Conference Room (across from Library)

1. Call to Order
2. Town Meeting
3. Adjourn


Thomas M. Guerino
Town Administrator



Board of Selectmen Meeting Notice AGENDA Amended



**Sewer Commissioners meeting 6:30: Louis Langton, 22 Head of the Bay Road re:
Water Overage bill (508-525-7646 ©)**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday May 10, 2011	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

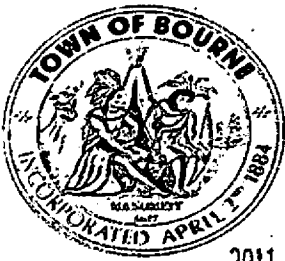
1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 4.26.11, 5.2.11 & 5.3.11
5. Correspondence
6. Monument Beach Parking – Follow-up and possible vote

7. Licenses/Appointments:

- a. Songs for the Sea/National Marine Life Center fundraiser (BOS approved for June 11, 2011 and would like to reschedule for August 13, 2011)
- b. Scallop Festival – [3] One Day Liquor – 9-23,24&25-2011 – Beer & Wine
- c. MMA – One Day Liquor – 6-17-11 – Beer & Wine
- d. Sagamore Beach Colony Club – [3] One Day Liquor – 7-9, 7-16, 8-12-2011 – Beer and Wine
- e. Race for Second Base – 5k Road Race/Walk to benefit Kutil Family - Use of Town Roads & BB Park
- f. 1199 SEIU [United Healthcare Workers East-Mass Division] Change of Date and Location

8. Approval of Road Name for new subdivision – Sand Dollar Lane
9. Town Owned Properties – follow-up
10. Selectmen's Business
 - a. Town Administrator Evaluation
 - b. Town Administrator Contract
11. Adjourn

2011 MAY 6 PM 12 23
TOWN OF BOURNE OFFICE



Board of Selectmen Meeting Notice AGENDA



2011 MAY 6 PM 3 51 Amended

**Sewer Commissioners meeting 6:30: Louis Langton, 22 Head of the Bay Road re:
Water Overage bill (508-525-7646 ©)**

<u>Date</u>	<u>Time</u>	<u>Location</u>
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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: 4.26.11, 5.2.11 & 5.3.11, Executive minutes of 3.1.11, 3.8.11 & 3.15.11
5. Correspondence
6. Monument Beach Parking – Follow-up and possible vote
7. Licenses/Appointments:
 - a. Songs for the Sea/National Marine Life Center fundraiser (BOS approved for June 11, 2011 and would like to reschedule for August 13, 2011)
 - b. Scallop Festival – [3] One Day Liquor – 9-23,24&25-2011 – Beer & Wine
 - c. MMA – One Day Liquor – 6-17-11 – Beer & Wine
 - d. Sagamore Beach Colony Club – [3] One Day Liquor – 7-9, 7-16, 8-12-2011 – Beer and Wine
 - e. Race for Second Base – 5k Road Race/Walk to benefit Kutil Family - Use of Town Roads & BB Park
 - f. 1199 SEIU [United Healthcare Workers East-Mass Division] Change of Date and Location
8. Approval of Road Name for new subdivision – Sand Dollar Lane
9. Town Owned Properties – follow-up
10. Selectmen's Business
 - a. Town Administrator Evaluation
 - b. Town Administrator Contract
11. Adjourn

**Board of Selectmen
Minutes of May 10, 2011
Bourne Veteran's Building
239 Main Street, Buzzards Bay MA 02532**

TA Guerino (excused)

John Ford, Chairman
Don Pickard, Vice Chairman
Mary Meli, Clerk
Jamie Sloniecki
Stephan Mealy

Pickard MOVED and SECONDED by Mealy to approve Executive session minutes of 4/26/11 as submitted. VOTE 5-0.

Pickard MOVED and SECONDED by Mealy to approve and unencumber Executive session minutes of 3/1/11, 3/8/11 and 3/15/11 submitted. VOTE 5-0.

2011 MAY 13 AM 11 52
TOWN CLERK'S OFFICE

Board of Selectmen
Minutes of May 10, 2011 2011 MAY 26 PM 12 36
Bourne Veteran's Building
239 Main Street, Buzzards Bay MA 02532 CLERK'S OFFICE

TA Guerino (excused)

John Ford, Chairman
Don Pickard, Vice Chairman
Mary Meli, Clerk
Jamie Sloniecki
Stephan Mealy

List of documents:
None

Meeting called to order
7:00 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items
None

Minutes

Pickard MOVED and SECONDED by Mealy to approve minutes of 4/26/11 as submitted.
VOTE 5-0.

Pickard MOVED and SECONDED by Mealy to approve minutes of 5/2/11 as submitted.
VOTE 5-0.

Pickard MOVED and SECONDED by Mealy to approve minutes of 5/3/11 as submitted.
VOTE 5-0.

Pickard MOVED and SECONDED by Mealy to approve Executive session minutes of 4/26/11
as submitted. VOTE 5-0.

Pickard MOVED and SECONDED by Mealy to approve and unencumber Executive session
minutes of 3/1/11, 3/8/11 and 3/15/11 submitted. VOTE 5-0.

Correspondence

Selectmen Meli read correspondence into record. A copy of all correspondence is available in
the Town Administrator's office.

Item C – Mealy read into record with regard to the Aputuxcet Club and would like to thank
Senate President.

Item H – Mr. Locke's resignation from the Finance Committee. TA to draft letter for BOS
thanking Mr. Locke for his service.

Item J – Pickard request to put Bourne population change onto the website.

Monument Beach Parking – follow-up and possible vote

Review of parking plan by Mr. Leitzel (Engineer Department) and Mr. George Sala: Chief Green and Chief Woodside are amendable to said plan.

Sheet 1 - Public parking spaces (20), including a No parking zone on Philbrick Road. Zone marked in orange as vehicles backing out is a safety hazard.

Sheet 2 - Shore Road shows proposed no parallel parking in orange with proposed 7 spaces.

Sheet 3 - Beach Street shows parking (8 spaces).

Parking marked in front of businesses. Time limits are up to the BOS. Any other type of parking can be along Monument Beach near the Fire Station. Meli requested signage to indicate where additional parking is located.

Mr. Sala said it would cost \$13,000 to pave in Sheet 1. Sheet 2, in house and Sheet 3 would be in house.

Chm. Ford said the parking and the signage are the two issues for the BOS tonight. Mealy asked about concrete which would be a lower cost (\$1,200 - \$2,000).

Mr. Chris Farrell approves said proposal and requested the BOS find the \$13,000 to pave as area would be more user-friendly. Encourage people to come and visit the businesses. Pickard asked about any grants. Mr. Farrell is not aware of any, but looking at grants in general, they are pretty tight. This might be something to look into in the future for this village and other villages.

Mr. Agrillo is opposed to the public parking.

Mr. Michael Blanton is in favor of improving the parking and would like to see striping of lines near the two traffic lights. Paving would be a better solution as opposed to concrete. He will look to see if any Cape Cod Commission mitigation monies can be put towards the paving.

Pickard **MOVED** and **SECONDED** by Sloniecki to approve proposed Monument Beach Parking according to plans line parking area as outlined by Mr. Leitzel. **VOTE 5-0.**

Timing of signage vote will be discussed at a future meeting. Mr. Sala will discuss with business owners for a consensus.

Pepsi Clean-Up Day this weekend.

Licenses/Appointments

- a. **Songs for the Sea/National Marine Life Center fundraiser (BOS approved for 6/11/11 and would like reschedule to 8/13/11)**

Pickard **MOVED** and **SECONDED** by Sloniecki to approve Sea/National Marine Life Center request for fundraiser to be changed from 6/11/11 to 8/13/11 per routing slip. **VOTE 5-0.**

b. Scallop Festival – three one-day liquor 9/23/11, 9/24/11 and 9/25/11 beer and wine
Pickard MOVED and SECONDED by Sloniecki to approve Cape Cod Canal Region Commerce request for three one-day liquor license 9/23/11, 9/24/11 and 9/25/11 beer and wine for the Scallop Festival per routing slip. VOTE 5-0.

Mr. Agrillo said he is opposed to the alcohol at the Scallop Festival, as he doesn't believe children should be around people drinking alcohol.

c. MMA – one-day liquor 6/17/11 beer and wine
Mealy MOVED and SECONDED by Sloniecki to approve MMA request for a one-day liquor license on 6/17/11 beer and wine per routing slip (FD). VOTE 5-0.

d. Sagamore Beach Colony Club – three one-day liquor 7/9/11, 7/16/11 and 8/12/11 beer and wine
Pickard MOVED and SECONDED by Sloniecki to approve Sagamore Beach Colony Club request for three one-day liquor license on 7/9/11, 7/16/11 and 8/12/11 beer and wine per routing slip (PD, FD).
VOTE 5-0.

e. Race to Second Base – 5K Road Race/Walk to benefit Kutil Family – use of Town roads and Buzzards Bay park
Pickard MOVED and SECONDED by Sloniecki to approve Race To Second Base request use of Town roads and Buzzards Bay park for a 5K Road Race/Walk to benefit the Kutil Family on 10/8/11 from 8:00 am – 12:00 pm per routing slip (DPW, PD) and do not charge fee, but get deposit to ensure clean up.
VOTE 5-0.

f. 1199 SEIU (United Healthcare Workers East-Mass Division) Change of Date and Location
Pickard MOVED and SECONDED by Sloniecki to approve 1199 SEIU request for Change of Date and Location to Buzzards Bay Park on 6/18/11 per routing slip. VOTE 5-0.

Approval of Road Name for new subdivision – Sand Dollar Lane

Mr. Farrell said the Planning Board had approved, but did not know what the new name would be. He suggested a way to approve while knowing what the name of the new road. Pickard suggested adding Planning Board to a routing slip.

Pickard MOVED and SECONDED by Sloniecki to approve Road name for new subdivision as being Sand Dollar Lane. VOTE 5-0.

Town-Owned Properties – follow-up

Next step would require joint meeting of BOS, Planning Board and Conservation Commission. Sloniecki requested Boards receive information 2 weeks prior to said joint meeting.

Selectmen's Business

a. Town Administrator Evaluation
This will be done at a later date.

b. Town Administrator Contract

One-year contract has been entered into with TA Guerino. Pickard stated there was a 4-1 vote to renew and he was the opposing vote and said this shows a vote of no confidence. He believes it is time for a change in the office of a Town Administrator. Sloniecki said he was not in agreement of a one-year contract. Chm. Ford said evaluation will be addressed on 5/24/11 and would like to see TA Guerino improve his performance. Mealy found TA Guerino helpful in areas and needing improvement in others.

Mr. Agrillo would like to see what the BOS puts into the evaluation of TA Guerino. Chm. Ford said the minutes will be available and speak for themselves. The contract has 1.5 % increase for a total of approximately \$131,600.

Mealy addressed his last meeting on the BOS and thanked the Board. Chm. Ford also said it was Meli's last night on the Board.

Ford commented on the Bass Ackwards event. Met with Scott Zeien and insurance carrier said he shouldn't sponsor the event and Mr. Tim Mullen brought attention to the Police Chief and Fire Chief that there is no way to ensure public safety. Mr. Zeien will still have the race but will not have the party afterwards. Ford attended the Nye Grant money event for the School Department.

Pickard said TA Guerino is soliciting pricing for a plaque that will be dedicated for Mr. Charlie Miller and will discuss with the BOS.

Mr. Farrell would like to publically thank Steve and Mary for their service on the BOS.

Adjournment

Pickard MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 8:10 pm.
UNANIMOUS VOTE

Respectfully submitted
Lisa Groezinger, sec.

Board of Selectmen
Minutes of May 10, 2011
Bourne Veteran's Building
239 Main Street, Buzzards Bay MA 02532

2011 SEP 2 AM 12:17

TA Guerino (excused)

TOWN CLERK'S OFFICE
BOURNE, MASS

John Ford, Chairman
Don Pickard, Vice Chairman
Mary Meli, Clerk
Jamie Sloniecki
Stephan Mealy

List of documents:
None

Meeting called to order
7:00 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items
None

Minutes

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VOTE 5-0.

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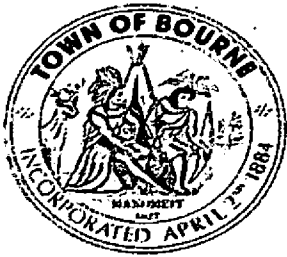
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Mr. Farrell would like to publically thank Steve and Mary for their service on the BOS.

Adjournment

Pickard MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 8:10 pm.
UNANIMOUS VOTE

Respectfully submitted
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday May 24, 2011	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: May 10, 2011
5. Correspondence
6. Administrators annual review outcomes
7. Licenses/Appointments:
 - a. 7:15 p.m. Liquor License transfer from Sagamore Deli & Package to Sadiq Corporation
 - b. 7:30 p.m. New Liquor License and Common Victualer Sandy's Famous Seafood Restaurant LLC d/b/a Sandy's Famous Seafood Restaurant
 - c. Diabetes Walk – Wampanoag Tribe – Use of Town Property
8. Right – as – Zoning – Solar Farm
9. Town Administrator's Report
 - a. Fuel accounts FY 2011
 - b. Fuel bid FY 12
 - c. Finance – Auditors
 - d. Inaugural meeting of Ambulance Committee
10. Selectmen's Business
 - a. Planning Board Vacancy
 - b. Goals setting session – June 14 Workshop
 - c. Miller dedication
 - d. Procedure for "Public Comment"
 - e. Summer Calendar – June 7, 21, Workshop on 14st. July 5, 19. Workshop on 12th. August 2, 16, Workshop on 23rd.
 - f. Process for reorganizing Board per policy
 - g. Town and Employee Support for the National Guard and Reserve
 - h. TA Vacation Time
11. Adjourn

2011 MAY 20 PM 2 05
TOWN CLERK'S OFFICE

Board of Selectmen
Minutes of May 24, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

*****2011 SEP 1 PM 9 30*****

TA Guerino

John Ford, Chairman
Don Pickard, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

TOWN CLERK'S OFFICE
BOURNE, MASS

List of documents:
None

Meeting called to order
7:00 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items
None.

Minutes

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 5/10/11 as submitted. VOTE 3-0-2 (Baldwin, Meier).

Correspondence

Selectmen Pickard read correspondence into record. A copy of all correspondence is available in the Town Administrator's office.

Item E – Not submitted for policy purposes, but the Board may chose not to entertain Aquaculture permits and can bring up as a future meeting agenda. Chm. Ford requested TA send said Item E to Shellfish Advisory Committee.

Administrator's Annual Review Outcomes

Relationship with the Board – average of 2.4
Financial Management – average of 3.0
Town Management – average of 2.0
Community and Public Relations – average of 3.0
Accomplishment of Progress or Goals – average of 2.4

Overall rating – 2.5 rating strong performance.

Chm. Ford reviewed the Narrative Summary 2011 Town Administrator's Assessment - 7 pages. Brief summary of each of the five (5) topics discussed.

General comments on what the TA has done well include guiding town through a tough economy with declining state aid, develop consensus from all departments and committees to stay within the guidelines of the finance management policy. TA conservative budget projections helped departments plan for staff reductions. He also provided quarterly reports with excellent presentations by the Finance Director. Financial management is TA's strongest asset.

General comments on what the TA could do better include developing a trust with the Board members. Members are not confident that all grievances and such were addressed properly and efficiently. Members want the TA to continue to work on delegating work on subordinates. They also believe TA should convey more information to them earlier in the process regarding significant agenda items.

Steps for TA to improve performance include attending Professional Development Seminar dealing with Town Employees. Delegate more of the every day work by using staff. TA to use talent within organization for the day to day items. The majority opinion of the Board members is that the TA has been improving and wants to see continued improvement.

TA Guerino thanked Mr. Steve Mealy for his work on the Board as he wasn't at the last meeting. Mr. Pickard thanked Chm. Ford for the amount of work he put into the TA Evaluation.

Kay Donovan directed comment to Pickard about comments regarding TA Guerino. Pickard responded by defending comments and appreciated the input.

Licenses/Appointments

Chm. Ford opened hearing at 7:23 pm and reviewed process. Atty. Tom Souza representing applicant. Sadiq Corporation. Shakeel Farooq, Manager, present. All abutters have been notified.

New license will be a full liquor license. Hearing was closed at 7:30 pm by Chm. Ford.

a. Liquor License transfer from Sagamore Deli & Package to Sadiq Corporation

Sloniecki MOVED and SECONDED by Baldwin to approve liquor license transfer from Sagamore Deli & Package to Sadiq Corporation to Mr. Shakeel Farooq per routing slip. VOTE 5-0.

Chm. Ford opened hearing at 7:32 pm and reviewed process. Applicant Ms. Judith Ann Tubbs, Manager, present. All abutters have been notified. Hours of operation whether to be increased or decreased, will require notification to the Board. Opening day projected in July 2012.

b. New Liquor License and Common Victualer Sandy's Famous Seafood Restaurant LLC d/b/a Sandy's Famous Seafood Restaurant

Sloniecki MOVED and SECONDED by Meier to approve Sandy's Famous Seafood Restaurant request for new liquor license and common victualer license (Summer hours: Sun-Sat 11:00 am – 11:00 pm) per routing slip (BOH). VOTE 5-0.

c. Diabetes Walk – Wampanoag Tribe – Use of Town Property

Pickard MOVED and SECONDED by Meier to approve Wampanoag Tribe request for use of Town property for Diabetes Walk on 6/26/11 from 10:30 am – 7:30 pm, waiver of fee but collect deposit, per routing slip (BOH). VOTE 5-0.

Right as Zoning Solar Farm

Mr. Richard Elrick, Energy Coordinator. As one of the five criteria for Bourne to become a Green Community, an update of a bylaw change that would allow permitting of large scale ground mounted solar pv. Mr. Elrick to

review appropriate parcels criteria (approximately an acre) with Town Planner. Benefits will be given to both the Town and developers. Total project is equivalent to 18 megawatts.

Project is designed as municipal projects.

Comments

Sloniecki requested parcels identified by Town Planner be given to the Board. Mr. Elrick added that the biggest issue is the energy connection process from NStar.

Solar panels are easier to maintain as compared to wind turbines. Solar panels cost is decreasing.

Timeline for municipal project is approximately 1 – 1 ½ years. Pickard suggested said solar farm project for the landfill. Net metering benefits limits will be expanded to allow more projects to come on line.

Mr. Jim Mulvey questioned if there will be regulations for commercial and residential. Bourne is not exempt from current regulations.

Town Administrator's Report

a. Fuel accounts FY2011

Two departments running into difficulties – DNR (at the marinas) and the Fire Department (fuel oil).

b. Fuel bid FY12

Taking an OEP for four (4) months with a possible renewal for two- four month bid. Diesel over-dock price is .69/gallon plus federal tax. ISWM tank came in at .14/gallon. Bid will be let to MJT Enterprises. ISWM will be from JP Noonan. Net as of today, fuel prices are up 23.23% on diesel and up 21% on the gasoline.

c. Finance – auditors

There is a meeting to be held on 6/21/11 at 7:00 pm. There is a 6:00 pm joint meeting with ConCom and FinCom the same day. Planning Board solar sites will also be included.

d. Inaugural meeting of Ambulance Committee

More emphasis requested based on looking at numbers. Next meeting is the next Thursday from this week. Chm. Ford would like the complete package before moving forward. TA Guerino said the fact set should be the first priority. Pickard requested Chief Green look at two- year old report done by Acting Chief Doucette.

Selectmen's Business

a. Planning Board Vacancy

Public notices will be put up on the website after Planning Board meeting this week.

b. Goals setting session – 6/14/11 workshop

Facilitator can be brought in for the second meeting, if necessary. TA Guerino asking members to think about the Board's priorities for the next five (5) years.

c. Miller dedication

Projected weekend of 7/23/11. Plaque has been ordered. Mr. Mealy and Ms. Meli to be invited to said dedication.

d. Procedure for "Public Comment"

Atty. Troy Open Meeting Law memo requirements with regard to Public Comment to develop a policy per the Selectmen. Chm. Ford reviewed protocol. Memo is available at the TA's office. Memo will be given to all the Boards and Committees.

- e. **Summer calendar: meetings on 6/7, 6/21, workshop on 6/14; meetings on 7/5, 7/19, workshop on 7/12; meetings of 8/2, 8/16, workshop on 8/23**

No vote required.

- f. **Process for reorganizing Board per policy**

Members submit requests to TA Guerino and will be available for 6/7/11 reorganization.

- g. **Town and Employee support for the National Guard and Reserve**

Document submitted and signed by TA Guerino and to be sent out.

- h. **TA Vacation Time**

TA Guerino looking to carry over six (6) over to next year. If he takes more vacation days before the end of the fiscal year, he will notify the Board.

Sloniecki MOVED and SECONDED by Meier to approve TA Guerino to carry over six (6) vacation days over to the next year. VOTE 5-0.

Board to meet with FinCom, and Town Moderator for a brief post town meeting discussion within the next week.

Ford attended ISWM recycling open house this past weekend. Future agenda item will be to revisit ISWM hours of operation.

Sloniecki suggested Bourne baseball volunteers to keep swap shop maintained. TA Guerino to discuss with Dan Barret and Phil Goddard of ISWM.

Ford attended Council of Aging awards.

Pickard notified public of the VFW Memorial Day Service at the National Cemetery, as well as the visit to memorials.

Adjournment

Sloniecki MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 8:45 pm. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



Date
Tuesday
June 7, 2011

Time
7:00 p.m.

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

6:30 Board of Sewer Commissioners – Report from the Wastewater Advisory Committee

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 : May 24, 2011
5. Correspondence
6. Reorganization of the Board of Selectmen
7. Discussion and Vote to approve: Re-Precincting in Town
8. Vote Charter Revisions

9. Licenses/Appointments:

- a. Constable
- b. Liquor License – Sunday 10:00 a.m. opening
 1. Trowbridge Tavern
 2. Sagamore Inn
- c. Use of Town Property – James Carter – Sausage/Hotdog Cart
 1. Buzzards Bay Park - 90 Main Street
 2. Bourne Veterans' Memorial Community Center - 239 Main Street
- d. Annual Striper Fest – Use of Town Property – One Day Liquor

10. Town Administrator's Report - Trash cost v. privatization report

11. Selectmen's Business

- a. Discussion related to expanded opinion of Town Counsel regarding Open Meeting Law
- b. Recognition of MMA 120th celebration

12. Adjourn

2011 JUN 3 PM 3 30
TOWN CLERK

Board of Selectmen
Minutes of June 7, 2011
Bourne Veteran's Building
Bourne, MA 02532

2011 SEP 7 PM 1 15

TOWN CLERK'S OFFICE
TA Guerino BOURNE, MASS

Donald Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

Guests: Barry Johnson, Town Clerk; Wendy Chapman, Assistant Town Clerk; Ricky Tellier, DPW;

List of documents:
None

Meeting called to order
7:05 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items
None

Minutes

Pickard MOVED and SECONDED by Sloniecki to approve minutes of 5/24/11 as amended. VOTE 5-0.

Correspondence

Selectmen Pickard read correspondence into record. A copy of all correspondence is available in the Town Administrator's office.

TA Guerino to draft letter to Donald Jacobs for his services on the Historical Committee.

Item J - Agriculture regulations from DNR Director Tim Mullen – future meeting agenda.

MMA for 120 years as a friend and benefactor to the Town of Bourne. Selectmen signatures obtained.

Pickard requested TA Guerino to contact counterparts with regard to Cape Cod Commission request for nominations.

Reorganization of the Board of Selectmen

Ford MOVED and SECONDED by Meier to appoint Don Pickard as the Selectmen Chairman. VOTE 3-2 (Sloniecki, Baldwin).

Pickard MOVED and SECONDED by Meier to appoint John Ford as Selectmen Vice Chairman. VOTE 3-2 (Sloniecki, Baldwin).

Ford MOVED and SECONDED by Sloniecki to appoint Peter Meier as Selectmen Clerk. VOTE 5-0.

Town Re-Precincting

Population needs to be enumerated every 10 years as well as the legislative redistricting. New districts will take affect for the 2012 elections.

Wendy Chapman briefly reviewed presentation. She explained re-precincting allows as many people in town to vote on the same side of the bridge as where they live. She also reviewed how the census worked based on block groups and how it affects the Town.

Ford MOVED and SECONDED by Meier to adopt as presented by Town Clerk Barry Johnson the 2011 Re-Precincting for Bourne, including enclosed map, legal description and block listings. VOTE 5-0.

Sloniecki requested map of precincts put on the website. Ms. Chapman explained that it is only a draft until it is approved by the end of the calendar year.

Vote Charter Revisions

Sloniecki MOVED and SECONDED by Ford in a meeting of vote that the Board of Selectmen of the Town of Bourne on 6/7/11 at 7 pm and a quorum being present and voted throughout upon a motion duly made and seconded it was unanimously voted to forward Articles 21 and 22 of the Annual Town Meeting of May 2011 as attested by the Town Clerk to our legislative delegation for the Town of Bourne Charter Amendment. The Town therefore requests that the legislation and delegation file an appropriate bill to adopt the Charter Amendments as legislation and to authorize Town Counsel to act in the Town's behalf and to work with legislative counsel, if necessary, and the drafting of the appropriate bill. VOTE 5-0.

Licenses/Appointments

a. Constable

Ford raised issue of how much the Town collected and asked TA Guerino to follow up with the Treasurer. Pickard asked TA Guerino to contact five (5) individuals to see if they are interested and put on agenda the 6/21/11 meeting.

b. Liquor License – Sunday 10:00 am opening

• Trowbridge Tavern

Mary Meli for Trowbridge Tavern

Sloniecki MOVED and SECONDED by Ford to approve Trowbridge Tavern request for liquor license Sunday 10:00 am opening. VOTE 5-0.

• Sagamore Inn

Mike Bilodeau for Sagamore Inn

Sloniecki MOVED and SECONDED by Meier to approve Sagamore Inn request for liquor license Sunday 10:00 am opening. VOTE 5-0.

c. Use of Town Property – James Carter – Sausage/Hotdog Cart

- **Buzzards Bay Park- 90 Main Street**

TA Guerino explained this is a new venture and a pre-approval for both locations before applicant goes before the Planning Board.

Sloniecki MOVED and SECONDED by Meier to approve James Carter Sausage/Hotdog Cart request for Use of Town Property (May – August) and to operate per routing slip. VOTE 5-0.

- **Bourne Veteran’s Memorial Community Center – 239 Main Street**

Sloniecki MOVED and SECONDED by Meier to approve James Carter Sausage/Hotdog Cart request for Use of Town Property and to operate per routing slip. VOTE 5-0.

d. Annual Striper Fest – Use of Town Property – One Day Liquor

Sloniecki MOVED and SECONDED by Ford to approve Annual Striper Fest One Day Liquor request Use of Town Property per routing slip and to collect \$150 deposit and collect \$300 fee. VOTE 5-0.

Town Administrator’s Report

a. Trash Cost vs. privatization report

Best way forward to follow a bid process, which was not formalized. Short summary supplied to the Selectmen and reviewed. Bids were based on 5-year and 3-year contracts. Numbers don’t add up based on what was able to be put together. Final analysis is that at the minimal bid, the Town could save \$140,000 and may not be feasible. If privatize, cost to ISWM would be the same (\$140,000) but the Town would have to pay additional for man power.

TA Guerino recommends the Selectmen do no proceed further for FY12 and FY13 and review again in two (2) years.

As far as Selectmen goals, trash and cycling reviewed and the Ambulance Committee moving is moving forward.

Ford MOVED and SECONDED by Sloniecki to endorse Town Administrator’s recommendations to revisit trash cost vs privatizing for two years (FY14) and move forward in looking into automating the equipment. VOTE 5-0.

b. Growth Incentive Zone

Application received by consultant, but was not ready to be put forward to the Cape Cod Commission. TA Guerino recognized Coreen Moore’s 80 hours put into this application.

Selectmen’s Business

a. Discussion related to expanded opinion of Town Open Meeting Law

Ford requested setting up a meeting with Town Counsel to have one Town policy. TA Guerino recommends Selectmen have Town Counsel discuss with Department Heads before putting on as an agenda item.

b. Recognition of MMA 120th Celebration

Chm. Pickard read into record the MMA citation. Selectmen signatures received tonight.

Future Meeting Agenda

Meier discussed students volunteering at Brockton VA Hospital, and suggested a formal setting of citations to seven (7) students at the 6/21/11 meeting

Ford requested to contact water company in regards to gentlemen who had the high water bill. Planning Board hearing this Thursday regarding Town Use Vision Map.

Sloniecki announced CCC Wind Generation project, second public hearing on the newly submitted plan this Thursday.

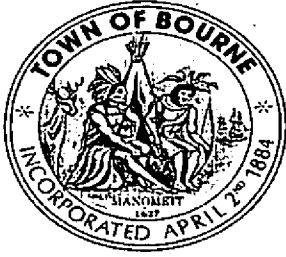
Baldwin announced Bourne Braves opening day.

Pickard attended two Memorial Day Ceremonies at the National Cemetery.

Adjournment

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 9:30 pm. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.



Date
Tuesday
June 14, 2011

Board of Selectmen Meeting Notice

2011 JUN 9 PM 5:57

TOWN CLERK'S OFFICE
Time
6:00 p.m.

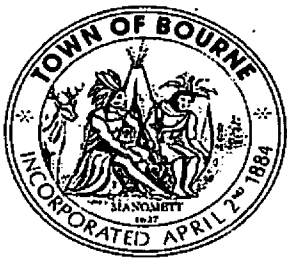


Location
Bourne Veterans Memorial
Community Center
239 Main Street, Buzzards Bay

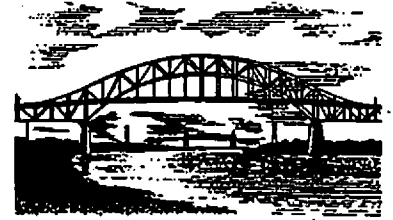
AGENDA

1. Board of Selectmen Goal Session - Workshop
2. Adjourn – 8:30

Thomas M. Guerino
Town Administrator



**Board of Selectmen
Meeting Notice
AGENDA**

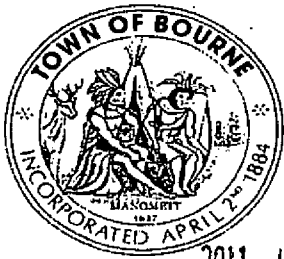


AMENDED

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 14, 2011	7:00 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

1. Board of Selectmen Goal Session - Workshop
2. 4th of July Parade – Signs on town property
3. Adjourn – 8:30

2011 JUN 10 PM 2 20
TOWN CLERK'S OFFICE



Board of Selectmen Meeting Notice



2011 JUN 20 AM 9 **AMENDED AGENDA**

6:00 P.M. Joint Meeting with Planning Board, Conservation Commission and Board of Selectmen for town owned properties.

6:45 P.M. Joint Meeting with Planning Board to appoint a full and associate member.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 21, 2011	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. Correspondence

5. BHS Team Echo Citations – VA Hospital Visits – Congressman Keating rep. and State Legislative delegation reps.

6. John Curry – Bourne Village Cemetery - Citizen concern – discussion (no vote)

7. Chief of Police – Recommendation to increase parking fines – (Vote)

8. Temporary easement - For the Impact Area Groundwater Study Program- MMR. Williams and Mercury Avenues (Map 44.2) and the second is on an undeveloped, town-owned property on Rice Avenue (Map 44.1, Parcel 146.01). (vote)

9. Licenses/Appointments:
 - a. Chartwell's @ MMA – One Day Liquor
 - b. Effie's Pizza – Transfer of Common Victualer License
 - c. Race for Second Base – Use of Town Property – Change of Date from original appl.
 - d. Sagamore Beach Colony – One Day Liquor
 - e. St. Peter's Church – Entertainment - Family Day
 - f. Annual Watershed Ride – Use of Bourne Roads
 - g. Committee Appointment Renewals
 - h. Phinney's Harbor Day – Entertainment – Use of Town Property – Liquor

10. Town Administrator's Report - Cody School; HR issues, Goals (BOS) Public update regarding process.

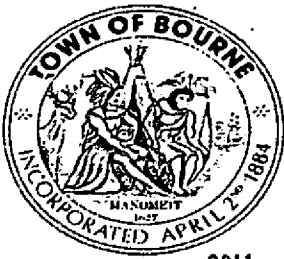
11. Selectmen's Business

- a. Complete action on Beach Street and Shore Road Parking (time limits) vote
- b. Discussion only regarding Selectmen assigned committees:

- Affordable Housing Trust
- Local Emergency Planning Committee
- Main Street Steering
- ISWM Business
- Veterans Bldg. Trustee
- MMR Senior Mgmt
- Transit Authority
- Military Civilian Council

- c. Discussion relative to public beaches and budget

12. Adjourn



Board of Selectmen Meeting Notice AGENDA



2011 JUN 17 PM 2 17
6:00 P.M. Joint Meeting with Planning Board, Conservation Commission and Board of Selectmen for town owned properties.

6:45 P.M. Joint Meeting with Planning Board to appoint a full and associate member.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 21, 2011	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
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 3. Public Comment – Non-Agenda Items
 4. Correspondence
 5. BHS Team Echo Citations – VA Hospital Visits – Congressman Keating rep. and State Legislative delegation reps.
 6. John Curry – Bourne Village Cemetery - Citizen concern – discussion (no vote)
 7. Chief of Police – Recommendation to increase parking fines – (Vote)
 8. Temporary easement - For the Impact Area Groundwater Study Program- MMR. Williams and Mercury Avenues (Map 44.2) and the second is on an undeveloped, town-owned property on Rice Avenue (Map 44.1, Parcel 146.01). (vote)
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 - d. Sagamore Beach Colony – One Day Liquor
 - e. St. Peter's Church – Entertainment - Family Day
 - f. Annual Watershed Ride – Use of Bourne Roads
 - g. Committee Appointment Renewals
 - h. Phinney's Harbor Day – Entertainment – Use of Town Property – Liquor
 10. Town Administrator's Report - Cody School, HR issues, Goals (BOS) Public update regarding process.

11. Selectmen's Business

- a. Complete action on Beach Street and Shore Road Parking (time limits) vote
- b. Discussion only regarding Selectmen assigned committees:

- Affordable Housing Trust
- Local Emergency Planning Committee
- Main Street Steering
- ISWM Business
- Veterans Bldg. Trustee
- MMR Senior Mgmt
- Transit Authority
- Military Civilian Council

12. Adjourn

Board of Selectmen
Minutes of June 21, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 SEP 2 AM 12 17

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Don Pickard, Chairman
John Ford Jr., Vice-Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

Planning Board

Daniel Doucette, Vice Chairman
Louis Gallo
Douglas Shearer
John Howarth
Gerald Carney
Dudley Jensen

Conservation Commission

Robert Gray, Chairman
Melvin Holmes
Betsy Kiebala
Paul Lelito, Co Chairman
Robert Palumbo, Co Chairman
Martha Craig Rheinhardt

List of documents:
None

6:15 pm Joint Meeting with Planning Board, Conservation Commission and Board of Selectmen for town owned properties

New Tax Title Properties.

Map A – 143 Old Plymouth Road. Recommendation to transfer to the Housing Trust.

Doucette MOVED and SECONDED by Sloniecki to transfer property at 143 Old Plymouth Road to the housing Trust. UNANIMOUS VOTE.

Map B – 0 Colonial Road. Recommendation to dispose (put up for auction).

Meier MOVED and SECONDED by Sloniecki to auction property at 0 Colonial Road.
UNANIMOUS VOTE.

Map C – 39 St. Margarets Street. Recommendation to dispose,
Sloniecki MOVED and SECONDED by Meier to auction property at 39 St. Margarets Street.
UNANIMOUS VOTE.

Map D - 41 Head of the Bay Road. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 41 Head of the Bay Road.
UNANIMOUS VOTE.

Map E – 0 Shore Road. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 0 Shore Road.
UNANIMOUS VOTE.

Existing Town-Owned Properties.

Map 1 – 0 Standish Road; 0 Lathrop & Clark Road
Recommendation to retain 2 parcels
Sloniecki MOVED and SECONDED by Doucette to retain properties at 0 Standish road and 0
Lathrop & Clark Road. UNANIMOUS VOTE.

Map 2 – 46 Norris Road; 1 McGrath Road; 14 McGrath Road; 19 Manomet Road; 3 Brady Road;
11 Brady Road; 15 Brady Road; 17 Brady Road 26 Brady Road and 27 Brady Road.
Recommendation to auction with restrictions. These lots would stay as wooded lots.
Sloniecki MOVED and SECONDED by Doucette to auction with restriction properties at 46 Norris
Road; 1 McGrath Road; 14 McGrath Road; 19 Manomet Road; 3 Brady Road; 11 Brady Road; 15
Brady Road; 17 Brady Road 26 Brady Road and 27 Brady Road. UNANIMOUS VOTE.

Map 3 - 0 Bournedale Road. Recommendation to dispose with restrictions – easement remains
in place.
Sloniecki MOVED and SECONDED by Meier to dispose of property at 0 Bournedale Road.
UNANIMOUS VOTE.

Map 3 - Route 25 – abutting. Recommendation to auction.
Doucette MOVED and SECONDED by Sloniecki to auction property at Route 25 - abutting.
UNANIMOUS VOTE.

Map 4 - 4 Cape View Way and 12 Cape View Way
12 Cape View Way – no action needed Town Meeting waiting to transfer title deed.
Meier MOVED and SECONDED by Holmes to retain property at 4 Cape View Way for municipal
use. UNANIMOUS VOTE.

Map 5 - 50 Sachem Drive
Retain for road water run off. Recommendation to retain.
Sloniecki MOVED and SECONDED by Meier to retain property at 50 Sachem and to transfer to
Conservation Commission. UNANIMOUS VOTE.

Map 6 - 1040 Scenic Highway. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 1040 Scenic Highway.
UNANIMOUS VOTE.

Map 7 - 0 Scusset Beach Road. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Scusset Beach Road.
UNANIMOUS VOTE.

Map 8 - 45 Savery Avenue (two [2] parcels having same address). Recommendation to auction.
Sloniecki MOVED and SECONDED by Meier to auction both parcels at 45 Savery Avenue.
UNANIMOUS VOTE.

Map 9 - 73 Canal Street. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 73 Canal Street.
UNANIMOUS VOTE.

Map 10 - 0 Freight House Road (retain) access to canal; 0 Regency Drive (auction)
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Freight House Road and to
auction property at 0 Regency Drive. UNANIMOUS VOTE.

Map 11 - 0 Pine Ridge Road – used as beach access. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Pine Ridge Road.
UNANIMOUS VOTE.

Map 12 - 16 Heather Hill Road – off; 33 Heather Hill Road – off. Recommendation to auction
both parcels (water pressure issue and cannot get a building permit).
Sloniecki MOVED and SECONDED by Doucette to auction both properties at 16 Health Hill Road
and 33 Heather Hill Road. UNANIMOUS VOTE.

Map 13 - 7 Bluff Road – off. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 7 Bluff Road. UNANIMOUS
VOTE.

Map 14 - 0 Garfield Avenue. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 0 Garfield Avenue.
UNANIMOUS VOTE.

Map 15 – 15 Studio Drive; 11 Van Bummel Road. Recommendation to transfer to Conservation
Commission. Both parcels covered with wetlands.
Sloniecki MOVED and SECONDED by Doucette to transfer properties at 15 Studio Drive and 11
Van Bummel Road to Conservation Commission. UNANIMOUS VOTE.

Map 16 - 35 St. Margarets Street. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 35 St. Margarets Street.
UNANIMOUS VOTE.

Map 17 - 0 Queens Bay Lane. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Queens Bay Lane.
UNANIMOUS VOTE.

Map 18 - 411 Scenic Highway; 421 Scenic Highway. Recommendation to dispose with
restrictions – may be some historic dredge spoils in the area; and to restrict access to Scenic
Highway.
Sloniecki MOVED and SECONDED by Doucette to auction property at 411 and 421 Scenic
Highway with restrictions. UNANIMOUS VOTE.

Map 19 - 499 Scenic Highway. Recommendation to retain.
Sloniecki MOVED and SECONDED by Meier to retain property at 499 Scenic Highway.
UNANIMOUS VOTE.

Map 20 - 0 Cypress & Maple Street. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 0 Cypress & Maple Street.
UNANIMOUS VOTE.

Map 21 - 0 Cohasset Avenue (two [2] parcels with same address). Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction both parcels at 0 Cohasset Avenue.
UNANIMOUS VOTE.

Map 22 - 0 Academy Drive. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Academy Drive.
UNANIMOUS VOTE.

Map 23 – 0 Bell Road. Recommendation to retain and transfer to Conservation Commission.
Sloniecki MOVED and SECONDED by Doucette to retain and transfer to Conservation
Commission the property at 0 Bell Road. UNANIMOUS VOTE.

Map 24 - 0 Sandwich Road; 0 County & Waterhouse Corner. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain properties at 0 Sandwich Road and 0
County & Waterhouse Corner. UNANIMOUS VOTE.

Map 25 - 20 Lamont Road. Recommendation to retain and transfer to Conservation
Commission.
Meier MOVED and SECONDED by Doucette to retain and transfer to Conservation Commission
the property at 20 Lamont Road. UNANIMOUS VOTE.

Map 26 - 10 Cleveland Circle. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 10 Cleveland Circle.
UNANIMOUS VOTE.

Map 27 - 0 Presidents Road (two [2] parcels with same address). Recommendation to retain both properties.
Sloniecki MOVED and SECONDED by Doucette to retain both properties at 0 Presidents Road.
UNANIMOUS VOTE.

Map 28 - 0 Mashnee Road. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Mashnee Road.
UNANIMOUS VOTE.

Map 29 - 0 North Beach Avenue (two [2] properties with same address). Recommendation to retain as they are wetlands.
Sloniecki MOVED and SECONDED by Doucette to retain both properties at 0 North Beach Avenue. UNANIMOUS VOTE.

Map 30 - 0 Emmons Road. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Emmons Road.
UNANIMOUS VOTE.

Map 31 - 49 Thom Avenue. Recommendation to retain as it is a drainage lot.
Sloniecki MOVED and SECONDED by Meier to retain property at 49 Thom Avenue.
UNANIMOUS VOTE.

Map 32 - 0 Shore Road & Pocasset River. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Shore Road & Pocasset River. UNANIMOUS VOTE.

Map 33 - 792 Shore Road; 796 Shore Road. Recommendation to retain and transfer properties to Conservation Commission.
Sloniecki MOVED and SECONDED by Meier to retain and transfer properties at 792 and 796 Shore Road to Conservation Commission. UNANIMOUS VOTE.

Map 34 - 0 Circuit Avenue. Recommendation to retain and transfer to Conservation Commission.
Sloniecki MOVED and SECONDED by Doucette to retain and transfer the property at 0 Circuit Avenue to the Conservation Commission. UNANIMOUS VOTE.

Map 35 - 0 Rice Avenue; 0 Dollins Road. Recommendation to retain both properties and to transfer to the Conservation Commission.
Sloniecki MOVED and SECONDED by Doucette to retain both properties at 0 Rice Avenue and 0 Dollins Road and transfer to the Conservation Commission. UNANIMOUS VOTE.

Map 36 - 0 Lake Drive; 41 Lake Drive. Wetlands. Recommendation to retain and to transfer to the Conservation Commission.

Sloniecki MOVED and SECONDED by Meier to retain both properties at 0 Lake Drive and 41 Lake Drive and to transfer to the Conservation Commission. UNANIMOUS VOTE.

Map 37 - 0 Scraggy Neck Road. Recommendation to retain.

Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Scraggy Neck Road. UNANIMOUS VOTE.

Map 38 - 8 Falmouth Avenue; 5 Falmouth Avenue; 3 Falmouth Avenue. Recommendation to auction.

Sloniecki MOVED and SECONDED by Doucette to auction properties at 8 Falmouth Avenue, 5 Falmouth Avenue and 3 Falmouth Avenue. UNANIMOUS VOTE.

Map 39 - Whimbrel Drive – off Route 28. Recommendation to auction.

Sloniecki MOVED and SECONDED by Doucette to auction property at Whimbrel Drive – off Route 28. UNANIMOUS VOTE.

Sloniecki MOVED and SECONDED by Meier to recess and reconvene to Joint Meeting with Planning Board.

7:00 pm Joint Meeting with Planning Board to appoint a full and associate member

Meier MOVED and SECONDED by Jensen to appoint Jonathan Nelson as a full member to the Planning Board and a term to expire May 2012.

Planning Board Roll Call: Daniel Doucette - yes, Louis Gallo - yes, Douglas Shearer - yes, John Howarth - yes, Gerald Carney – yes, Dudley Jensen – yes.

Selectmen: Pickard – yes, Ford – yes, Sloniecki – yes, Meier – yes, Baldwin – yes.

Sloniecki MOVED and SECONDED by Meier to appoint Vincent Michienzi as an associate member to the Planning Board and a term to expire May 2012.

Planning Board Roll Call: Daniel Doucette - yes, Louis Gallo - yes, Douglas Shearer - yes, John Howarth - yes, Gerald Carney – yes, Dudley Jensen – yes.

Selectmen: Pickard – yes, Ford – yes, Sloniecki – yes, Meier – yes, Baldwin – yes.

Doucette MOVED and SECONDED by Meier to adjourn Joint Meeting of the Board of Selectmen and Planning Board. Meeting adjourned at 7:03 pm.

Two minute recess then reconvene in public session.

Selectmen Regular Meeting called to order

7:12 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items

Gary Malone, Jr., Buzzards Bay, comment on timeline and getting an item included in the Selectmen's agenda.

Correspondence

Selectmen Meier read correspondence into record. A copy of all correspondence is available in the Town Administrator's office.

Item I – Town Hall parking lot. Granted authorization to utilize both Taylor Point and Town Hall. No vote needed by BOS.

Item E – Recommendations to replace Ms. Kathy Stubstab as Director of S.W.O.P.

Item M – AmeriCorps graduation on 7/28/11 from 9-11 A.M. in Dennis. TA Guerino will be attending. Chm. Pickard will try to attend as well.

Chm. Pickard read into record Town Counsel opinion with regard to Open Meeting Law to answer Mr. Malone's question.

BHS Team Echo Citations – VA Hospital Visits – Congressman Keating rep. and State Legislative delegation reps.

Ford MOVED and SECONDED by Baldwin to take 11C out of order on the agenda. VOTE 5-0.

Public Beaches and Budget

Citizens request to reconsider budget. TA Guerino reviewed history. January 2011 he indicated a recommendation to not fund lifeguard positions. 2/14/11 Joint Meeting of BOS and FinCom and proposal to a \$25,000 - \$30,000 relative to swimming lessons. 2/22/11 BOS meeting discussion while began budget review. 3/21/11 Joint Meeting of BOS and FinCom to try a fee for service at the MMA. 3/22/11 BOS meeting discussion relative to augmentation to the budget to reconsider lifeguards. 4/25/11 before Town Meeting, FinCom discussed again and on 4/26/11 discussion to Town's position to staffing lifeguards this year. 5/2/11 at the ATM with quorum present under Article 3 (TA Guerino read into record). In summary, Article moved for passage on Town Budget for the year.

Ford added that the BOS decided to keep necessary services in the budget.

Mr. Joe Agrillo suggested taking the \$165,000 that Bourne gives to the Cape Commission and take money to fund the lifeguard positions.

Sheila Amesworth, seasonal resident, not in favor of eliminating lifeguards. TA Guerino said that non residents or seasonal residents are recognized at ATM, but cannot vote. Floats will not be a part of the installations this summer. Monies from fees for swimming goes back to the General Fund and is impossible to start a new Revolving Fund for that purpose. Swimming lessons were discussed being in a coastal community. Issue was inability was to find instructors. Recreation Director contacted Aquatic Director at the Wareham YMCA having difficulty staffing their own pools and summer camp staff. Worked with Town of Sandwich where vacancies Town of Bourne children offered in their classes. If BOS opt not to fund for a second year, Bourne will have an active instructive program next year. Ford inquired if some consideration for placing rafts in the beaches. TA Guerino recommendation based on Town Counsel and Insurance carrier that the floats do not get installed this year. Total cost of approximately \$75,000.

Anne Bruni, Cherry Street, commented on Bumps Pond. She suggested beaches should be closed at 8:00 pm and not 10:00 pm. She commented on the negative activity with regard to the floats.

Resident at Grey Gables commented on no negativity with regard to the floats and would like it back.

Gary Maloney, Jr. commented on diverting monies to Shellfish Propagation vs. lifeguards and floats. TA Guerino said this was the first year to put on ATM Warrant so the Town could have additional money in the General Fund. This is a way to augment cash to do other town wide activities.

Cathleen Prophett, Monument Beach, would like to see the lifeguards back giving swimming lessons at Grey Gables Beach.

Tom Barnes, Monument Beach, is in favor of bringing back the lifeguards. Ford commented on laid off employees, up-to-date police cruisers, CPA funds and schools not getting all the monies requested. TA Guerino stated monies turned back at ATM go back to the General Fund and not used for General Operations budgets.

Jack Coughlin, Grey Gables, is in favor of bringing back the lifeguards and commented on positive things the lifeguards did for the community.

Archie Amesworth, Grey Gables inquired if the increase of liability more than the \$75,000 for lifeguards. TA Guerino said there is no additional liability of having beaches not staffed as long as they are signed.

Colleen Kilfoil, raised issue with redirecting beach stickers and swimming fees to pay for the lifeguards.

Jim Mulvey asked if there was access to put lifeguard program back in effect this year for a limited amount of beaches. TA Guerino outlined the cuts in Town employees. There is no mechanical method to authorize additional budget funding that was not budgeted and voted through ATM. Attracting enough staff at this point would be a task. For next year's budget, Bourne has almost \$300,000 in excess for Snow & Ice, fuel costs are up. TA Guerino said that if Bourne could get private funding, sufficient applicants and fund three (3) beaches.

Tom Barnes said not having lifeguards is a safety issue.

TA Guerino said the beaches were going to be staffed on 6/25/11. He expects ropes will be put up by next week. Beaches will be cleaned as have been.

Dick Laroshina, appreciates the sentiment of budgetary constraints.

Ford **MOVED** and **SECONDED** by Meier for a 5 minute recess. **UNANIMOUS VOTE.**

John Curry – Bourne Village Cemetery - Citizen concern – discussion (no vote)

Requesting the Town to take over the Bourne Village Cemetery. Ford suggested TA Guerino discuss with Town Counsel to generate a list of basics to follow moving forward. Cost analysis would also be needed.

Chief of Police – Recommendation to increase parking fines – (Vote)

Sloniecki inquired about HP parking fee. Mr. Joe Agrillo asked for clarification on overnight parking. Mr. Maloney raised issue of increasing fees for tickets that are not going to be enforced.

Ford **MOVED** and **SECONDED** by Baldwin to approve Police Chief Dennis Woodside recommendation to increase all of the current parking fine amounts from \$15.00 each to \$25.00 each and handicapped parking violation from \$40 to \$100. **VOTE 5-0.**

Temporary easement - For the Impact Area Groundwater Study Program - MMR. Williams and Mercury Avenues (Map 44.2) and the second is on an undeveloped, town-owned property on Rice Avenue (Map 44.1, Parcel 146.01). (vote)

Tabled as appropriate paperwork is not available at this time.

Licenses/Appointments:

a. Chartwell's @ MMA – One Day Liquor

Ford **MOVED** and **SECONDED** by Sloniecki to approve Chartwell's request for One Day Liquor license for Homecoming on 9/17/11 between 1:00 pm and 8:00 pm per routing slip. **VOTE 5-0.**

b. Effie's Pizza – Transfer of Common Victualer License

Sloniecki **MOVED** and **SECONDED** by Meier to approve Effie's Pizza request for Transfer of Common Victualer license from Effie Salpoglou to Maureen Sinclair per routing slip. **VOTE 5-0.**

c. Race for Second Base – Use of Town Property – Change of Date from original appl.

Sloniecki MOVED and SECONDED by Ford to approve Change of Date from 10/8/11 to 10/9/11 from 8:00 am to 12:00 pm for the Race for Second Base Use of Town Property per routing slip. VOTE 5-0.

d. Sagamore Beach Colony – One Day Liquor

Ford MOVED and SECONDED by Sloniecki to approve Sagamore Beach Colony One Day Liquor request for Wine Social for Club members on 7/7/11 between 6:30 pm and 8:30 pm per routing slip. VOTE 5-0.

e. St. Peter's Church – Entertainment - Family Day

Ford MOVED and SECONDED by Sloniecki to approve St. Peter's Church request for Entertainment license for Family Day on 7/9/11 between 11:00 am and 5:00 pm per routing slip. VOTE 5-0.

f. Annual Watershed Ride – Use of Bourne Roads

Sloniecki MOVED and SECONDED by Ford to approve Annual Watershed Bike Ride request for Use of Bourne Roads on 10/2/11 between 12:30 pm and 2:15 pm per routing slip. VOTE 5-0.

g. Committee Appointment Renewals

Ford MOVED and SECONDED by Sloniecki to re-appoint Lee M. Berger, Judith A. Riordan, Susan R. Ross, Stephen Walsh to the Affordable Housing Trust for a term to expire 6/30/13. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to appoint Peter Meier to the Affordable Housing Trust vacancy for a term to expire 6/30/13. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to re-appoint Wade M. Keene to the Board of Appeals for a term to expire 6/30/16. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to re-appoint Harold Kalick and John E. O'Brien to the Board of Appeals associate members for terms to expire on 6/30/12. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to re-appoint Donald J. Pickard as BOS representative to the Bourne Landfill Business Model Working Group for a term to expire 6/30/12. VOTE 5-0.

Ford MOVED and SECONDED by Baldwin to re-appoint William Ware as an at large member to the Bourne Landfill Business Model Working Group for a term to expire 6/30/12. VOTE 5-0.

Cape Cod Regional Transit Authority appointment to be tabled.

Meier MOVED and SECONDED by Ford to re-appoint Paul R. Lelito and Robert Palumbo to the Conservation Commission with terms to expire 6/30/14. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to re-appoint Michael Gratis, Michael Leitzel and Thomas L. Ligor as associate members to the Conservation Commission with terms to expire 6/30/12. VOTE 5-0.

Ford MOVED and SECONDED by Meier to re-appoint Lee M. Gresh and Dennis Woodside as Constables for a term to expire 6/30/12. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to re-appoint Cynthia A. Coffin, Philip Goddard (ISWM), Martin Green (Fire Chief), Patricia Houde (COA), Stephan Kelleher (MMA Commander), Carole Kibner (Hospital), Chrystal LaPine (Barnstable County Sheriff's Dept.), Michael E. Leitzel (Engineering Technician), Brendan Mullaney (Environmental), Timothy Mullen (DNR), Charles Noyes (Director), John Pribilla (Owners & Operators), Joe Reynolds (Owners & Operators), Ann Marie Riley (COA), George Sala (DPW staff), Amanda Speakman (COA Director), John M. Stofa (Community Rep), Rickie Tellier (DPW staff), Michele Tonini (Police), George Tribou (Sewer staff), Linda M. Zuern (Community Rep) for terms to expire 6/30/12. VOTE 5-0.

Meier MOVED and SECONDED by Ford to appoint Earl Baldwin as a member to the Massachusetts Military Reservation – Senior Management Board for a term to expire 6/30/12. VOTE 5-0.

Meier MOVED and SECONDED by Ford to re-appoint Barbara R. Jacobs as Registrar of Voters for a term to expire 6/30/14. VOTE 5-0.

Meier MOVED and SECONDED by Sloniecki to re-appoint David Crane to the Shore & Harbor Committee for a term to expire 6/30/14. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to appoint Don Pickard as Chairman of the Board of Selectmen to the Trustees of the Bourne Veterans' Memorial Community Center for a term to expire once Chairman position expires. VOTE 5-0.

h. Phinney's Harbor Day – Entertainment – Use of Town Property – Liquor

Mr. Joe Agrillo went on record of his disapproval of serving alcohol at this event.

Sloniecki MOVED and SECONDED by Ford to approve Bourne Community Boating, Inc. Phinney's Harbor Day request for Use of Town Property, Entertainment and Liquor license on 7/23/11 between 7:30 am and 9:30 am for road race; 4:00 pm and 7:00 pm for event per routing slip (pending Police Chief's signature) and to waive fee and request deposit. VOTE 5-0.

Town Administrator's Report - Coady School, HR issues, Goals (BOS) Public update regarding process

Subdivision of property recommendations made and comments made back. Presenting a complete plan that will come to the BOS. Selectmen need to be on board prior to bringing to Planning Board. Selectmen and TA Guerino with Town Counsel sit down in Exec. Session with regard to sale of real estate.

Selectmen's Business

a. Complete action on Beach Street and Shore Road Parking (time limits) vote

Ford MOVED and SECONDED by Sloniecki to amend the Traffic Rules and Orders of the Town of Bourne adopted by the Board of Selectmen on 5/15/39 and subsequent amendments are hereby amended as follows.

By adding under Article V, Section 6: Time Limit in Designated Places

Shore Road, Monument Beach from the east side of 437-445 Shore Road. No person shall park a vehicle for longer than one hour at any time. VOTE 5-0.

b. Discussion only regarding Selectmen assigned committees:

Affordable Housing Trust
Local Emergency Planning Committee
Main Street Steering
ISWM Business
Veterans Bldg. Trustee
MMR Senior Mgmt
Transit Authority
Military Civilian Council

Selectmen to email interest for vacancies and to vote appointments at a future agenda meeting.

Ford – TA Guerino to set up meeting of BOS with Water Company with regard to concessions of a second meter.

Adjourn

Ford MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:05 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Board of Selectmen
Minutes of June 21, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 SEP 1 PM 9 48

TOWN CLERK'S OFFICE
TA Guerino BOURNE, MASS

Don Pickard, Chairman
John Ford Jr., Vice-Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

Planning Board

Daniel Doucette, Vice Chairman
Louis Gallo
Douglas Shearer
John Howarth
Gerald Carney
Dudley Jensen

Conservation Commission

Robert Gray, Chairman
Melvin Holmes
Betsy Kiebala
Paul Lelito, Co Chairman
Robert Palumbo, Co Chairman
Martha Craig Rheinhardt

List of documents:
None

6:15 pm Joint Meeting with Planning Board, Conservation Commission and Board of Selectmen for town owned properties

New Tax Title Properties.

Map A – 143 Old Plymouth Road. Recommendation to transfer to the Housing Trust.

Doucette MOVED and SECONDED by Sloniecki to transfer property at 143 Old Plymouth Road to the housing Trust. UNANIMOUS VOTE.

Map B – 0 Colonial Road. Recommendation to dispose (put up for auction).

Meier MOVED and SECONDED by Sloniecki to auction property at 0 Colonial Road. UNANIMOUS VOTE.

Map C – 39 St. Margarets Street. Recommendation to dispose,
Sloniecki MOVED and SECONDED by Meier to auction property at 39 St. Margarets Street.
UNANIMOUS VOTE.

Map D - 41 Head of the Bay Road. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 41 Head of the Bay Road.
UNANIMOUS VOTE.

Map E – 0 Shore Road. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 0 Shore Road.
UNANIMOUS VOTE.

Existing Town-Owned Properties.

Map 1 – 0 Standish Road; 0 Lathrop & Clark Road
Recommendation to retain 2 parcels
Sloniecki MOVED and SECONDED by Doucette to retain properties at 0 Standish road and 0
Lathrop & Clark Road. UNANIMOUS VOTE.

Map 2 – 46 Norris Road; 1 McGrath Road; 14 McGrath Road; 19 Manomet Road; 3 Brady Road;
11 Brady Road; 15 Brady Road; 17 Brady Road 26 Brady Road and 27 Brady Road.
Recommendation to auction with restrictions. These lots would stay as wooded lots.
Sloniecki MOVED and SECONDED by Doucette to auction with restriction properties at 46 Norris
Road; 1 McGrath Road; 14 McGrath Road; 19 Manomet Road; 3 Brady Road; 11 Brady Road; 15
Brady Road; 17 Brady Road 26 Brady Road and 27 Brady Road. UNANIMOUS VOTE.

Map 3 - 0 Bournedale Road. Recommendation to dispose with restrictions – easement remains
in place.
Sloniecki MOVED and SECONDED by Meier to dispose of property at 0 Bournedale Road.
UNANIMOUS VOTE.

Map 3 - Route 25 – abutting. Recommendation to auction.
Doucette MOVED and SECONDED by Sloniecki to auction property at Route 25 - abutting.
UNANIMOUS VOTE.

Map 4 - 4 Cape View Way and 12 Cape View Way
12 Cape View Way – no action needed Town Meeting waiting to transfer title deed.
Meier MOVED and SECONDED by Holmes to retain property at 4 Cape View Way for municipal
use. UNANIMOUS VOTE.

Map 5 - 50 Sachem Drive
Retain for road water run off. Recommendation to retain.
Sloniecki MOVED and SECONDED by Meier to retain property at 50 Sachem and to transfer to
Conservation Commission. UNANIMOUS VOTE.

Map 6 - 1040 Scenic Highway. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 1040 Scenic Highway.
UNANIMOUS VOTE.

Map 7 - 0 Scusset Beach Road. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Scusset Beach Road.
UNANIMOUS VOTE.

Map 8 - 45 Savery Avenue (two [2] parcels having same address). Recommendation to auction.
Sloniecki MOVED and SECONDED by Meier to auction both parcels at 45 Savery Avenue.
UNANIMOUS VOTE.

Map 9 - 73 Canal Street. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 73 Canal Street.
UNANIMOUS VOTE.

Map 10 - 0 Freight House Road (retain) access to canal; 0 Regency Drive (auction)
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Freight House Road and to
auction property at 0 Regency Drive. UNANIMOUS VOTE.

Map 11 - 0 Pine Ridge Road – used as beach access. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Pine Ridge Road.
UNANIMOUS VOTE.

Map 12 - 16 Heather Hill Road – off; 33 Heather Hill Road – off. Recommendation to auction
both parcels (water pressure issue and cannot get a building permit).
Sloniecki MOVED and SECONDED by Doucette to auction both properties at 16 Health Hill Road
and 33 Heather Hill Road. UNANIMOUS VOTE.

Map 13 - 7 Bluff Road – off. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 7 Bluff Road. UNANIMOUS
VOTE.

Map 14 - 0 Garfield Avenue. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 0 Garfield Avenue.
UNANIMOUS VOTE.

Map 15 – 15 Studio Drive; 11 Van Bummel Road. Recommendation to transfer to Conservation
Commission. Both parcels covered with wetlands.
Sloniecki MOVED and SECONDED by Doucette to transfer properties at 15 Studio Drive and 11
Van Bummel Road to Conservation Commission. UNANIMOUS VOTE.

Map 16 - 35 St. Margarets Street. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 35 St. Margarets Street.
UNANIMOUS VOTE.

Map 17 - 0 Queens Bay Lane. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Queens Bay Lane.
UNANIMOUS VOTE.

Map 18 - 411 Scenic Highway; 421 Scenic Highway. Recommendation to dispose with
restrictions – may be some historic dredge spoils in the area; and to restrict access to Scenic
Highway.
Sloniecki MOVED and SECONDED by Doucette to auction property at 411 and 421 Scenic
Highway with restrictions. UNANIMOUS VOTE.

Map 19 - 499 Scenic Highway. Recommendation to retain.
Sloniecki MOVED and SECONDED by Meier to retain property at 499 Scenic Highway.
UNANIMOUS VOTE.

Map 20 - 0 Cypress & Maple Street. Recommendation to auction.
Sloniecki MOVED and SECONDED by Doucette to auction property at 0 Cypress & Maple Street.
UNANIMOUS VOTE.

Map 21 - 0 Cohasset Avenue (two [2] parcels with same address). Recommendation to auction.
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UNANIMOUS VOTE.

Map 22 - 0 Academy Drive. Recommendation to retain.
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UNANIMOUS VOTE.

Map 23 – 0 Bell Road. Recommendation to retain and transfer to Conservation Commission.
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Commission.
Meier MOVED and SECONDED by Doucette to retain and transfer to Conservation Commission
the property at 20 Lamont Road. UNANIMOUS VOTE.

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Sloniecki MOVED and SECONDED by Doucette to auction property at 10 Cleveland Circle.
UNANIMOUS VOTE.

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Map 31 - 49 Thom Avenue. Recommendation to retain as it is a drainage lot.
Sloniecki MOVED and SECONDED by Meier to retain property at 49 Thom Avenue.
UNANIMOUS VOTE.

Map 32 - 0 Shore Road & Pocasset River. Recommendation to retain.
Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Shore Road & Pocasset River. UNANIMOUS VOTE.

Map 33 - 792 Shore Road; 796 Shore Road. Recommendation to retain and transfer properties to Conservation Commission.
Sloniecki MOVED and SECONDED by Meier to retain and transfer properties at 792 and 796 Shore Road to Conservation Commission. UNANIMOUS VOTE.

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Sloniecki MOVED and SECONDED by Doucette to retain and transfer the property at 0 Circuit Avenue to the Conservation Commission. UNANIMOUS VOTE.

Map 35 - 0 Rice Avenue; 0 Dollins Road. Recommendation to retain both properties and to transfer to the Conservation Commission.
Sloniecki MOVED and SECONDED by Doucette to retain both properties at 0 Rice Avenue and 0 Dollins Road and transfer to the Conservation Commission. UNANIMOUS VOTE.

Map 36 - 0 Lake Drive; 41 Lake Drive. Wetlands. Recommendation to retain and to transfer to the Conservation Commission.

Sloniecki MOVED and SECONDED by Meier to retain both properties at 0 Lake Drive and 41 Lake Drive and to transfer to the Conservation Commission. UNANIMOUS VOTE.

Map 37 - 0 Scraggy Neck Road. Recommendation to retain.

Sloniecki MOVED and SECONDED by Doucette to retain property at 0 Scraggy Neck Road. UNANIMOUS VOTE.

Map 38 - 8 Falmouth Avenue; 5 Falmouth Avenue; 3 Falmouth Avenue. Recommendation to auction.

Sloniecki MOVED and SECONDED by Doucette to auction properties at 8 Falmouth Avenue, 5 Falmouth Avenue and 3 Falmouth Avenue. UNANIMOUS VOTE.

Map 39 - Whimbrel Drive – off Route 28. Recommendation to auction.

Sloniecki MOVED and SECONDED by Doucette to auction property at Whimbrel Drive – off Route 28. UNANIMOUS VOTE.

Sloniecki MOVED and SECONDED by Meier to recess and reconvene to Joint Meeting with Planning Board.

7:00 pm Joint Meeting with Planning Board to appoint a full and associate member

Meier MOVED and SECONDED by Jensen to appoint Jonathan Nelson as a full member to the Planning Board and a term to expire May 2012.

Planning Board Roll Call: Daniel Doucette - yes, Louis Gallo - yes, Douglas Shearer - yes, John Howarth - yes, Gerald Carney – yes, Dudley Jensen – yes.

Selectmen: Pickard – yes, Ford – yes, Sloniecki – yes, Meier – yes, Baldwin – yes.

Sloniecki MOVED and SECONDED by Meier to appoint Vincent Michienzi as an associate member to the Planning Board and a term to expire May 2012.

Planning Board Roll Call: Daniel Doucette - yes, Louis Gallo - yes, Douglas Shearer - yes, John Howarth - yes, Gerald Carney – yes, Dudley Jensen – yes.

Selectmen: Pickard – yes, Ford – yes, Sloniecki – yes, Meier – yes, Baldwin – yes.

Doucette MOVED and SECONDED by Meier to adjourn Joint Meeting of the Board of Selectmen and Planning Board. Meeting adjourned at 7:03 pm.

Two minute recess then reconvene in public session.

Selectmen Regular Meeting called to order
7:12 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items

Gary Malone, Jr., Buzzards Bay, comment on timeline and getting an item included in the Selectmen's agenda.

Correspondence

Selectmen Meier read correspondence into record. A copy of all correspondence is available in the Town Administrator's office.

Item I – Town Hall parking lot. Granted authorization to utilize both Taylor Point and Town Hall. No vote needed by BOS.

Item E – Recommendations to replace Ms. Kathy Stubstab as Director of S.W.O.P.

Item M – AmeriCorps graduation on 7/28/11 from 9-11 A.M. in Dennis. TA Guerino will be attending. Chm. Pickard will try to attend as well.

Chm. Pickard read into record Town Counsel opinion with regard to Open Meeting Law to answer Mr. Malone's question.

BHS Team Echo Citations – VA Hospital Visits – Congressman Keating rep. and State Legislative delegation reps.

Ford MOVED and SECONDED by Baldwin to take 11C out of order on the agenda. VOTE 5-0.

Public Beaches and Budget

Citizens request to reconsider budget. TA Guerino reviewed history. January 2011 he indicated a recommendation to not fund lifeguard positions. 2/14/11 Joint Meeting of BOS and FinCom and proposal to a \$25,000 - \$30,000 relative to swimming lessons. 2/22/11 BOS meeting discussion while began budget review. 3/21/11 Joint Meeting of BOS and FinCom to try a fee for service at the MMA. 3/22/11 BOS meeting discussion relative to augmentation to the budget to reconsider lifeguards. 4/25/11 before Town Meeting, FinCom discussed again and on 4/26/11 discussion to Town's position to staffing lifeguards this year. 5/2/11 at the ATM with quorum present under Article 3 (TA Guerino read into record). In summary, Article moved for passage on Town Budget for the year.

Ford added that the BOS decided to keep necessary services in the budget.

Mr. Joe Agrillo suggested taking the \$165,000 that Bourne gives to the Cape Commission and take money to fund the lifeguard positions.

Sheila Amesworth, seasonal resident, not in favor of eliminating lifeguards. TA Guerino said that non residents or seasonal residents are recognized at ATM, but cannot vote. Floats will not be a part of the installations this summer. Monies from fees for swimming goes back to the General Fund and is impossible to start a new Revolving Fund for that purpose. Swimming lessons were discussed being in a coastal community. Issue was inability was to find instructors. Recreation Director contacted Aquatic Director at the Wareham YMCA having difficulty staffing their own pools and summer camp staff. Worked with Town of Sandwich where vacancies Town of Bourne children offered in their classes. If BOS opt not to fund for a second year, Bourne will have an active instructive program next year. Ford inquired if some consideration for placing rafts in the beaches. TA Guerino recommendation based on Town Counsel and Insurance carrier that the floats do not get installed this year. Total cost of approximately \$75,000.

Anne Bruni, Cherry Street, commented on Bumps Pond. She suggested beaches should be closed at 8:00 pm and not 10:00 pm. She commented on the negative activity with regard to the floats.

Resident at Grey Gables commented on no negativity with regard to the floats and would like it back.

Gary Maloney, Jr. commented on diverting monies to Shellfish Propagation vs. lifeguards and floats. TA Guerino said this was the first year to put on ATM Warrant so the Town could have additional money in the General Fund. This is a way to augment cash to do other town wide activities.

Cathleen Prophett, Monument Beach, would like to see the lifeguards back giving swimming lessons at Grey Gables Beach.

Tom Barnes, Monument Beach, is in favor of bringing back the lifeguards. Ford commented on laid off employees, up-to-date police cruisers, CPA funds and schools not getting all the monies requested. TA Guerino stated monies turned back at ATM go back to the General Fund and not used for General Operations budgets.

Jack Coughlin, Grey Gables, is in favor of bringing back the lifeguards and commented on positive things the lifeguards did for the community.

Archie Amesworth, Grey Gables inquired if the increase of liability more than the \$75,000 for lifeguards. TA Guerino said there is no additional liability of having beaches not staffed as long as they are signed.

Colleen Kilfoil, raised issue with redirecting beach stickers and swimming fees to pay for the lifeguards.

Jim Mulvey asked if there was access to put lifeguard program back in effect this year for a limited amount of beaches. TA Guerino outlined the cuts in Town employees. There is no mechanical method to authorize additional budget funding that was not budgeted and voted through ATM. Attracting enough staff at this point would be a task. For next year's budget, Bourne has almost \$300,000 in excess for Snow & Ice, fuel costs are up. TA Guerino said that if Bourne could get private funding, sufficient applicants and fund three (3) beaches.

Tom Barnes said not having lifeguards is a safety issue.

TA Guerino said the beaches were going to be staffed on 6/25/11. He expects ropes will be put up by next week. Beaches will be cleaned as have been.

Dick Laroshina, appreciates the sentiment of budgetary constraints.

Ford MOVED and SECONDED by Meier for a 5 minute recess. UNANIMOUS VOTE.

John Curry – Bourne Village Cemetery - Citizen concern – discussion (no vote)

Requesting the Town to take over the Bourne Village Cemetery. Ford suggested TA Guerino discuss with Town Counsel to generate a list of basics to follow moving forward. Cost analysis would also be needed.

Chief of Police – Recommendation to increase parking fines – (Vote)

Sloniecki inquired about HP parking fee. Mr. Joe Agrillo asked for clarification on overnight parking. Mr. Maloney raised issue of increasing fees for tickets that are not going to be enforced.

Ford MOVED and SECONDED by Baldwin to approve Fire Chief Dennis Woodside recommendation to increase all of the current parking fine amounts from \$15.00 each to \$25.00 each and handicapped parking violation from \$40 to \$100. VOTE 5-0.

Temporary easement - For the Impact Area Groundwater Study Program - MMR. Williams and Mercury Avenues (Map 44.2) and the second is on an undeveloped, town-owned property on Rice Avenue (Map 44.1, Parcel 146.01). (vote)

Tabled as appropriate paperwork is not available at this time.

Licenses/Appointments:

a. Chartwell's @ MMA – One Day Liquor

Ford MOVED and SECONDED by Sloniecki to approve Chartwell's request for One Day Liquor license for Homecoming on 9/17/11 between 1:00 pm and 8:00 pm per routing slip. VOTE 5-0.

b. Effie's Pizza – Transfer of Common Victualer License

Sloniecki MOVED and SECONDED by Meier to approve Effie's Pizza request for Transfer of Common Victualer license from Effie Salpoglou to Maureen Sinclair per routing slip. VOTE 5-0.

c. Race for Second Base – Use of Town Property – Change of Date from original appl.

Sloniecki MOVED and SECONDED by Ford to approve Change of Date from 10/8/11 to 10/9/11 from 8:00 am to 12:00 pm for the Race for Second Base Use of Town Property per routing slip. VOTE 5-0.

d. Sagamore Beach Colony – One Day Liquor

Ford MOVED and SECONDED by Sloniecki to approve Sagamore Beach Colony One Day Liquor request for Wine Social for Club members on 7/7/11 between 6:30 pm and 8:30 pm per routing slip. VOTE 5-0.

e. St. Peter's Church – Entertainment - Family Day

Ford MOVED and SECONDED by Sloniecki to approve St. Peter's Church request for Entertainment license for Family Day on 7/9/11 between 11:00 am and 5:00 pm per routing slip. VOTE 5-0.

f. Annual Watershed Ride – Use of Bourne Roads

Sloniecki MOVED and SECONDED by Ford to approve Annual Watershed Bike Ride request for Use of Bourne Roads on 10/2/11 between 12:30 pm and 2:15 pm per routing slip. VOTE 5-0.

g. Committee Appointment Renewals

Ford MOVED and SECONDED by Sloniecki to re-appoint Lee M. Berger, Judith A. Riordan, Susan R. Ross, Stephen Walsh to the Affordable Housing Trust for a term to expire 6/30/13. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to appoint Peter Meier to the Affordable Housing Trust vacancy for a term to expire 6/30/13. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to re-appoint Wade M. Keene to the Board of Appeals for a term to expire 6/30/16. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to re-appoint Harold Kalick and John E. O'Brien to the Board of Appeals associate members for terms to expire on 6/30/12. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to re-appoint Donald J. Pickard as BOS representative to the Bourne Landfill Business Model Working Group for a term to expire 6/30/12. VOTE 5-0.

Ford MOVED and SECONDED by Baldwin to re-appoint William Ware as an at large member to the Bourne Landfill Business Model Working Group for a term to expire 6/30/12. VOTE 5-0.

Cape Cod Regional Transit Authority appointment to be tabled.

Meier MOVED and SECONDED by Ford to re-appoint Paul R. Lelito and Robert Palumbo to the Conservation Commission with terms to expire 6/30/14. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to re-appoint Michael Gratis, Michael Leitzel and Thomas L. Ligor as associate members to the Conservation Commission with terms to expire 6/30/12. VOTE 5-0.

Ford MOVED and SECONDED by Meier to re-appoint Lee M. Gresh and Dennis Woodside as Constables for a term to expire 6/30/12. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to re-appoint Cynthia A. Coffin, Philip Goddard (ISWM), Martin Green (Fire Chief), Patricia Houde (COA), Stephan Kelleher (MMA Commander), Carole Kibner (Hospital), Chrystal LaPine (Barnstable County Sheriff's Dept.), Michael E. Leitzel (Engineering Technician), Brendan Mullaney (Environmental), Timothy Mullen (DNR), Charles Noyes (Director), John Pribilla (Owners & Operators), Joe Reynolds (Owners & Operators), Ann Marie Riley (COA), George Sala (DPW staff), Amanda Speakman (COA Director), John M. Stofa (Community Rep), Rickie Tellier (DPW staff), Michele Tonini (Police), George Tribou (Sewer staff), Linda M. Zuern (Community Rep) for terms to expire 6/30/12. VOTE 5-0.

Meier MOVED and SECONDED by Ford to appoint Earl Baldwin as a member to the Massachusetts Military Reservation – Senior Management Board for a term to expire 6/30/12. VOTE 5-0.

Meier MOVED and SECONDED by Ford to re-appoint Barbara R. Jacobs as Registrar of Voters for a term to expire 6/30/14. VOTE 5-0.

Meier MOVED and SECONDED by Sloniecki to re-appoint David Crane to the Shore & Harbor Committee for a term to expire 6/30/14. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to appoint Don Pickard as Chairman of the Board of Selectmen to the Trustees of the Bourne Veterans' Memorial Community Center for a term to expire once Chairman position expires. VOTE 5-0.

h. Phinney's Harbor Day – Entertainment – Use of Town Property – Liquor

Mr. Joe Agrillo went on record of his disapproval of serving alcohol at this event.

Sloniecki MOVED and SECONDED by Ford to approve Bourne Community Boating, Inc. Phinney's Harbor Day request for Use of Town Property, Entertainment and Liquor license on 7/23/11 between 7:30 am and 9:30 am for road race; 4:00 pm and 7:00 pm for event per routing slip (pending Police Chief's signature) and to waive fee and request deposit. VOTE 5-0.

Town Administrator's Report - Coady School, HR issues, Goals (BOS) Public update regarding process

Subdivision of property recommendations made and comments made back. Presenting a complete plan that will come to the BOS. Selectmen need to be on board prior to bringing to Planning Board. Selectmen and TA Guerino with Town Counsel sit down in Exec. Session with regard to sale of real estate.

Selectmen's Business

a. Complete action on Beach Street and Shore Road Parking (time limits) vote

Ford MOVED and SECONDED by Sloniecki to amend the Traffic Rules and Orders of the Town of Bourne adopted by the Board of Selectmen on 5/15/39 and subsequent amendments are hereby amended as follows.

By adding under Article V, Section 6: Time Limit in Designated Places

Shore Road, Monument Beach from the east side of 437-445 Shore Road. No person shall park a vehicle for longer than one hour at any time. VOTE 5-0.

b. Discussion only regarding Selectmen assigned committees:

- Affordable Housing Trust**
- Local Emergency Planning Committee**
- Main Street Steering**
- ISWM Business**
- Veterans Bldg. Trustee**
- MMR Senior Mgmt**
- Transit Authority**
- Military Civilian Council**

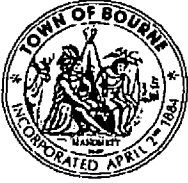
Selectmen to email interest for vacancies and to vote appointments at a future agenda meeting.

Ford – TA Guerino to set up meeting of BOS with Water Company with regard to concessions of a second meter.

Adjourn

Ford MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:05 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



TOWN OF BOURNE
TOWN HALL
24 PERRY AVE.
BUZZARDS BAY, MA 02532
PHONE: 508-759-0615 • FAX: 508-759-8026



2011 JUN 30 PM 3 20
TOWN CLERK'S OFFICE
BOURNE, MASS.

Tax Title Properties
Minutes of Joint Meeting
Tuesday – June 21, 2011

Pursuant to the Town of Bourne By-Law, Section 2.2.7(a), "Public Auction of Land. Any land owned by the Town and offered for sale shall be put up for sale at public auction each year subject to the following conditions: a. Said land shall not be disposed of with out prior approval by majority vote of the Board of Selectmen, Conservation Commission and Planning Board in joint session."

A joint meeting was held Tuesday, June 21, 2011 starting at approximately 6:15 p.m. at the Bourne Veterans Memorial Community Building.

Seventy (70) parcels were considered and voted upon (see Attachment A, a list detailing the decisions and vote).

Also attached are sign-in sheets of those in attendance (Attachments B).

Recorded by

Coreen V. Moore
Town Planner
June 21, 2011

Bo
of
Selectmen

(Attachment A)

Existing													
Town-Owned Properties				in care and custody of Selectmen, not in municipal use as conservation land, protected open space, beach, playground, ball field or municipal facility/structure									
Map Nbr	Assessors Map Parcel	Loc Nbr	Loc Street	Voted at 6/21/2011 Joint Meeting (all votes unanimous)	Assessed Acres	Assessed SF	Assessed Value	Frontage (feet)	Zoning	Flood Zone	Other Constraints	Comments	Town Planner Recommendation
1	04.3_094.00	0	STANDISH RD	Retain	0.280	12,000	\$24,600	120	R40	X	Drainage lot, Water Resource District & Zone 2	Vacant lot, wooded, acquired by Town 1969 as drainage lot	Retain
1	04.3_142.00	0	LATHROP & CLARK	Retain	0.060	2,600	\$32,700	115	R40	X	Water Resource District & Zone 2	Triangular wooded vacant lot betw Clark Rd & paper section Lathrop Rd	Retain
2	04.1_007.00	46	NORRIS RD	Dispose with restrictions	0.250	11,000	\$19,900	80	R40	X	Undevelopable per court case	Vacant, mostly wooded, undevelopable per conv restriction ordered by court case, Taxtile FY 98, previous decision to Xfer for afford. hsg unimplementable	Dispose with restrictions
2	04.1_013.00	1	MCGRATH RD	Dispose with restrictions	0.250	10,759	\$2,200	80	R40	X	Undevelopable per court case	Vacant, wooded. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain for Municipal Use by 2002 Joint Meeting.	Dispose with restrictions
2	04.1_022.00	14	MCGRATH RD	Dispose with restrictions	0.360	15,507	\$3,200	168	R40	X	Undevelopable per court case	Mostly wooded, in use driveway/parking 12 Brady Rd. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain for Municipal Use by 2002 Joint Mtg.	Dispose with restrictions
2	04.1_032.00	19	MANOMET RD	Dispose with restrictions	0.234	10,193	\$2,100	80	R40	X	Undevelopable per court case	Vacant, wooded. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain by 2005 Joint Meeting.	Dispose with restrictions
2	04.1_039.00	3	BRADY RD	Dispose with restrictions	0.230	10,019	\$2,100	80	R40	X	Undevelopable per court case	Vacant, wooded. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain by 2005 Joint Meeting.	Dispose with restrictions
2	04.1_043.00	11	BRADY RD	Dispose with restrictions	0.230	10,019	\$2,100	80	R40	X	Undevelopable per court case	Vacant, wooded. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain for Municipal Use by 2002 Joint Meeting.	Dispose with restrictions
2	04.1_044.0 0	15	BRADY RD	Dispose with restrictions	0.230	10,019	\$19,800	80	R40	X	Undevelopable per court case	Vacant, wooded. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain by 2005 Joint Meeting.	Dispose with restrictions
2	04.1_045.0 0	17	BRADY RD	Dispose with restrictions	0.230	10,019	\$2,100	80	R40	X	Undevelopable per court case	Vacant, wooded. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain by 2005 Joint Meeting.	Dispose with restrictions
2	04.1_049.0 0	25	BRADY RD	Dispose with restrictions	0.230	10,019	\$2,100	80	R40	X	Undevelopable per court case	Vacant, mostly wooded. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain by 2005 Joint Meeting.	Dispose with restrictions
2	04.1_050.00	27	BRADY RD	Dispose with restrictions	0.230	10,019	\$2,100	80	R40	X	Undevelopable per court case	Vacant, wooded. Taxtile, undevelopable per conv restriction ordered by court decision. Voted to Retain for Municipal Use by 2002 Joint Meeting.	Dispose with restrictions
3	05.0_016.01	0	BOURNEDALE RD - OFF	Dispose with restrictions	0.830	36,155	\$5,800	0	R80	X	100' TOB fire lane easement	Vacant, wooded, most of parcel is in 100' TOB fire lane easement. Taxtile, formerly Harding-Chumack Family Assc, Indian Lands, Voted to Retain for Municipal Use by 2002 Joint Mtg.	Dispose with restrictions

Map Nbr	Assessors Map Parcel	Loc Nbr	Loc Street	Voted at 6/21/2011 Joint Meeting (all votes unanimous)	Asses- sed Acres	Assessed SF	Asses- sed Value	Front- age (feet)	Zoning	Flood Zone	Other Constraints	Comments	Town Planner Recom- mendation
3	09.0_005.00	0	RTE 25 - ABUTTING	Dispose	3.390	147,668	\$106,500	617	R80	X		Vacant, wooded, frontage is approx, access from Dry Cedar Swamp Rd, scaled per GIS; 100' in TOB fire lane easement. Part of Bourmedale Indian Lands Woodlot. Abuts gravel pit operation in Plymouth.	Dispose
4	07.0_085.00	4	CAPE VIEW WAY	Retain for municipal use	0.804	35,030	\$161,100	101	R40	X	Cape View Way is unconstructed	Vacant, wooded. Taxtitle, voted to Retain for Municipal Use, e.g. parking behind Sagamore Fire Station, by 2005 Joint Meeting. Road is unconstructed beyond existing fire sta.	Retain
4	07.0_089.00	12	CAPE VIEW WAY	No vote deemed necessary, previously voted, awaiting deed transfer	0.528	22,989	\$146,900	125	R40	X	Cape View Way is unconstructed	Vacant, wooded. Abuts Housing Authority parcels. Road is unconstructed. Possible wetland. Taxtitle, voted to Transfer to Housing Authority by 2005 Joint Meeting	Complete transfer to Housing Auth
5	07.4_058.00	50	SACHEM DR	Retain and Transfer to ConCom	0.540	23,630	\$22,200	96	R40	X	Receives road runoff	Vacant, wooded, Receives road runoff. Taxtitle, voted to Transfer to ConCom by 2002 Joint Meeting.	Dispose
6	11.0_025.00	1040	SCENIC HIGHWAY	Retain	0.900	39,204	\$40,500	208	R80	X	No access; Bourmedale & Traffic Mgt overlays, Water Resource District	Former site old Sagamore Fire Sta that was demolished during state Sagamore Flyover.	Retain
7	12.1_071.00	0	SCUSSET BEACH RD	Retain	0.040	1,610	\$11,400	190	R40	X		Narrow triangle, part of wooded strip between Luigi Ave & Scusset Beach Rd	Retain
8	12.1_095.00	45	SAVERY AVE	Dispose	0.156	6,795	\$127,800	188	R40	X		Vacant, wooded, frontage Savary Ave. Taxtitle, 1976, final judgement FY2004 (recorded 10/6/03, Bk17755 Pg56/bk2323 Pg329), formerly Keith Car Company.	Dispose
8	12.1_095.01	45	SAVERY AVE	Dispose	0.050	2,178	\$100	89	R40	X		Vacant, wooded, Road is unconstructed. Taxtitle, voted to Retain for Municipal Use by 2005 Joint Meeting (Bk238 Pg356)	Dispose
9	12.1_109.00	73	CANAL ST	Dispose	0.080	3,615	\$800	124	B2	X		Vacant, wooded, adjacent to Sorenti Bros facility, formerly Washburn. Taxtitle, voted to Retain for Municipal Use by 2002 Joint Mtg.	Dispose
10	12.3_124.00	0	FREIGHT HOUSE RD	Retain	2.060	89,734	\$262,300	0	R40	AE exc high cor	Possible Brownfield; Water Resource District; some Wetland	Vacant, wooded. Formerly the Coal Man, possible brownfield. Deeded access to Freight House Rd. Taxtitle, voted to Retain for Municipal Use by 2001 Joint Meeting.	Retain
10	12.4_001.00	0	REGENCY DR	Dispose	0.410	17,990	\$3,300	0	R40	AE	Landlocked; Water Resource District; seasonal watercourse pre DEP; possible Brownfield (downstream from 12.3/124)	Vacant, wooded, at end of Regency Drive. Possible brownfield. Taxtitle, voted to Retain for Municipal Use by 2002 Joint Meeting.	Dispose
11	14.0_054.00	0	PINE RIDGE RD	Retain	0.090	3,900	\$33,200	20	R80	VE	Very Steep; Buttermilk Bay overlay district, Water Resource District; Wetland	Beach access between two houses ;& two concrete posts), very steep, functionally unusable without building steps	Retain
12	16.0_030.00	16	HEATHER HILL RD	Dispose	0.560	24,229	\$19,800	125	SDD	X	No building permit possible at present due to insufficient water pressure	Vacant, wooded, north of Heather Hill Rd. Taxtitle, voted to Dispose by 2001 Joint Mtg.	Dispose
12	16.0_041.00	33	HEATHER HILL RD	Dispose	0.720	31,538	\$20,900	223	R60	X	No building permit possible at present due to insufficient water pressure	Vacant, wooded, south of Heather Hill Rd. Taxtitle, voted to Dispose by 2001 Joint Mtg.	Dispose

Map Nbr	Assessors Map Parcel	Loc Nbr	Loc Street	Voted at 6/21/2011 Joint Meeting (all votes unanimous)	Assessed Acres	Assessed SF	Assessed Value	Frontage (feet)	Zoning	Flood Zone	Other Constraints	Comments	Town Planner Recommendation
13	18.0_002.00	7	BLUFF RD OFF	Retain	1.910	83,200	\$30,200	101	R40	X	Water Resource District	Vacant, wooded, except portion used as road. Aka 0 Rto 6A-off, aka 0 Desmond Rd. Access to public land, access to water towers. Formerly owned by South Sagamore Water District. Frontage approximate.	Retain
14	17.2_002.00	0	GARFIELD AVE	Dispose	0.050	2,250	\$14,200	50	R40	X		Vacant, wooded. Small triangular parcel abutting Mid Cape Highway. Taxtitle, voted to Dispose by 2001 Joint Meeting.	Dispose
15	19.3_122.00	15	STUDIO DR	Retain and Transfer to ConCom	0.240	10,275	\$17,600	60	R40	AE	100% Wetland	Vacant, wooded. Book 2851 Page 303 confirmatory deed.	Transfer to ConCom
15	19.3_123.00	11	VAN BUMMEL RD	Retain and Transfer to ConCom	0.240	10,298	\$17,600	172	R40	AE	Almost 100% Wetland	Vacant, wooded. Book 2651 Page 324.	Transfer to ConCom
16	19.4_159.00	35	ST MARGARETS ST	Dispose	0.080	3,600	\$12,400	34	R40	X / X shaded	Buttermilk Bay overlay district, Water Resource District	Vacant lot, wooded, between two houses opposite the end of Armory Road. Taxtitle, voted to Dispose by 2001 Joint Meeting.	Dispose
17	19.4_283.00	0	KAYAJAN & QUEENS BAY LN	Retain	0.270	11,757	\$17,800	189	R40	X	Dedicated park Lynne Dawn Butler Memorial Circle: Buttermilk Bay overlay district, Water Resource District	Fenced, grassed neighborhood park dedicated Lynne Dawn Butler Memorial Circle ATM 1974 Art 1, surrounded on all sides by Kayajan Ave & Queens Bay Lane.	Retain
18	20.0_026.00	411	SCENIC HIGHWAY	Dispose with restrictions	2.150	93,654	\$125,700	478	R80	X	No access without state curb cut; Bourmedale overlay district; Traffic Mgt district	Vacant, mostly wooded. Between Nightingale Pond Rd & Scenic Hwy. Abuts 20.0_027.00. Taxtitle, voted to Retain for Municipal Use by 2005 Joint Meeting.	Dispose with restrictions
18	20.0_027.00	421	SCENIC HIGHWAY	Dispose with restrictions	0.710	30,969	\$43,800	310	R80	X	No access without state curb cut; Bourmedale overlay district; Traffic Mgt district	Vacant, mostly wooded triangle southwest of old Bridgeway subdivision, abuts 20.0_026.00. Land was filled with dredge spoil from Bourne Marina & abuts former town dump. Taxtitle, voted to Retain for Municipal Use by 2005 Joint Meeting.	Dispose with restrictions
19	21.0_004.00	499	SCENIC HIGHWAY	Retain	0.770	33,541	\$21,300	736	SDD	X	Bourmedale overlay district; Traffic Mgt district	Vacant wooded strip along Scenic Hwy. Abuts large munic parcel 20.0_033.00 containing Bourmedale Elem Schoo. Frontage approximate. Taxtitle, voted to Retain for Municipal Use by 2001 Joint Meeting.	Retain
20	20.3_040.00	0	CYPRESS ST & MAPLE ST	Dispose	0.490	21,500	\$19,400	15	R40	X	Buttermilk Bay overlay district, Water Resource District	Vacant, wooded. Labeled "Park" on assessors map. Interior of Cypress & Maple Sts, with narrow wooded ROWs to both streets. Undevelopable land, high enough for future sewer station.	Dispose
21	23.2_089.00	0	COHASSET AVE	Dispose	0.280	12,100	\$27,600	200	DTC	AE	In Sewered area	Vacant lot, mostly grassed, between St Margaret's Church & Cohasset Ave.	Dispose
21	23.2_098.00	0	COHASSET AVE	Dispose	0.002	87	\$7,100	0	DTC	AE	In Sewered area	Vacant sliver, paved, used as part of acces to St Margaret's Church.	Dispose
22	23.2_188.00	0	ACADEMY DR	Retain	0.040	1,950	\$16,900	130	DTW	VE	Previously taken as part of road layout; In Sewered area	Narrow grassed strip along Academy Drive just S of RR tracks, taken by Town Nov. 197C as part of road layout	Retain
23	23.4_015.00	0	MONUMENT NECK aka BELL RD	Retain and Transfer to ConCom	0.180	8,000	\$23,700	100	R40	AE	Receives road runoff	Vacant, wooded, frontage is on Bell Rd, receives road runoff.	Retain
24	24.3_027.01	0	SANDWICH RD	Retain	3.320	144,619	\$47,500	208	R40	X	Wetland approx. 30%	Vacant, wooded parcel adjacent to Coady School	Retain for now

Map Nbr	Assessors Map_Parcel	Loc Nbr	Loc Street	Voted at 6/21/2011 Joint Meeting (all votes unanimous)	Asses- sed Acres	Asses- sed SF	Asses- sed Value	Front- age (feet)	Zoning	Flood Zone	Other Constraints	Comments	Town Planner Recom- mendation
24	24.3_051.00	0	COUNTY & WATERHOUSE CORNER	Retain	0.020	930	\$6,600	79	VB	X	Dedicated memorial park; ACEC	Sliver of land, grassed/paved. Used by adjacent business for access drive. Acquired by Town 1947 for memorial park.	Retain
25	26.1_034.00	20	LAMONT RD	Retain and Transfer to ConCom	0.212	9,213	\$26,100	63	R40	AE	Receives road runoff	Former house lot, now vacant, wooded, between 2 houses. Receives road runoff. Tax title, voted to Dispose by 2001 Joint Meeting.	Dispose
26	26.1_132.00	10	CLEVELAND CIR	Dispose	0.175	7,640	\$157,500	62	R40	AE		Vacant, wooded lot between 2 houses. Tax title, voted to Dispose by 2001 Joint Meeting.	Dispose
27	26.2_063.00	0	PRESIDENTS RD	Retain	0.560	24,500	\$27,300	318	R40	AE	Dedicated park John F Stackpole Memorial Park; ACEC	Vacant, grassed/vegetated. Acquired by Town ATM 1951 Art 89 on condition that it be maintained as permanent park, John F Stackpole Memorial Park.	Retain
27	26.2_063.01	0	PRESIDENTS RD	Retain	0.100	4,500	\$19,100	225	R40	AE	Dedicated park John F Stackpole Memorial Park; ACEC (half of pd)	Grassed/vegetated. Acquired by Town ATM 1951 Art 89 on condition that it be maintained as permanent park, John F Stackpole Memorial Park.	Retain
28	26.3_057.00	0	MASHNEE RD	Retain	0.050	2,000	\$75,600	194	R40	VE	Previously taken as part of road layout; ACEC	Narrow strip along Mashnee Rd near the water. Mowed & liberally fertilized as if part of house lot 76 Mashnee Rd. Taken by a Town Mtg as part of road layout.	Retain
29	30.2_086.00	0	NORTH BEACH AVE	Retain	0.310	13,504	\$22,600	165	R40	AE	Wetland; ACEC	Eel Pond access	Retain
29	30.2_128.01	0	NORTH BEACH AVE	Retain	0.010	633	\$8,000	66	R40	AE lowest end	Previously taken by town, road lies in this parcel; ACEC	Narrow sliver along Arbutus St at end North Beach Ave. Drainage lot, taken by Town ATM 1954 Art 115, road lies in parcel.	Retain
30	34.0_013.01	0	EMMONS RD	Retain	0.070	3,025	\$39,100	100	R40	VE		Narrow grassed strip along & off Emmons Rd, being used as if part of hse lot 14 Emmons Rd, could be used to widen road or expand marina access	Retain
31	35.1_010.00	49	THOM AVE	Retain for drainage lot	0.240	10,400	\$19,800	80	R40	X	Drainage lot; Water Resource District	Vacant, wooded, acquired as gift to Town for municipal purposes, drainage lot, ATM 1980 Art 68.	Retain
32	38.3_242.00	0	SHORE RD & POCASSET RIVER	Retain	0.120	5,227	\$4,600	240	R40	AE	Previously taken by Town for river access; Wetland	Partially vegetated sliver between Shore Rd & Pocasset River, taken by Town for river access, ATM 1951 Art 88	Retain
33	38.3_359.00	796	SHORE RD	Retain and Transfer to ConCom	0.144	6,273	\$1,600	67	R40	AE & X shaded		Vacant, wooded. Northwest corner is not in flood zone. Abuts ConCom parcel. Tax title, voted to Retain for Municipal Use by 2005 Joint Meeting.	Dispose
33	38.3_375.00	792	SHORE RD	Retain and Transfer to ConCom	0.147	6,403	\$1,600	50	R40	AE & X shaded		Vacant, wooded. Southwest corner is not in flood zone. Abuts ConCom parcel. Tax title, voted to Retain for Municipal Use by 2005 Joint Meeting.	Dispose
34	43.3_018.00	0	CIRCUIT AVE	Retain and Transfer to ConCom	0.060	2,570	\$2,100	255	R40	AE	Part of road layout; Wetland	Across Circuit Ave from Hen Cove. Abuts ConCom land. Part of road layout.	Retain
35	44.1_146.00	0	RICE AVE	Retain and Transfer to ConCom	0.110	4,966	\$700	300	R40	X	Wet per Consv Agent	Narrow wooded strip along north side of Rice Ave. Tax title, voted to Retain for Future Consideration by 2002 Joint Meeting.	Dispose

Map Nbr	Assessors Map Parcel	Loc Nbr	Loc Street	Voted at 6/21/2011 Joint Meeting (all votes unanimous)	Asses- sed Acres	Asses- sed SF	Asses- sed Value	Front- age (feet)	Zoning	Flood Zone	Other Constraints	Comments	Town Planner Recommendation
35	44.1_146.01	0	DOLLINS RD	Retain and Transfer to ConCom	0.320	14,000	\$25,000	60	R40	X		Vacant, wooded. 60' frontage per arc rule; 50' per assessors map. Tax title, voted to Transfer to ConCom by 2002 Joint Meeting.	Dispose
36	44.2_095.00	41	LAKE DR	Retain	0.184	8,000	\$21,500	80	R40	X	Slopes steeply into wetland per Conserv Agent	Vacant, wooded. Western 1/4 of parcel is wetland.	Dispose with restrictions
36	44.2_110.00	0	LAKE DR	Retain	0.130	5,500	\$23,200	55	R40	X	Wetland	Beach access, abuts Town Picture Lake Beach parcel	Retain
37	51.4_044.00	0	SCRAGGY NECK RD	Retain	0.470	20,284	\$24,000	132	R40	X	Drainage lot; Water Resource District	Vacant, wooded lot off Scraggy Neck Rd, west of Partridge Ln, taken by Town for drainage ATM 1973 Art 15.	Retain
38	51.4_087.00	8	FALMOUTH AVE	Dispose	0.290	12,426	\$29,100	100	R40	X		Vacant, wooded lot at end of Falmouth Ave, which has been constructed since last time the Town considered auctioning these lots.	Dispose
38	51.4_088.00	5	FALMOUTH AVE	Dispose	0.340	12,426	\$29,100	185	R40	X		Vacant, wooded lot at end of Falmouth Ave, which has been constructed since last time the Town considered auctioning these lots.	Dispose
38	51.4_089.00	3	FALMOUTH AVE	Dispose	0.300	13,050	\$29,300	160	R40	X		Vacant, wooded lot at end of Falmouth Ave, which has been constructed since last time the Town considered auctioning these lots.	Dispose
39	55.0_004.02	0	ROUTE 28 - OFF	Dispose	1.600	69,696	\$80,800	543	R40	X	No Access	Vacant, wooded. Approximate frontage is on Rte 28. No access. Tax title, voted to Retain for Municipal Use by 2001 Joint Meeting.	Dispose
Total Number of parcels:		65			Assessed Value:		\$2,194,700						
As Voted:													
Dispose:		17		} 30			\$685,700	} 24					
Dispose with Restrictions:		13					\$918,700				All Dispose:		
Retain:		22		} 10			\$810,000	} 1					
Retain for Drainage Lot:		1					\$990,900				All Retain exc ConCom:		
Retain for Municipal Use:		1				\$161,100							
Retain & Transfer to ConCom:		10				\$138,200	\$138,200			Transfer to ConCom:			
No Vote deemed necessary:		1		1		\$146,900	\$146,900			No Vote deemed necessary:			
Town Planner Recommendations:													
Dispose:		37				\$1,017,400							
Retain:		25				\$995,200							
Transfer to ConCom:		2				\$35,200							
Transfer to Housing Auth:		1				\$146,900							

65

"New" Tax Title Properties				(Not previously acted upon by a Joint Meeting -- Last previous Joint Meeting was March 22, 2005)									
Map Nbr	Assessors Map Parcel	Loc Nbr	Loc Street	Voted at 6/21/2011 Joint Meeting (All votes unanimous)	Assessed Acres	Assessed SF	Assessed Value	Frontage (feet)	Zoning	Flood Zone	Other Constraints	Comments	Town Planner Recommendation
A	07.3_018.01	143	OLD PLYMOUTH RD	Transfer to Housing Trust	0.250	10,890	\$103,200	132	R40	X		Vacant, wooded, Taxtitle FY09	Dispose or Transfer to Housing Auth
B	19.4_111.01	0	COLONIAL RD	Dispose	0.096	4,182	\$800	39	R40	X	In Water Resource District and Buttermilk Bay Overlay District	Vacant, approx. 40% wooded, Taxtitle FY 11	Dispose
C	19.4_160.00	39	ST MARGARETS ST	Dispose	0.162	7,057	\$12,800	70	R40	X	Buttermilk Bay overlay district, Water Resource District	Vacant lot between two houses, previous house demolished 1997, Taxtitle FY 05	Dispose
D	20.1_068.00	41	HEAD OF THE BAY RD	Dispose	0.117	5,097	\$800	0	R80	X	Buttermilk Bay overlay district; Water Resource District	Mostly vacant, mostly wooded lot at end driveway off Head of the Bay Rd, w shed & storage trailer, Taxtitle FY 09	Dispose
E	43.4_113.00	0	SHORE RD	Dispose	0.071	3,049	\$1,200	0	R40	X	Owner unknown	Owner unknown/TOB: Narrow strip along & off Shore Rd opp Nathaniel Wing Drive, frontage approx, Taxtitle FY 05	Dispose
Total Number of parcels:			5	Assessed Value:			\$118,800						
As Voted:													
Dispose:			4				\$15,600						
Transfer to Housing Trust:			1				\$103,200						
Town Planner Recommendations:													
Dispose:			4				\$15,600						
Dispose/Xfer to Hsg Auth:			1				\$103,200						

1/5

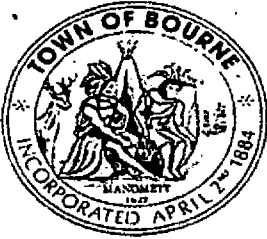
SIGN IN SHEET

Tax Title & Property Disposition Meeting

Tuesday, June 21, 2011 - 6:00 p.m.

Bourne Veterans Memorial Community Center, 239 Main St. Buzzards Bay

BOARD OF SELECTMEN (Quorum=3)	
1. Donald Pickard, Chairman	<i>Donald Pickard</i>
2. John Ford, Vice Chairman	<i>John Ford</i>
3. Peter Meier, Clerk	<i>Peter Meier</i>
4. Jamie Sloniecki	<i>Jamie Sloniecki</i>
5. Earl Baldwin	<i>Earl Baldwin</i>
PLANNING BOARD (Quorum=5)	
6. Christopher Farrell, Chairman	<i>Christopher Farrell</i>
7. Daniel Doucette, Vice Chairman	<i>Daniel Doucette</i>
8. Dudley Jensen, Clerk	<i>Dudley Jensen</i>
9. John Howarth	<i>John Howarth</i>
10. Louis Gallo	<i>Louis Gallo</i>
11. Douglas Shearer	<i>Douglas Shearer</i>
12. Gerald Carney	<i>Gerald J. Carney</i>
13. Dudley Jensen	
14. Donald Duberger	
CONSERVATION COMMISSION (Quorum=4)	
15. Robert M. Gray, Chairman	<i>Robert M. Gray</i>
16. Melvin Peter Holmes	<i>Melvin Peter Holmes</i>
17. Susan J. Weston	<i>Susan J. Weston</i>
18. Martha Craig Rheinhardt	<i>Martha Craig Rheinhardt</i>
19. John D. Fiske <i>Peter Kuehna</i>	<i>John D. Fiske</i>
20. Paul R. Lelito, Co-Chair	<i>Paul R. Lelito</i>
21. Robert Palumbo, Co-Chair	<i>Robert Palumbo</i>
<i>Thomas L. Leger (alt)</i>	<i>Thomas L. Leger</i>
STAFF	
22. Thomas Guerino Town Administrator	<i>Thomas Guerino</i>
23. Coreen V. Moore Town Planner	<i>Coreen V. Moore</i>
24. Dody Adkins-Perry, Eng/Planning Technician	<i>Dody Adkins-Perry</i>
25. Brendan Mullaney, Conservation Agent	<i>Brendan Mullaney</i>
26. Robert Troy Town Counsel	<i>Robert Troy</i>



Board of Selectmen Meeting Notice



AMENDED AGENDA

6:00 P.M. Joint Meeting with Planning Board, Conservation Commission and Board of Selectmen for town owned properties.

6:45 P.M. Joint Meeting with Planning Board to appoint a full and associate member.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 21, 2011	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. Correspondence

5. BHS Team Echo Citations – VA Hospital Visits – Congressman Keating rep. and State Legislative delegation reps.

6. John Curry – Bourne Village Cemetery - Citizen concern – discussion (no vote)

7. Chief of Police – Recommendation to increase parking fines – (Vote)

8. Temporary easement - For the Impact Area Groundwater Study Program- MMR. Williams and Mercury Avenues (Map 44.2) and the second is on an undeveloped, town-owned property on Rice Avenue (Map 44.1, Parcel 146.01). (vote)

9. Licenses/Appointments:
 - a. Chartwell's @ MMA – One Day Liquor
 - b. Effie's Pizza – Transfer of Common Victualer License
 - c. Race for Second Base – Use of Town Property – Change of Date from original appl.
 - d. Sagamore Beach Colony – One Day Liquor
 - e. St. Peter's Church – Entertainment - Family Day
 - f. Annual Watershed Ride – Use of Bourne Roads
 - g. Committee Appointment Renewals
 - h. Phinney's Harbor Day – Entertainment – Use of Town Property – Liquor

10. Town Administrator's Report - Cody School, HR issues, Goals (BOS) Public update regarding process.

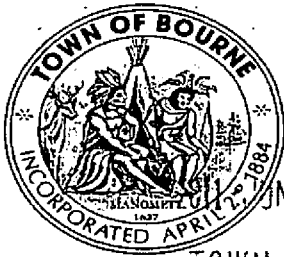
11. Selectmen's Business

- a. Complete action on Beach Street and Shore Road Parking (time limits) vote
- b. Discussion only regarding Selectmen assigned committees:

- Affordable Housing Trust
- Local Emergency Planning Committee
- Main Street Steering
- ISWM Business
- Veterans Bldg. Trustee
- MMR Senior Mgmt
- Transit Authority
- Military Civilian Council

- c. Discussion relative to public beaches and budget

12. Adjourn



Board of Selectmen Meeting Notice

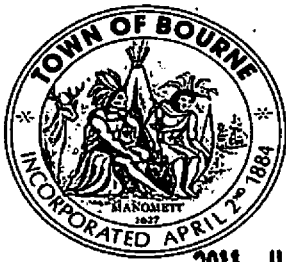


JUN 22 PM 4 26
TOWN CLERK'S OFFICE AMENDED AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Friday June 24, 2011	4:30 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

- 7:00 – 7:15 (Items 1-5) Call to order
1. Moment of Silence for our Troops
 2. Salute the Flag
 3. Discussion and possible vote on limited beach lifeguards
 4. Adjourn



Board of Selectmen Meeting Notice AGENDA

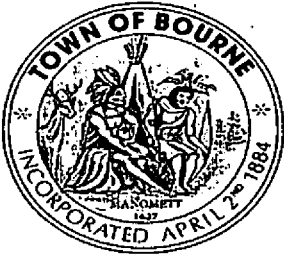


2011 JUN 23 PM 2 21

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 28, 2011	6:00 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

Note this meeting may be televised and recorded. If anyone in the audience is recording or video taping, they need to acknowledge such at this time

1. Signing of the Preservation Restriction Agreements for the Swift Memorial Church.
2. Discussion and possible vote on Board of Selectmen's position on citizens request for funding of lifeguard positions at some or all of the Town of Bourne's public beaches.
3. Continuation of 2011/12 BOS Annual Goals
4. Adjourn



Board of Selectmen Meeting Notice AGENDA



Date

Tuesday
July 5, 2011

Time

6:00 p.m.

Location

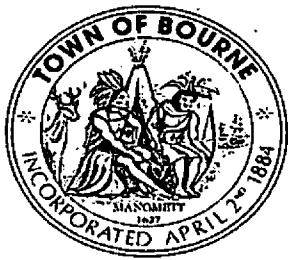
Bourne Veterans Memorial
Community Center
239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, they need to acknowledge such at this time

6:00 – 6:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Goals
5. Special Town Meeting Warrant
6. Historic Preservation – Swifts Memorial Church
7. Licenses/Appointments:
 - a. Committee Reappointments
8. Adjourn

TOWN OF BOURNE, MASSACHUSETTS
JUN 30 PM 3 25



Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday July 5, 2011	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, they 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. Goals
 5. Special Town Meeting Warrant
 6. Historic Preservation – Swifts Memorial Church
 7. Licenses/Appointments:
 - a. Committee Reappointments
 8. Adjourn

TOWN OF BOURNE
2011 JUN 30 PM 3 18

Board of Selectmen
Minutes of July 5, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 OCT 13 PM 3 10

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Donald Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:
None

Meeting called to order
7:00 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items
None.

Ford MOVED and SECONDED by Meier to table workshop and go into Town Warrant discussion.
UNANIMOUS VOTE.

Special Town Meeting Warrant

STM Warrant scheduling for July 25, 2011. There is a total of three (3) articles.

Article 1 – by petition. See if the Town will borrow or appropriate available funds a sum of money to support lifeguards.

Article 2 – Unpaid article from previous fiscal year, which will require a 9/10ths vote at Town Meeting.

Article 3 – Bookkeeping relative to the Town's Town Charter. Clean up language as it relates to State Law on the terms of UCT school committee members.

There will be a discussion with the FinCom on 7/11/11 and also a possible joint meeting with the BOS.

Ford MOVED and SECONDED by Meier to approve Special Town Warrant as written for July 25, 2011 at 7:00 pm at the Bourne High School auditorium. UNANIMOUS VOTE.

Meier inquired about the legal formality to open and then close the Special Town Meeting.

Meier MOVED and SECONDED by Sloniecki to open Special Town Meeting Warrant of July 25, 2011 at 7:00 pm which will consist of three (3) articles. UNANIMOUS VOTE.

Barry Johnson, Town Clerk, stated the voter registration of anyone wishing to participating registered voted by 5:00 pm on July 8, 2011 at the Clerk's Office.

Meier MOVED and SECONDED by Sloniecki to close the Special Town Meeting Warrant. UNANIMOUS VOTE.

Historic Preservation Swift Memorial Church

Mr. Johnson, on behalf of the CPC and Historic Commission, is the first restriction of its kind, looking to adopt for the Town. In 2009, \$125,000 of CP funds were voted and approved to replace the roof of Swift Memorial Church. These funds must have a restriction.

The top three (3) highlights are:

- No further subdivision of premises
- The church assumes total cost of continued maintenance and/or repair (approved by the Historic Commission)
- No demolition or restoration without Historic Commission approval.

Ford MOVED and SECONDED by Sloniecki that the Board sign the Preservation Restriction Agreement between the Town of Bourne, by and through the Bourne Historical Commission by and through the Swift Memorial United Church. UNANIMOUS VOTE.

TA Guerino requested the Board sign designated areas which will then be notarized by Ms. Ann Gratis.

Licenses/Appointments

a. Barnstable County Coastal Resources Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Mr. Tim Mullen to the Barnstable County Coastal Resources Committee for a term to expire 6/30/12. VOTE 5-0.

b. Barnstable County Dredge Advisory Committee

Sloniecki MOVED and SECONDED by Ford to appoint Mr. William Dwyer (as an alternate) and Mr. Paul Bushueff to the Barnstable County Dredge Advisory Committee for terms to expire 6/30/12. VOTE 5-0.

c. Bourne Council

Sloniecki MOVED and SECONDED by Ford to re-appoint Liz Brown, Marie Cheyney, Pat Cook, Susan Cushion, Patty Parker and Theresa Stoffa to Bourne Council for terms to expire 6/30/14. VOTE 5-0.

d. Bourne Financial Development Corporation

Sloniecki MOVED and SECONDED by Ford to re-appoint Marie Oliva and Michael O'Connell to the Bourne Financial Development Corporation for terms to expire 6/30/12. VOTE 5-0.

e. Bourne Grants and Funding Advisory Committee

Sloniecki stated there are no appointments, but there are a total of five (5) vacancies. TA Guerino stated this is one of the committees that is active/non active if necessary and recommends the Board to look at seriously.

f. Bourne Housing Partnership Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Francis Anderet, Cindy Coffin, Al Hill, Coreen Moore, Susan Ross and Barbara Thurston for terms to expire 6/30/12. VOTE 4-0-1 (Meier).

g. Bourne Human Services Commission

Sloniecki MOVED and SECONDED by Ford to re-appoint Leona Bombarchi, Louise Carr, Ellen Ahearn to the Bourne Human Services Commission for terms to expire 6/30/14. VOTE 5-0.

h. Buzzards Bay Action Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Brendan Mullaney to the Buzzards Bay Action Committee for a term to expire 6/30/12. VOTE 5-0.

i. Bylaw Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Michael Butler to the Bylaw Committee for a term to expire 6/30/14. VOTE 5-0.

j. Cable and Television Advisory Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Kathy Donovan, Diane Flynn, William Locke and Thomas O'Riley and Bob Schofield for terms to expire 6/30/12. VOTE 5-0.

k. Cape and Vineyard Electric Cooperative

Sloniecki MOVED and SECONDED by Ford to re-appoint Paul O'Keefe to the Cape and Vineyard Electric Cooperative for a term to expire 6/30/12. VOTE 5-0.

l. Cape Cod Joint Transportation Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Ricky Tellier and George Sala to the Cape Cod Joint Transportation Committee for terms to expire 6/30/12. VOTE 5-0.

m. Cape Light Compact Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Bob Schofield and Elizabeth Caporelli to the Cape Light Compact Committee for terms to expire 6/30/12. VOTE 5-0.

n. Capital Outlay Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Ken Legg and Mary Jane Mastrangelo to the Capital Outlay Committee for terms to expire 6/30/14. VOTE 5-0.

o. Central Information and Liaison Office for Development

Sloniecki MOVED and SECONDED by Ford to re-appoint Coreen Moore to the Central Information and Liaison Office for Development for a term to expire 6/30/12. VOTE 5-0.

p. Commission on Disabilities

Sloniecki MOVED and SECONDED by Ford to re-appoint Monice Maurice to the Commission on Disabilities for a term to expire 6/30/14. VOTE 5-0.

q. Community Oversight Group for Stormwater Management

Sloniecki MOVED and SECONDED by Ford to re-appoint Stewart Bell, Elaine Cook Grable, Jim Mulvey and Mort Twomey to the Community Oversight Group for Stormwater Management for terms to expire 6/30/12. VOTE 5-0.

r. Council on Aging

Sloniecki MOVED and SECONDED by Ford to re-appoint Elizabeth Saunders to the Council on Aging for a term to expire 6/30/15 with one additional vacancy. VOTE 5-0.

s. Design or Selection Committee

Sloniecki said there are five (5) vacancies for this committee and no applicants at this time. TA Guerino stated this is another Committee the Board should take seriously (School, DPW or Fire, Police Stations).

t. Education Scholarship Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Steven Lamarsh, Patty Parker and Tammy Trask to the Education Scholarship Committee for terms to expire 6/30/14. VOTE 5-0.

u. Ethics Liaison Ethics Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Barry Johnson to the Ethics Liaison Ethics Committee for a term to expire 6/30/12. VOTE 5-0. *TA Guerino stated at some point this fiscal year, this committee appointment will be transferred to the Human Resources Director.*

v. Historic Commission

Sloniecki MOVED and SECONDED by Ford to re-appoint Donald Ellis to the Historic Commission for a term to expire 6/30/14. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to re-appoint two (2) associate members Gio Demark and Neil Langil to the Historic Commission for terms to expire 6/30/12. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to appoint Judith Riordan as a regular member to the Historic Commission to replace member who's appointment is to expire 6/30/14. VOTE 5-0.

w. Open Space Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Richard Anderson, Andrew Cooney and Barry Johnson to the Open Space Committee for terms to expire 6/30/14. VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to re-appoint Michael Leitzel, Coreen Moore and Brendan Mullaney to the Open Space Committee for terms to expire 6/30/12. VOTE 5-0.

x. Private Roads Acceptance Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Michael Leitzel, Coreen Moore and Ricky Tellier to the Private Roads Acceptance Committee for terms to expire 6/30/12. VOTE 5-0.

y. Recreation Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Michael Tierney to the Recreation Committee for a term to expire 6/30/14. VOTE 5-0. *There are two (2) vacancies on said committee.*

z. Recycling Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Betty Studel to the Recycling Committee for a term to expire 6/30/12. VOTE 5-0.

Meier MOVED and SECONDED by Ford to appoint Heather DePaulo to the Recycling Committee for a term to expire 6/30/14. VOTE 5-0.

aa. Route 6A Advisory Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Donald Ellis to the Route 6A Advisory Committee for a term to expire 6/30/12. VOTE 5-0.

bb. Selectmen's Energy Advisory Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Elizabeth Caporelli, Thomas G. Curtis, Chris Kampsembellis, Allyson Bizer-Knox, Paul O'Keefe and Bob Schofield to the Selectmen's Energy Advisory Committee for terms to expire 6/30/12. VOTE 5-0. *There are five (5) vacancies on said committee.*

cc. Selectmen's Task Force on Local Pollution

Sloniecki MOVED and SECONDED by Ford to re-appoint Stewart Bell, Elaine Cook Grable, James Mulvey, Leslie Perry and Mort Twomey to the Selectmen's Task Force on Local Pollution for terms to expire 6/30/12. VOTE 5-0.

dd. Special Works Opportunity Program

Sloniecki MOVED and SECONDED by Ford to re-appoint Susan Cronin, Felicia Jones, Edward Linhars, Judith Chirark and Kathleen Substaad to the Special Works Opportunity Program for terms to expire 6/30/12. VOTE 5-0. *There is one applicant and two (2) vacancies.*

Sloniecki MOVED and SECONDED by Ford to appoint Janet Hudghill to the Special Works Opportunity Program for terms to expire 6/30/12. VOTE 5-0.

ee. Street and Traffic Lighting Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Bob Schofield, Ricky Tellier, Police Chief Woodside and Fire Chief Martin Green to the Street and Traffic Lighting Committee for terms to expire 6/30/12. VOTE 5-0.

ff. Upper Cape Regional Transfer Station Board of Managers

Sloniecki MOVED and SECONDED by Ford to re-appoint Dan Barrett and Phil Goddard to the Upper Cape Regional Transfer Station Board of Managers for terms to expire 6/30/12. VOTE 5-0.

gg. Veterans' Graves Officer

Sloniecki MOVED and SECONDED by Ford to re-appoint Thomas Barkley to the Veterans' Graves Officer for a term to expire 6/30/12. VOTE 5-0. *Mr. McKenzie indicated he was interested said appointment and out of State at the time.*

hh. Wastewater Advisory Sub Committee

Sloniecki MOVED and SECONDED by Ford to re-appoint Vincent McKenzie, Sr. to the Wastewater Advisory Committee for a term to expire 6/30/12. VOTE 4-1 (Meier opposed). *Meier stated he would like Mr. McKenzie to come before the Selectmen with regard to his attendance. Chm. Pickard said to wait to see what happens at the end of this appointment.*

Ford inquired about Barry Johnson with regard to the Ethic's Committee under TA Guerino. Ford nominated Mr. Johnson as he is an elected official and feels he would be the best applicant to serve.

Special Town Meeting Warrant signing

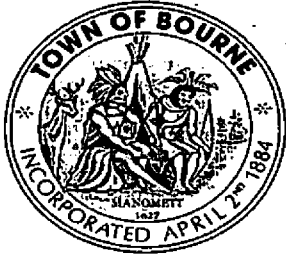
At this time, the Board of Selectmen signed the Warrant.

Adjournment

Chm. Pickard stated the Selectmen will adjourn to another conference room with regard to Selectmen Goals Session. This workshop will not be televised. However, the goals will be voted in public session at a future Selectmen meeting.

Ford MOVED and SECONDED by Sloniecki that the Baord recess and reconvene in a Goals Workshop at 8:45 pm. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.

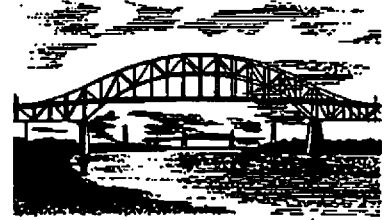


Board of Selectmen

2011 JUL 6 PM 4:00 Meeting Notice

AGENDA

TOWN CLERK'S OFFICE
BOURNE, MASS.



Joint Session with the Finance Committee

Date

Tuesday

Time

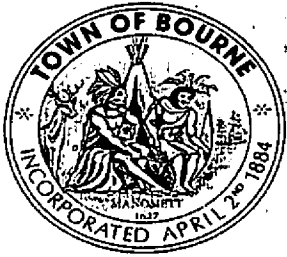
7:30

Location

Bourne Veterans Memorial
Community Center
239 Main Street, Buzzards Bay

July 11, 2011

1. Review Town meeting warrant with Finance Committee – Discussion related to petitioned article (possible vote).
2. Other Selectmen's business
3. Adjourn



Board of Selectmen Meeting Notice AGENDA



Joint Session with the Finance Committee

Date

Monday

July 11, 2011

Time

7:30

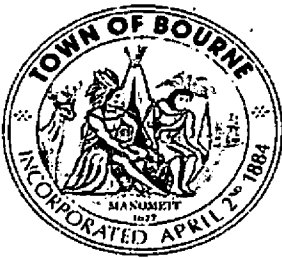
Location

Bourne Veterans Memorial
Community Center
239 Main Street, Buzzards Bay

1. Review Town meeting warrant with Finance Committee – Discussion related to petitioned article (possible vote).
2. Other Selectmen's business
3. Adjourn

TOWN CLERK'S OFFICE
BOURNE, MASSACHUSETTS

2011 JUL 6 PM 4 20



-Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday July 12, 2011	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, they 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. Committee Reports

7. Bourne Canalmen – Neighborhood Brigade Value Statement

8. Parking Signs
 - a. Beach and Shore Road Parking review (possible vote)
 - b. 1 hour parking restriction terminus Tideway Road – discussion & possible vote.

9. Year end close out on financials

10. Town Meeting Article reviews (possible vote)

11. Licenses/Appointments:
 - a. Mr. G's Pizza & Ice Cream, LLC (transfer from Atlantic Beach Pizza)

BOURNE, MASS.
TOWN CLERK'S OFFICE
2011 JUL 8 PM 4 21

- b. Amend One Day License issued to MMA for September 17th to include the Fantail Club.
- c. Commonwealth of Massachusetts & Massachusetts Maritime Academy – 1 day license for 8.21.11
- d. 10:00 a.m. opening for Buzzards Bay Eagles

12. Selectmen's Business

- a. Goals review and adoption (possible vote)

13. Adjourn

**Board of Selectmen
Minutes of July 12, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532**

TA Guerino

Donald Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

Recreation Director recommendations with regard to lifeguards-3 pages

Meeting called to order
7:00 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items
None

Minutes
Meier MOVED and SECONDED by Sloniecki to approve minutes of 6/21/11 as submitted. VOTE 5-0.

Correspondence
Selectmen Meier read correspondence into record. A copy of all correspondence is available in the Town Administrator's office.

Item F - requesting Lifeguard Program under the Recreation Department. TA Guerino to contact Mr. Morrissey advising that the Recreation Director will move forward for next year.

Item L – TA Guerino reported a number of signs taken down and therefore will be reconstructed. Asking expert advice within the DPW and the Police Chief before moving forward.

Discussion related to Floating Rafts and Docks (possible vote)

Committee Reports
Postpone to next meeting.

Bourne Canalmen – Neighborhood Brigade Value Statement
Postponed to early August meeting.

Parking Signs

Concerns raised by property owners in the Beach Street and Shore Road areas relative to the businesses for both a) and b) parking, which was provided to Atty. Joyce this afternoon, who would like to voice concerns on behalf of the applicant.

a. Beach and Shore Road parking review (possible vote)

Atty. Joyce would like the Board to reconsider the one-hour parking. Ford stated regulations come from the State Department who make recommendations to the Selectmen. He believes they should be updated in the future.

Property owner of 8, 10, 15, 18, 26 Beach Street and 445, 437 Shore Road (commercial and residential) asking Selectmen to reconsider position with regard to parking and would like to be part of the process moving forward.

Parking issue was raised and voted upon to be in compliance with the Local Comprehensive Plan for Town business use.

Property owner suggested remedies timed spaces in front of businesses and leave residential spaces empty. Mr. Agrillo suggested Selectmen to reconsider the parking hours.

Resident of property owner spoke in favor of revisiting parking hours and handed a petition to TA Guerino agreeing to a compromise in overnight parking asking for restrictions from one-hour parking from 8 am – 6 pm.

Meier requested a site plan to revisit, which property owner briefly showed his marked up copy, but TA Guerino said it was not the copy the Selectmen worked from.

Chm. Pickard believes the residents are looking for restrictions from one-hour parking from 8 am – 6 pm. Mr. Agrillo personally does not have any issue with suggested parking revisions.

Another business owner (bakery) raised issue with suggested parking restriction due to limiting his business. He questioned if the parking will be monitored. Chm. Pickard suggested benefiting by calling the police. TA Guerino recommends the Board look in the first week in September.

Chm. Pickard asked applicant's thoughts on restricting hours to 7 am – 6 pm, and suggested the Town start over by working together with commercial and residential owners and tenants. Until then, the one-hour parking is still in effect. TA Guerino will notify commercial and residential owners of said meeting. TA Guerino to request Police Chief and property owners meet prior to the September Selectmen meeting.

Bakery business owner raised issue with snow and plowing during the winter. TA Guerino to address with DPW in the future.

b. **One-hour parking restriction terminus Tideway Road – discussion and possible vote**
Brendan Mullaney raised issue brought to his attention through Wennamet Bluffs and Wharf Improvement Association. This is a public coastal access way and any resident has the right to access the road. Dock is private and maintained by the Wennamet Bluffs and Wharf Association. Access to pier is blocked. One-hour parking limit on both sides for public access.

Ford raised issue that parking restriction makes this area an exclusive area for the folks who live in the area. Mr. Mullaney explained this is a public access way and no parking is allowed. There is parking further down. Ford requested a site visit. Mr. Mullaney to discuss with Police Chief and DPW prior to next meeting. TA Guerino to notify abutters, including Wennamet Bluffs and Wharf Association for August meeting.

Year-end close-out on financials

TA Guerino stated between Reserve Fund Transfers from the FinCom meeting last night totaling approximately \$150,000 is not ISWM related, equates to \$395,000 in transfer less than 1% of the budget which is a good way to end the year.

Ford MOVED and SECONDED by Sloniecki to Transfer \$183,000 from the Group and Insurance Account to the Snow & Ice Supplies in the amount of \$178,000; \$336.92 into Snow & Ice Salaries; \$4,663.08 from both Group Insurance; and to transfer \$61,759.34 from Fire Department Salaries to the Snow & Ice Salaries. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to transfer \$143,838.51 from the ISWM Expense Line Items and \$50,000 from ISWM Salary Line Items to all be transferred to ISWM Host Community Fee Interfund Transfers for a total of \$193,838.51. VOTE 5-0.

Town Meeting Article reviews (possible vote)

Three Articles on STM. One by petition.

Article 2 – Unpaid bills

Ford MOVED and SECONDED by Sloniecki that the Selectmen support Article 2 - \$2,013.18 to Cape Cod Oil for unpaid bills. VOTE 5-0.

Article 3 – Charter

Sloniecki MOVED and SECONDED by Ford to support Article 3 bring Charter up-to-date with regard to the Upper Cape Tech School Committee member terms. VOTE 5-0.

Article 1 – Lifeguards

Recreation Director put together a three-page recommendation handed out to the Board as well as the private petitioner. This will provide a four-week payroll total of about \$3,800, for a total of about \$4,500 including bringing equipment updated and salaries taxes.

Ms. Dwyer suggests the Board provide lifeguards on Monument Beach, Sagamore Beach (hours 7 days) and Gray Gables on weekends only. She asked the Board about negativity before it

started when not including lifeguards in the operations budget. Ford stated there is always anticipated negativity, but have to live within the budget. TA Guerino made clear that there were a number of line items that were zeroed out from the budget.

As a future agenda item, TA Guerino and Selectmen to look at marinas and dedicate a worker to take care of the boats for next year.

Mr. Mulvey discussed "unintended consequences" by specifying Gray Gables, is inviting the whole town to swim to a limited beach and limited park.

Bob Nealon asked for clarification on which beaches would have lifeguards and where the monies would come from.

Ron Lajeski commented on the purpose of the Reserve Funds and believes the lifeguards all under "unanticipated" and suggests a supplement to spend monies from Reserve Fund in addition from Stabilization to implement a program for next year.

Ford said when making the decision not to include the lifeguards, money was tight and Fire Department and Council on Aging were priorities and still remain a priority. Selectmen are living within the budget. Rafts and swimming lessons were issues most heard about from residents, and will be addressed next year.

Ms. Caron said that with only weekends at Gray Gables, she is looking to hire 15 people. If the lifeguard coverage passes at STM, she will work the timing issue for applicants.

Ms. Judy Conron inquired about Selectmen position: Sloniecki would like two (2) beaches staffed and is in favor of the Article; Ford is not in favor of the Article, but will have a plan for next year; Baldwin supports the petitioner's right, but not in favor of the Article; Meier would support the Article for two (2) beaches; Pickard is not in favor of said Article as it is not a priority the Selectmen and Finance Committee set at this time, but would commit to the fact to have a plan in place for next year.

Ms. Conron personally would rank lifeguards as a priority for the Town.

Mr. Mulvey commented on a volunteer or new HR Director given a list of previous qualified employees for a pre-canvas, should employment be available for four (4) weeks.

Sloniecki MOVED and SECONDED by Pickard to authorize the Town Administrator to advertise positions with lifeguards for the purpose of Article 1. VOTE 3-2 in opposition.

Licenses/Appointments

Appointments for 7/19/11 meeting.

- a. **Mr. G's Pizza & Ice Cream, LLC (transfer from Atlantic Beach Pizza)**

Ford MOVED and SECONDED by Sloniecki to approve Mr. G's Pizza & Ice Cream request to transfer of victualer license from Atlantic Beach Pizza applicant per routing slip. VOTE 5-0.

b. Amend One-Day License issued to MMA for 9/17/11 to include the Fantail Club
Ford MOVED and SECONDED by Sloniecki to approve Chartwell's request to amend one-day license to MMA on 9/17/11 to include Fantail Club per routing slip. VOTE 5-0.

c. Chartwell request for one-day all alcoholic license on 8/21/11
Ford MOVED and SECONDED by Sloniecki to approve Buzzards Bay Eagles request for a one-day all alcoholic license for a baby shower at the Beachmoor on Sunday, 8/21/11 from 11:00 am – 4:00 pm per routing slip. VOTE 5-0.

d. 10:00 am opening for Buzzards Bay Eagles
Meier MOVED and SECONDED by Sloniecki to approve Buzzards Bay Eagle request for 10:00 am opening for Buzzards Bay Eagles per-routing slip and pending investigation of property line from the church by TA Guerino . VOTE 5-0.

Selectmen's Business

Chm. Pickard briefly reviewed the five (5) goals and two (2) open workshops

- 1. Overall municipal management from 17 to 7 or 8; reorganize organizational chart**
 - a. Expand professional development to management and staff with little or no expense to the Town**
 - b. Overall municipal management**
- 2. Efficiency and facilities – 6 subgoals**
 - a. Expand with School Department**
 - b. Professional Facilities Manager**
 - c. Work with Town and School for shared services**
 - d. Reconstitute Town's Efficiency Committee**
 - e. Seek better payroll**
 - f. Review of committees and Municipal Functional Committees**
- 3. Revenues source augmentation**
 - a. Continue to work with ISWM Working Group**
 - b. Review marina potentials**
 - c. Continue to seek alternative energy**
 - d. Follow up with sale of municipal sales of property and equipment**
- 4. Local Government**
 - a. Expand web base**
 - b. Provide live streaming**
 - c. Research potential for blogging**
 - d. Meet with TA for a cable-based show**
- 5. Capital Facility and planning**
 - a. Prioritize DPW facility**
 - b. Establish working committee and work with Outlay Committee**
 - c. Set project costs via committee**

- d. Review potential cost sharing ISWM landfill
- e. DPW facility
- f. Bring forth project to 2012 ATM for vote

TA Guerino to put goals on the website. Chm. Pickard thanked TA Guerino for his involvement and in saving money for the Town.

Meier MOVED and SECONDED by Sloniecki that the Selectmen adopt FY12 Goals as presented tonight. VOTE 5-0.

TA Report

Memo from Kerry Horman with regard to Bourne receiving \$900,000 to renovate 15 homes and to make substantial repairs at Continental apartments.

TA Guerino met Auctioneer of Harvard, MA for real estate auction on 9/23/11 and 9/24/11. Properties selected with Conservation with signs and have a pre-visit. Auction conducted at the Community Center building. Minimum bids and anything under \$5,000 will be cash only. Town Counsel will get together with TA Guerino for legalities of funds. The next day will include sale of surplus of vehicles and equipment.

Other Selectmen business

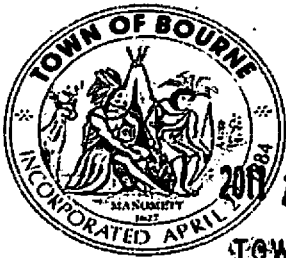
Ford – questioned Water Company follow up and Constable appointments.

Pickard – draft public comment policy from Atty. Troy to schedule first reading at the next regular meeting. TA Guerino to resend to Board.

Adjournment

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 9:30 pm. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.



**Board of Selectmen
Meeting Notice
AGENDA**



TOWN CLERK'S OFFICE
BOURNE, MASS.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday July 19, 2011	5:30 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, they need to acknowledge such at this time

1. Call meeting to order
2. Executive session – Contract negotiation (non –Labor) – Litigation update
3. Moment of Silence for our Troops
4. Salute the Flag
5. Public Comment – Non-Agenda Items
6. Correspondence
7. Committee Reports
8. Discussion related to Floating Rafts and Docks (possible vote)
9. Licenses/Appointments:
 - a. One Day Liquor – Chartwells @ MMA – 9/9/11
 - b. Annual Monument Beach Night Out on August 2, 2011 – Request to close Beach Street from Shore Road to Pine Street
10. Auditor's Report for FY2010
11. Adjourn

Board of Selectmen
Minutes of July 19, 2011
Bourne Veteran's Building 2011 NOV 17 AM 11 16
Buzzards Bay MA 02532

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

John Ford, Chairman
Don Pickard, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

- Independent auditor's report on basic financial statements and required supplementary information dated 6/30/11 – 63 pages.
- Management Letter dated 6/30/11 – 7 pages

Meeting called to order
5:30 pm

Executive Session – Contract negotiation (non-labor) – litigation update
Ford MOVED and SECONDED by Sloniecki to move into Executive Session to discuss contract negotiation and litigation update and to reconvene in public session (7:16 pm). Roll call: Sloniecki – yes; Ford – yes; Meier – yes; Baldwin – yes; Pickard – yes.

Moment of Silence/Salute the Flag

Public Comment – non-agenda items

Mr. York discussed lifeguard costs being beneficial to the Town. Examples given were public safety and beach parking patrol.

Mrs. Dwyer to direct financial questions with regard to lifeguards to the Finance Committee.

Mr. Comment to suggest the motion presented tonight by the Finance Committee and supported by the Selectmen. A lifeguard program that is self funded for next year was also discussed with donations, user fees, etc.

Correspondence

Selectmen Meier read correspondence into record. A copy of all correspondence is available in the Town Administrator's office.

Item A – Discussed during the budget season. Monies appropriated in the amount of \$60,000 for the Estuary Program. When DEP and towns had difficulty with UMass Dartmouth, the Article was closed. Bourne will need to take up next season with the Capital Outlay and re-discuss with UMass Dartmouth. TA Guerino to draft letter on behalf of the Board to Falmouth stating that Bourne understands the need for the said Program but will not participate at this time.

Committee Reports

None at this time.

Discussion related to Floating Rafts and Docks (possible vote)

Chm. Pickard raised issue of a Sagamore Beach resident email with regard to a raft put back in the water. He explained this would require approval from the insurance carrier, and a Town Meeting vote to donate said raft back to original donator. Town Counsel opinion states the Town could license different Associations to license rafts.

Mr. Nealon (Pocasset Village Association President) requested clarification on who would be working with Associations and want to support initiative of the Town. TA Guerino is working with the Harbormaster on a fee structure for partial or full-funding of every beach lifeguard. The relative ease on the rafts, Town Counsel and Hart Insurance continue to discuss issues with TA Guerino.

Licenses/Appointments

a. One Day Liquor – Chartwells @ MMA – 9/9/11

Sloniecki MOVED and SECONDED by Ford to approve Chartwells One Day Liquor request for the Presidential Gala on 9/9/11 from 5:00 pm – midnight per routing slip. VOTE 5-0.

b. Annual Monument Beach Night Out on 8/2/11 – request to close Beach Street from Shore Road to Pine Street

Sloniecki MOVED and SECONDED by Ford to approve Bourne Police Department application to close Beach Street from Shore Road to Pine Street on 8/2/11 for the Annual Monument Beach Night Out. VOTE 5-0.

Auditor's Report for FY2010, Chris Rogers

Independent Auditor's Report

Sullivan & Rogers Company audited accompanying financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the Town of Bourne ending fiscal year 6/30/10.

Under Management's Discussion and Analysis, Financial Highlights (\$18,094,611 may be used to meet the government's ongoing to citizens and creditors); Town's total net assets increased by \$1,105,240; Town's governmental funds combined ending fund balances totaling \$18,518,347-an increase of \$1,769,541-compared to last year; Undesignated fund balances for the general fund totaled \$5,516,597 or 9.8% of total general fund expenditures and transfers out; Town's total bonded debt decreased by \$3,747,243 during the fiscal year.

Overview of basic financial statements consist of the three (3) components: Government-wide financial statements; Fund financial statements; and Notes to the basic financial statements.

Other information includes certain required supplementary information. Presented in this information is the budget comparison for the general fund and certain pension information.

Government-Wide Financial Analysis presented in tables presenting current and prior year data on the government-wide financial statements.

Net Assets may serve over time as a useful indicator of a government's financial position. The Town's assets exceeded liabilities by \$100,349,008 at the close of fiscal year and were summarized.

In summary, the "health" of the organization substantiated by the upgrade Bourne received back in May.

Management Letter

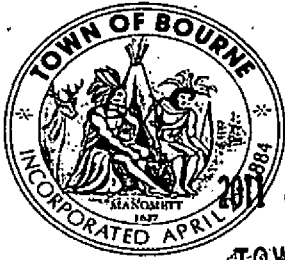
Student Activity Funds – Recommend the Town comply with MGL Chapter 71, Section 47 by having an audit or agreed upon procedure; Management's Response – the school will conduct an annual performance or agreed-upon procedure audit of all student activity accounts.

Enterprise Funds – Recommend the Town implement recommendations of the DOR as identified in IGR 08-101 by establishing a written, internal policy regarding indirect cost allocation, to be reviewed annually. In addition, Town officials should understand and agree on what indirect costs are appropriated as part of the general fund operating budget and what percentage of these costs should be allocated to the enterprise funds. Management's Response – the Town has been allocating indirect costs to both of its enterprise funds based on funding formula. Indirect costs are made up of two (2) different items. First, enterprise fund is charged the benefited cost of the actual employees who work for the enterprise fund as all benefits are paid for by the general fund. Second, the enterprise fund is charged the cost to provide services and expenses directly related to the enterprise fund by those individuals. These expenses are paid for in the general fund and are calculated by estimated a percentage of the number of hours an individual spends to provide those services and expenses for the enterprise fund. Each year these costs are updated to reflect future budgeted costs. The Town will look to formalize these practices in writing.

Adjournment

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 9:30 pm. UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.



Board of Selectmen

Meeting Notice

AGENDA



JUL 29 PM 4 16
TOWN CLERK'S OFFICE
BOURNE, MASS.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday August 2, 2011	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, they 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. Committee Reports
 - a. Ambulance Service Study Committee
 7. Bourne Canalmen – Neighborhood Brigade Value Statement
 8. Licenses/Appointments:
 - a. Historic Commission – Vacancy
 - b. Local Emergency Planning Committee – Local Elected Official
 - c. Main Street Steering Committee – BOS Representative
 - d. COA - Vacancy
 - e. Election Workers Appointments
 - f. Constable Appointments
 - g. Hot Rod's for Hero's – Block Road
 - h. Eagles 10:00 a.m. Sunday Serving
 - i. Colonel Gomes Auctioneer – One Day Auctioneer
 - j. Pan Mass Challenge
 9. Town Administrator's Report
 10. Selectmen's Business
 - a. First Reading of Public Comment Policy as proposed by Town Counsel
 - b. Discussion on adding new position's to the Town Budget, with possible vote.
 11. Adjourn

Board of Selectmen
Minutes of August 2, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 AUG 25 PM 8 43

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

Meeting called to order
7:00 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items
None.

Correspondence

Selectmen Meier read correspondence into record. A copy of all correspondence is available in the Town Administrator's office.

Committee Reports

- a. Ambulance Service Study Committee – Bill Grant, Gary Sadleman, Chief Greene, Dick Conron, TA Guerino and Linda Marzelli

Chm. Grant briefly discussed the degree of staffing of Department to respond to 911/emergency calls.

Given Bourne's size and area covered, Bourne may not be able to outsource ambulatory services.

In summary, the use of an outside contractor to provide ambulance transport services would result in a reduction of \$1,000,000 in revenue and a cost reduction of approximately \$245,000 (Operations \$40,000, Vehicle Capital Cost \$100,000 and Personnel \$105,000), or a negative economic impact of \$755,000 to the Town. Accordingly, the Committee has concluded that the use of an outside contractor would NOT benefit the Town economically and the Committee recommends that the Town's Fire Department continue to provide ambulance transport services.

Meier MOVED and SECONDED to Sloniecki accept Ambulance Study Committee Report as presented.
VOTE 5-0.

Report of Ambulance Study Committee will be put on the Town website and for TA Guerino to send letter to Town Manager of Plymouth and Chief Bradley for spending time with Committee relative to the study, and a letter to Committee members on behalf of the Board of Selectmen.

Sloniecki MOVED and SECONDED by Ford to dissolve the Ambulance Study Committee. VOTE 5-0.

Bourne Canalmen – Neighborhood Brigade Value Statement

Mr. Mike Roberts discussed the new voluntary group. This is a community-based network of volunteers providing non-medical help to neighbors in need during times of temporary crisis – such as serious illness, major surgery, sudden accident or tragedy. Services include meal delivery, local rides, dog walking, help with errands, and more. There is a spontaneous spirit within each of us that is motivated to help another, to give and to receive, and to make an impact on someone's life.

The chapters consist entirely of neighborhood volunteers who stop in to help where immediate family and friends just can't do it all. Help is delivered quickly, caringly, and completely free of charge.

Mr. Roberts to provide TA Guerino info to put on cable Community Announcements and place at the Community Building.

Meier MOVED and SECONDED by Sloniecki in support of the Neighborhood Brigade. VOTE 5-0.

Licenses/Appointments

a. Historic Commission

Sloniecki MOVED and SECONDED by Meier to appoint Neil Langille to the Historic Commission as a permanent member for a term to expire 6/30/12. VOTE 5-0.

b. Local Emergency Planning Committee – Local Elected Official

Sloniecki MOVED and SECONDED by Meier to appoint John A. Ford to the Local Emergency Planning Committee as local elected official for a term to expire 6/30/12. VOTE 5-0.

c. Main Street Steering Committee – BOS Representative

Sloniecki MOVED and SECONDED by Meier to appoint John A. Ford as the Board of Selectmen Representative to the Main Street Steering Committee for a term to expire 6/30/12. VOTE 5-0.

d. Council on Aging

Estelle Blake spoke on Mr. Michael LeBrun's behalf with regard to his letter of interest. TA Guerino to put Mr. LeBrun on the next appointment availability.

Sloniecki MOVED and SECONDED by Meier to appoint Kathleen Donovan as a member of the Council on Aging. VOTE 5-0.

e. Election Workers Appointments

Sloniecki MOVED and SECONDED by Meier to appoint Ann Gratis, Joan Marsh, Mary Reid, Karen Seiden, Edwin Smith, Estelle Blake, Helen Blankenship, Clarence Boucher, Ralph Brown, Kathleen Burgess, Sally Butler, Eda Cardoza, Phyllis Carpenito, Nancy Carritte, Barbara

Cavanaugh, Mary Cocuzzo, Lisa Collett, Linda Connors, Diane Cremonini, Marie Dimitro, Maureen Dunn, M. Elizabeth Ellis, Mary Ellis, Diane Flynn, John Garity, Sally Gibbs, Joel Gould, Norma Goulding, Valerie Gudas, Albert Hill, Henrietta Holden, Kathleen Kelley, Michael Kelley, Frances Lahteine, Patricia Maskery, Traci Langley, Monica Layton, Janet Luizzi, Priscilla Lyons, Joan MacNally, Judith McAlister, Debi McCarthy, Mary McDonough, Penny Myers, Ruth Palo, Martha Parady, James Russo, Patricia Saniuk, Richard Sheets, William Thomas, Judith Thrasher, Susanne Willey, Inez Withespoon, Beth Adkins-Perry, Arlene Cardoza, Janis Guiney, Dorothy Harrington, Bette Puopolo, Eleanor Brown, Phillip Burgess, Jan Finton, Lita Gasper, Cindy Smith, Carole Valeri and Dorothy Woodside as Election Workers Appointments for a term to expire 6/30/12. VOTE 5-0.

f. Constable Appointments

Chief Dennis Woodside recommends David Coulombe, Charles Devlin, Richard White and Russell McAllister. Candidates introduced themselves to the Board.

The Board to determine to keep the amount of current Constables or to expand. Sloniecki and Ford are in support of expanding the Constable positions.

Ford MOVED and SECONDED by Meier to appoint David Coulombe, Charles Devlin, Russell McAllister and Richard White as Constables for the Town of Bourne. VOTE 5-0.

Sloniecki MOVED and SECONDED by Meier to reconsider the terms of the newly appointed Constables to expire 6/30/12. VOTE 5-0.

Meier MOVED and SECONDED by Sloniecki to appoint David Coulombe, Charles Devlin, Russell McAllister and Richard White as Constables for the Town of Bourne for a term to expire 6/30/12. VOTE 5-0.

g. Hot Rod's for Heroes – Block Road

Sloniecki MOVED and SECONDED by Meier to approve the Buzzards Bay Eagles Aerie #3741 hosting of car show Hot Rods for Heroes request to block off Cohasset Avenue from St. Margaret's Street to Wallace Avenue on Sunday, 9/11/11 from 12:00 pm to 5:00 pm per routing slip, waiving fee but collect refundable deposit for clean up. VOTE 5-0.

h. Eagles 10:00 am Sunday Serving

Sloniecki MOVED and SECONDED by Meier to approve Buzzards Bay Aerie #3741 requesting to serve alcoholic beverages on Sundays beginning at 10:00 am serving of alcohol per routing slip. VOTE 5-0.

i. Colonel Gomes Auctioneer – One Day Auctioneer

Tabled until further applicant research.

j. Pan Mass Challenge

Sloniecki MOVED and SECONDED by Ford to approve Pan Mass Challenge request for use of Town roads from 9:00 am on Saturday 8/6/11 to 6:00 am Sunday 8/7/11 per routing slip with addition of three (3) police details at Taylor's Point and one sided parking. VOTE 5-0.

Town Administrator's Report

Manager reviews of staff beginning the week after next. TA Guerino will be meeting with HR Director with regard to the organizational chart.

Selectmen's Business

a. First reading of Public Comment Policy as proposed by Town Counsel

Chm. Pickard read into record the First Reading of Public Comment Policy. TA Guerino to post proposed policy on website, sending to Boards and Committees for comments (including posting in some public buildings) on a future agenda item (8/23/11 suggested). Two other readings are required at future meetings.

Discussion of a public hearing on said Policy before adoption. TA Guerino sees Policy as the Selectmen's Policy Amendment, have next meeting incorporating Boards and Committees comments, then adopt as their own.

Sloniecki raised issue on Public Comment with regard to all Bourne Boards and Committees. Ford suggesting Town Counsel address other elected Boards (Planning Board and Board of Health).

TA Guerino to set meeting up with all Boards and Committees with Planning Board and Board of Health strongly encouraged to attend. A second meeting will be with Atty. Troy.

Town Counsel provided a mechanism for Boards and Committees to incorporate Public Comment into their meetings.

Meier MOVED and SECONDED by Sloniecki to accept Policy and move toward a Second Reading. VOTE 5-0.

b. Discussion of adding new positions to the Town Budget with possible vote

Vice Chairman Ford requested Selectmen position on adding positions within the Town Budget for future need as advanced by TA Guerino.

Workshop held on 6/29/10 with Atty. Troy. Town Administrator and Selectmen have a lot of authority as far as goal and policy making. Chm. Pickard said he would like to address discussion as a generic position discussion.

The Bourne Board of Selectmen has had an unofficial policy of no new positions with the exception of the Human Resource Director's position while we are in these tough financial times. The board of Selectmen has cut several positions in the town's staff and to add a new position at this time, in my

opinion is unreasonable. Over the last month we have been taken a lot of heat from residents on the budget decision taken on the line item for Life Guard's.

I have asked the Chairman of the Board to put this issue on the agenda for this meeting, for discussion and possible vote. I feel this will bring transparency to any decisions to add new positions.

Ford MOVED and SECONDED by Meier for discussion purposes that no new appointments or no created positions within Departments for the remainder of this fiscal year.

TA Guerino feels it is incumbent to look at the remaining staff levels and work within budget approved at TM and the Selectmen and run departments in the best way possible. This may need adjustments within departments, but does not exceed line item for the budget for the year and does not add to the long term expense to the Town. TA Guerino cited the Charter Section 4.6, Items (b) and (m).

Chm. Pickard believes the Board must hear items come up in a case-by-case situation. One concern of a public hearing relative to a creation within existing budget in a Department, and Selectmen don't approve, it defeats the position of the Department Head.

Chm. Pickard and Baldwin are not in favor of a blank vote at this time.

Mr. Mulvey asked for clarification of "position" being a title or body.

Chm. Pickard said there may be times to make changes within a department.

Diana Barth requested the Board to clarify positions reporting to the Town Administrator. TA Guerino answered transparency.

Ford MOVED and SECONDED by Meier no new appointments or no created positions within Departments for the remainder of this fiscal year. VOTE 4-1 in opposition.

Meier – DPW new highway garage will be on agenda for 8/23/11.

Ford–7/23 Charley Miller dedication; 7/24 attended Bourne Braves game; attended Cable TV Advisory Board meeting to finalize contract with Comcast.

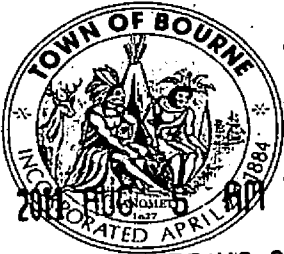
Sloniecki–commended the Ambulance Study Committee and their Report; attended Miller dedication.

Pickard–attended ISWM Business Working Group

Adjournment

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 9:35 pm.
UNANIMOUS VOTE.

Respectfully submitted-Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



TOWN CLERK'S OFFICE
BOURNE, MASS

Date

Tuesday
August 09, 2011

Time

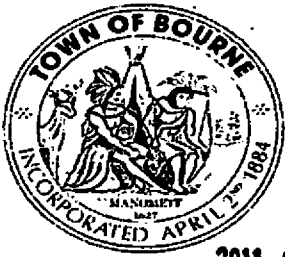
6:00 p.m.

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, they need to acknowledge such at this time

1. 6:00 - Call to order
2. Request to waive hiring freeze due to resignation in Collector's office.
(Discussion and possible vote)
3. Adjourn



Board of Selectmen Meeting Notice AGENDA



2011 AUG 11 PM 11 29

TOWN CLERK'S OFFICE
BOURNE, MASS

6:00 P.M.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday August 16, 2011	6:00 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, they need to acknowledge such at this time

6:00 –6:35 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag

3. **6:35** - Presentation of Chief Woodside on a staffing change with in the Police Department as approved by the Town Administrator. Discussion of the staffing change as presented. Vote by the Board of Selectmen on the staffing change.

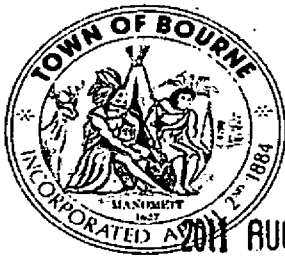
4. Transportation Improvement Plan [TIP/MPO] Discussion and Possible Vote – Sallie Riggs et. al.

5. Licenses/Appointments:

- a. **7:00 p.m.** Paradigm, Inc., d/b/a Ye Olde Spirit Shoppe, transfer in location
- b. Auctioneer's License – Colonel Gomes
- c. Massachusetts Military Reservation – Military Civilian Community Council

6. **7:15 p.m.** - Workshop with Council on Aging - presentation by the COA explaining the programming that goes on and the method of funding of those programs as well as the relationship with the Friends.

7. Adjourn



**Board of Selectmen
Meeting Notice
AMENDED AGENDA**



TOWN CLERK'S OFFICE
BOURNE, MASS

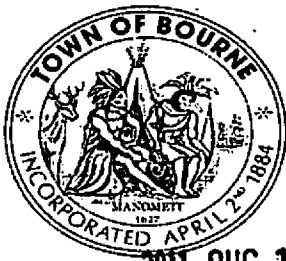
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6:00 –7:00 (Items 1-4) Call to order

1. Moment of Silence for our Troops
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3. Presentation of Chief Woodside on a staffing change with in the Police Department as approved by the Town Administrator. Discussion of the staffing change as presented. Vote by the Board of Selectmen on the staffing change.
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7. Adjourn



**Board of Selectmen
Meeting Notice
AMENDED AGENDA**



2011 AUG 12 AM 12 26

TOWN CLERK'S OFFICE
BOURNE, MASS

6:00 P.M.

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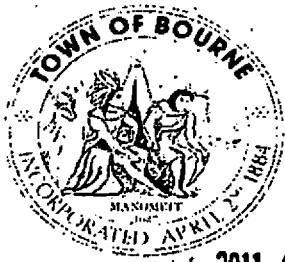
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6. Workshop with Council on Aging - presentation by the COA explaining the programming that goes on and the method of funding of those programs as well as the program coordination with the Friends.

7. Adjourn



Board of Selectmen Meeting Notice AGENDA



2011 AUG 11 PM 11 29

TOWN CLERK'S OFFICE
BOURNE, MASS

6:00 P.M.

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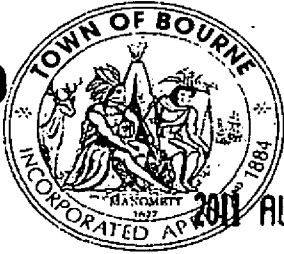
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7. Adjourn



Board of Selectmen Meeting Notice



2011 AUG 19 AM 2 52 AGENDA

Date TOWN CLERK'S OFFICE
Bourne, MASS
Tuesday August 23, 2011

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 videotaping, they 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: 6.7.11 - 7.12.11 - 8.2.11
5. Correspondence
6. Committee Reports
7. Licenses/Appointments:
 - a. Recycling Committee – Reappoint James Boyle
 - b. Recreation Committee – Stephen J. McCarthy
 - c. Shore & Harbor Committee Appointment
 - d. MMA – One Day Liquor – 9.9.11
 - e. Regional Transportation Advisory Committee – Reappoint Thomas M. Guerino
8. Draft Aquaculture Regulations
9. Propagation Area Reclassifications
10. Warwick & Assoc – 40 Squeteague Harbor Road - dock
11. DPW – Building Committee Charge presented by Town Administrator
12. Town Administrator's Report
 - a. Update on status of Tax Title Property
13. Selectmen's Business
 - a. Public Comment Policy
 - b. Open and close Special Town Meeting – Date
 - c. Annual Report Deadline - September 16, 2011 (discussion by Board of Selectmen).

14. Adjourn

Board of Selectmen
Minutes of August 23, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 OCT 25 AM 10 45

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki (excused)
Earl Baldwin
Peter Meier

List of documents:

- Ford paragraph on why he asked to put new position in previous meeting discussion – 1 page

Meeting called to order
7:00 pm

Moment of Silence/Salute the Flag

Public Comment – non-agenda items

Mr. Agrillo commented Monument Beach table and possibly replace fence. TA Guerino will speak with DPW.

Approval of Meeting Minutes

Meier MOVED and SECONDED by Ford to approve minutes of 6/7/11 as submitted. VOTE 4-0.

Ford MOVED and SECONDED by Meier to approve minutes of 7/12/11 as amended. VOTE 4-0.
(making correction between Chairman and Vice Chairman).

Ford MOVED and SECONDED by Meier to approve minutes of 8/2/11 as amended. VOTE 4-0.

Correspondence

Selectmen Meier read correspondence into record. Copies of correspondence are available at the Town Administrator's Office.

Division of Marines Fisheries – Ford update requested. DNR Director said they are testing shellfish on the pier.

Budget Final Year – Ford update requested on \$1.3M Federal government aid funded to the children of the Mass Military. TA Guerino said the Town will not receive \$1.3M, but will be distributed between the Town of Bourne, the Town of Bedford (West Dover Air Force Base),

and the city of Boston. This money will be utilized without further appropriation. When granted to the School Department, the School Department and the Town of Bourne have an understanding that will continue. The Superintendent of Schools and himself discussed putting 40% of what is received up against School Department Employee benefits to offset some of benefit costs and to keep on one line item. This agreement has been in force 4 or 5 rounds, except for the year the school had some severe financial difficulties, the money was allowed to float directly in to the Town. If the monies are close to last year, the amount given to the Town will be in the amount of \$800,000.

Letter of Joan Eckleson in reference to floats and signs – Ford update requested. TA Guerino said there will be articles on the Special Town Meeting, if the Board chooses to move forward later in the meeting. He is working with Counsel relative to said letter.

Letter of Barnstable County Sheriff in reference to medical dispatching – Ford updated requested on if the Town gets free medical dispatching through the Fire Department. TA Guerino said that the end of this past fiscal year, the County House of Corrections was taken over by the Commonwealth and there are different rules. He attended a meeting of Cape Cod Managers a week ago with discussion topic relative to the cost. Chief Greene and TA Guerino to set up meeting with Sheriff Cummings to discuss. In the past, the Town has received benefit at not cost but the Town has also transported to the House of Corrections when needed by ambulance or other means at no cost. Ford further inquired about an agreement. House of Corrections are changing. TA Guerino said there was also an agreement for an amount of money, at the time the House of Correction was built and cannot find anything in writing stating this, and maybe the Fire Department has documentation.

Meier inquired about Cape Cod Healthcare service and fees that will begin to incur on 10/1/11. Police and Fire Chiefs have been meeting and will be making a recommendation to the Selectmen in the future. Regarding the fees beginning in October, TA Guerino said that one of the concerns that the Managers had in the Managers' meeting, was that no community on the Cape within this service area has budgeted for the FY12, and there has to be some work done by all towns on how this will be funded. Ford added that he remembers there was information in writing (secondary piece that was part of the agreement) and suggested TA Guerino discuss with Chief Puma. TA Guerino will ask Chief Greene to do so.

Mr. Agrillo inquired about the \$800,000 and why it is given to the school. TA Guerino responded that it is an appropriation that is not guaranteed on an annual basis. Senate President Murray has been able to work with the House leadership which is used for helping the Town underwrite the costs for education for children that come from the Base to the school system. It is an enhancement to the school budget but not guaranteed every year. Money is from the legislature and does pass through the Town, as many grants do. Ford explained that it is a reimbursement to the taxpayers for the children on the Base. Mr. Agrillo asked why it isn't in the School Committee's budget. TA Guerino said it is a special legislation budget not guaranteed every year.

Licenses/Appointments

a. Recycling Committee

Ford MOVED and SECONDED by Meier to re-appoint James Boyle to the Recycling Committee for a term to end 6/30/14. VOTE 4-0.

b. Recreation Committee

Meier MOVED and SECONDED by Ford to appoint Steven J. McCarthy to the Recreation Committee for a term to end 6/30/14. VOTE 4-0.

c. Shore & Harbor Committee

Chm. Pickard read letter into record of Mr. Southwood dated 7/8/11. Mr. Gasson expressed interest was 8/13/11. Town Administrator's office requesting Board's separate interest. Sloniecki excused tonight. Selectmen will tally preference and give to TA Guerino. TA Guerino said three (3) votes for Mr. Southwood and one vote for Mr. Gasson.

Meier MOVED and SECONDED by Ford to appoint Mr. Southwood to the Shore & Harbor Committee for a term to expire 6/30/14. VOTE 4-0.

d. Massachusetts Maritime Academy – one day liquor license

Ford MOVED and SECONDED by Meier to approve Massachusetts Maritime Academy request for one day, all alcohol liquor license on 9/9/11 from 5:30 pm – 9:30 pm per routing slip. VOTE 4-0.

a. Regional Transportation Advisory Committee

Meier MOVED and SECONDED by Baldwin to re-appoint Thomas M. Guerino to the Regional Transportation Advisory Committee for a term to expire 6/30/12. VOTE 4-0.

40 Squateague Harbor Road Dock

Chm. Pickard said some residents retained professional staff (Warwick & Associates) and asked to take them out of order. No objections.

Barbara Frappia, Warwick & Associates presentation on property purchased at 40 Squateague Harbor Road. Along with purchase was a bath house. Small packet given to the Selectmen. Bath house around for about a century and is sitting on town-owned property. Heffernan's, property owners, would like to restore said bath house. They hired John Priestley, Jr. as their architect to review. In conjunction with restoration of bath house, they would like to construct a seasonal dock extending from the porch of the bath house out into Squateague Harbor (mid April – mid October).

Any dock emanating from bath house into the harbor would be crossing Town property. In 1993, the Board of Selectmen authorized a Mr. George Seaver to rebuild the bath house after Hurricane Bob. Since that time, the bath house has fallen into disrepair.

Conceptual idea is to take the bath house and slide it ten (10) feet to the North and line with the steps coming down the coastal bank so the steps can come right down to the bath house. The two purposes are: 1) easy access preserving Conservation land and 2) provide more room at that end of the property as it is a public access. Heffernan's amendable to in addition to rebuilding the bath house and putting in a dock, to work with the Town to help maintain the end of Ocean Avenue so it would help the accessibility. All dock work would meet all applicable regulations and provide beneficial access for the Town.

Warwick & Associates is asking the Selectmen tonight for an Order to go forward as the Town is the property owner and to sponsor an Article at Town Meeting. Prior to going to the Conservation Commission, they need a Town Meeting vote. Similar projects have been approved and done in the past. Ms. Frappia gave documentation to the Board of what a Warrant Article would look like, granting a defined easement for the purpose of maintaining a seasonal dock. Language is taken from other previous Articles with similar scenarios at Town Meeting. The Selectmen have been the sponsor. Shellfish survey was done and concluded as not to be a vial or productive habitat.

Ford would like DNR has look at proposal as well as Conservation Agent Brendan Mullaney. DNR Director, Tim Mullen, said it would be very preliminary for the Department of Natural Resources to comment at this time. Ford further commented that the DNR input prior to Town Meeting vote would be beneficial. Mr. Mullen said he isn't privy to the conducted shellfish study.

TA Guerino said he believes the Special Town Meeting in October, date to be voted upon tonight, will be one day. He said the Selectmen need only to vote to allow Article for the dock. He will consult with Town Counsel relative to requirement of easement to move the bath house. Ford would also like DNR and Conservation Agent reports prior to Selectmen sponsorship. Ms. Frappia more than happy to provide copy of Shellfish Study to Mr. Mullen, DNR.

Meier MOVED and SECONDED by Ford to open and close Special Town Meeting on 10/17/11 at 7:00 pm at the Bourne High School and the Warrant to close on 8/29/11. VOTE 4-0.

Meier MOVED and SECONDED by Baldwin to allow Article as proposed by owners of property (Heffernans) to be placed on Special Town Meeting Warrant. VOTE 4-0.

TA Guerino said he will have two (2) separate Articles for the dock if there is a requirement for easement.

Draft Aquaculture Regulations – DNR Director Tim Mullen

Mr. Mullen said there are complex issues that the Town does not currently have. He spoke with various committees (Shore & Harbor and Shellfish Working Group) for input. One significant change is the addition of liability insurance to name Town as additional insured. The

addition includes the identifying vessels, working on grants, hours of operation. Mr. Mullen said that Town Counsel will still need to review and that document is still in draft form.

Ford recommended adding portion with regard to Shellfish Constable inspection in the addition.

Mr. Mullen said he would like to see Regulations take effect by the end of the year, but he is not taking lightly as deserves the generous reviews it is getting.

TA Guerino recommends raising advertising fees relating to notification to abutters to \$125 (Section 8.17 Fees).

The Town of Bourne does not have enough space or enough flats needed. Ford asked if this regulation would be put in a productive shellfish area to which Mr. Mullen replied that by law it cannot.

Ms. Donovan asked about the area where she lives as being subject to a potential area. Mr. Mullen said it would be seasonal.

Mr. Mulvey said that regulations are a necessary step and it prepares the Town for applicants. He asked if abutters (Wareham) need to be notified with regard to Estuaries. Chm. Pickard said this would be a question for Town Counsel.

Mr. Mulvey said he would hope the Selectmen would not put Mr. Mullen in the position of pre-suggesting certain areas and hopes it would depend on interested areas. Chm. Pickard concurs.

Chm. Pickard said the next step moving forward would be Town Counsel review.

Mr. Mullen said any comments can be emailed to him and he will forward to Town Counsel. Mr. Patrick Ross, expressing interest in getting process moving as regulations are an extremely daunting process. He believes the proposed regulations would be beneficial to the Town as well as applicants.

Selectmen took quick recess before reconvening meeting.

Propagation area Reclassification – DNR Director, Tim Mullen

Mr. Mullen recommending the Board makes an amendment to the current Shellfish Regulations and is proposing an indefinite closure of an area in Mashnee dike for the purpose of propagation and general management of the fishery. This closure would contain all of the oyster beds out on Mashnee dike. There have been well over 100 people on all 8 Sundays open and oyster population has been knocked down by 2/3 last season. For conservation purposes, the closure of this area for at least one season and can reassess next season. Area was propagated with 30,000 oysters between 1" and just under 3" in size.

Newest bed opened in Little Bay and hopes to fair better. He is expecting another 40,000 oysters at Mass. Maritime and planned on leaving them in Little Bay and Buttermilk Way. At this point, if said area is opened, there will be no chance of recovery for next year.

Ford talked about the oyster drills and commercial boats. He also mentioned access an issue for protection of new oysters and parking might be an issue.

Mr. Agrillo asked about Little Bay access to Wing's Neck. He also asked if the Town owns both sides of the dike where the boats are tied up are town property. He suggested the Town install surveillance cameras for illegal harvests.

Mr. Mullen said harvesting continued for months after the season was closed.

Meier asked what the Shore & Harbor or Shellfish Working Group's position. Mr. Mullen said SHC generally doesn't take up shellfishing issues. He does not have the Shellfish Working Groups' position.

Meier MOVED and SECONDED by Baldwin to approve the Shellfish Regulation Amendment No. 2011-2 effected 8/24/11 the following area shall be closed to all shellfish fishing: the waters of the portion of Mashnee dike in the Town of Bourne from the "no shellfishing" sign located at the end of the access path on the end of the dike is approximately 1,100 feet to the "no shellfishing" sign located at the end of the access path at the end of the dike. This closure will also extend seaward to the floating shellfish markers located approximately 150' offshore. This area is being closed for purposes of shellfish propagation and general management of the fishery. VOTE 4-0. *(Ford would in the future like to see this discussed with the Shellfish Working Group).*

Mr. Mulvey said the Shellfish Acting Working Group is comprised of both commercial and recreational people. Their last meeting was the night of the Town Meeting and wasn't possible for the DNR Director to bring in front of the Shellfish Working Group.

DPW Building Committee Charge

TA Guerino said in pursuant to the meeting of a few weeks ago, he was asked to have a charge prepared. He looked at other similar type committees in both Bourne and surrounding Towns. Mr. Tellier has reviewed. Much of the language is modeled from the Energy Efficiency Committee for consistency and leaves it to the Board for discussion.

Committee make up of a seven member Board – (FinCom -1; Capital Outlay – 1; Planning Board – 1, DPW – 1; and three (3) members at large. *(Ford requested having a couple of days earlier for discussion. TA Guerino concurs).*

Meier MOVED and SECONDED by Ford to approve DPW Building Committee membership and Charge as amended submitted to the TA Guerino submitted 9/9/11 as amended. VOTE 4-0. *(TA Guerino hopes to have committee by 9/15/11).*

Town Administrator's Report

- a. **Auction.** Tax title deferred to another date. Ms. Sundman wanted to be sure that the way we have the descriptions of the property compliant with the bylaw. Have auction within the fall (*The Board would like to recognize Ms. Sundman*). The date has been taken off the website but the property is still there. Also one additional property has come to the TA office attention and may want to reconvene three committees to have property put on to bring in some dollars.
- b. **Selectmen last meeting with Ms. Sally Riggs.** Selectmen voted relative to the priorities for highway work. The MPO met and agreed to move the fixed route bus service to Sandwich and Bourne up to this year for study and funding. They have pushed off the paving of MacArthur Boulevard so the Planning Board can better discuss the developing in that area. Also, the Board's actions last meeting made a difference to the MPO with issues relative to Bourne. Also, moving forward relative to Buzzards Bay traffic configurations needs more planning work. Commission will be assisting Bourne and no date when will happen but was moved up on the priority list.
- c. **Selectmen goals.** Relative to goals, TA Guerino is more than ½ way through Department reviews.

Selectmen's Business

- a. **Public Comment Policy.** Second reading. Mr. Agrillo inquired about the Public Comment Policy. Ford read into record said Policy. Chm. Pickard further explained to the Policy. Mr. Agrillo objects to public comment from one person lasting 30 minutes. To hear from everyone before someone can speak again. Chm. Pickard said it is the discretion of the Chairman. No further comment from the Board or public. Mr. Gately feels Atty. Troy's Policy is narrow personally. TA Guerino will be scheduling a Forum relevant to the Public Comment Policy for all Town Boards and Committees possibly in September. Chm. Pickard received a call from Kathy Walton of the School Committee for her suggestion of the Forum function facility and social hour afterwards. TA Guerino will move Policy for the first meeting in September for adoption.
- b. **Annual Report deadline - 9/16/11 for all Boards and Committees for the 7/1/10 – 7/30/11.** Chm. Pickard with work with V. Chm. Ford to put together for a narrative on Finance, Mission Statement, Selectmen Goals, identify spending for 2012, identify licenses, Town Committees and Selectmen meetings. Ford recommends Selectmen review and break down in segments then Chm. can put together. (*TA Guerino said former Selectmen Mealy and Meli should be contacted*).

Meier – Chamber of Commerce looking or volunteers for the Scallop Festival for 9/23, 9/24 and 9/25. Notify Marie Oliva or any staff members.

Ford – Administrative:

September

- 9/6 - Executive Session with Atty. Troy to discuss Open Mtg. Law changes
- 9/6 - Regular meeting (Lifeguard supporters on agenda)
- 9/20 Regular meeting (Monument Beach parking plan discussion added to agenda)
- 9/27 - Workshop (with Open Space Committee).

October

- 10/4 – Regular meeting
- 10/18 – Regular meeting
- 10/17 – Special Town Meeting
- 10/25 – Workshop (with FinCom)

TA Guerino asked Board to begin to look at Budget priorities for November.

Chm. Pickard asked TA Guerino to put meetings and workshops on the website calendar even if no agenda for planning purposes.

Ford – attended Steering Committee for Main Street.

Adjournment

Meier MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 10:00 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Board of Selectmen

Meeting Notice Agenda

2011 AUG 31 AM 12 45

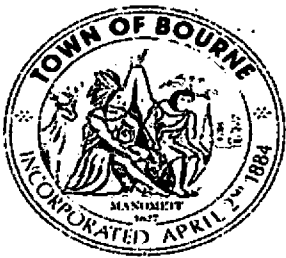
TOWN CLERK'S OFFICE
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
September 2, 2011	4:00 AM	Bourne Veterans' Memorial Community Building

CANCELLED
Aug 31, 2011

1) Request for extension of liquor license from 12:30 AM to 1:00 AM for Curly and Rest. for September 3, 2011.

2) Adjourn



Board of Selectmen Meeting Notice



AGENDA

2011 SEP 1 PM 4 25

EXECUTIVE SESSION: 6:00 P.M. Strategies for labor negotiations

TOWN CLERK'S OFFICE

BOURNE, MASS

The Board of Selectmen may vote to enter executive session to discuss collective bargaining strategy and proposals for contractual provisions for union personnel pursuant to Massachusetts General Laws Chapter 30A, Section 21.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday September 6, 2011	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, they 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: June 7, 2011
5. Correspondence

6. Note/Bond Signing

7. Storm Update: Noyes – Sala – Tribou – Greene – Woodside

8. Energy Policy for the Vehicle Policy – Richard Eirick

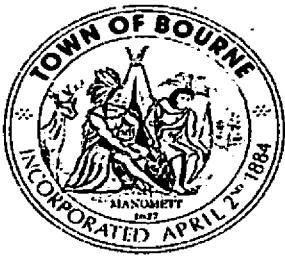
9. Parking Issues:
 - a. Tideway – One Hour Parking

10. Licenses/Appointments:

11. Final Reading Board Public Comment Policy

12. Town Administrator's Report
13. Selectmen's Business

14. Adjourn



**Board of Selectmen
Meeting Notice
AGENDA**

2011 SEP 1 PM 3 3



TOWN CLERK'S OFFICE

EXECUTIVE SESSION: 6:00 P.M. Strategies for labor negotiations

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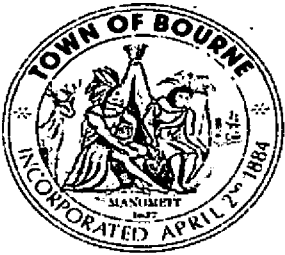
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11. Final Reading Board Public Comment Policy

12. Town Administrator's Report
13. Selectmen's Business

14. Adjourn



2011 SEP 2 11 08
Board of Selectmen
Meeting Notice
AGENDA
TOWN CLERK'S OFFICE
BOURNE, MASS



AMENDED

EXECUTIVE SESSION: 6:00 P.M. Strategies for labor negotiations

The Board of Selectmen may vote to enter executive session to discuss collective bargaining strategy and proposals for contractual provisions for union personnel pursuant to Massachusetts General Laws Chapter 30A, Section 21.

<u>Date</u>	<u>Time</u>	<u>Location</u>
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1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: June 7, 2011
5. Correspondence
6. Discussion and Questions on Selectmen's Public Comment Policy with Town Counsel
7. Final Reading Board Public Comment Policy
8. Note/Bond Signing
9. Storm Update: Noyes – Tellier - Sala – Tribou – Greene – Woodside
10. Energy Policy for the Vehicle Policy – Richard Elrick
11. Parking Issues:
 - a. Tideway – One Hour Parking
12. Licenses/Appointments:
 - a. Harbor to the Bay
13. Town Administrator's Report
14. Selectmen's Business

15. Adjourn

**Board of Selectmen
Minutes of September 6, 2011
Bourne Veteran's Building
Buzzards Bay MA**

2011 SEP 13 PM 3 16

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Donald Pickard, Chairman
John Ford, Vice Chairman
Peter Meier, Clerk
Jamie Sloniecki
Earl Baldwin

List of documents:
None

Meier MOVED and SECONDED by Ford to move into Executive Session at 6:00 pm to discuss collective bargaining strategy and proposals for contractual provision for union personnel pursuant to MGL Chapter 30A, Section 21 and to reconvene into public session. Roll call: Sloniecki – yes; Ford – yes; Meier – yes, Baldwin – yes; and Pickard – yes.

Meeting called to order
7:09 pm

Moment of Silence/Salute the Flag

Meier MOVED and SECONDED by Sloniecki to take discussion with Town Counsel out of order before public comment. UNANIMOUS VOTE.

Discussion and Questions on Selectmen's Public Comment Policy with Town Counsel

Atty. Troy drafted a proposed policy on public comment. The goal of said policies are to comply with recently amended Open Meeting Law. Said policy will allow the Town to comply with Open Meeting Law while giving the public a right the legislation doesn't give them.

- Citizen Input Forum - This differentiates the rights of people in the public to come to a meeting without prior notice and say something that is not going to involve any board discussion.
- Public comment topics that invite Selectmen to discuss requires a public hearing - In the current law legislature public body may not let anyone speak under any circumstances.
- If citizen, during Input Forum, brings up a topic which requires discussion, the Chairman of a governmental body is instructed to say "this is evolving into deliberation which

requires discussion. We need to stop at this point and can put on agenda at a future hearing."

Mulvey – inquired about a Chairmen's discretion with regard to a motion after discussion and wording on agenda. Atty. Troy responded that yes, it is the Chairmen's discretion. The second question that once subject matter is not necessary on agenda to note whether "discussed" nor "vote".

Gately – if BOS accept said Policy, when will be it be enforced and do all committees and boards.....??. Atty. Troy said each governmental body has within its own discretion to set rules for their meetings. Said policies will pertain to the Board of Selectmen and recommend boards/committees use. TA Guerino asked if the BOS by adopting said policy can direct committees it appoints to adhere to policy. Atty. Troy said the Selectmen can recommend to various boards it appoints to consider and adopt policy.

Public Comment – non-agenda items

Agrillo – commented about contractor on Town work. He believes the Town should have given to the original contractor.

Meeting Minutes of 6/7/11

Sloniecki MOVED and SECONDED by Ford to approve meeting minutes of 6/7/11 as submitted. VOTE 5-0.

Chm. Pickard commented on Page 3 of said minutes with regard to the Striper Fest moving to Falmouth. Said license will need to be recinded and requested to be put on a future agenda item.

Correspondence

Selectmen Meier read correspondence into record. Copies of correspondence are available at the Town Administrator's Office. Additional item given to Meier is the 9/10/11 MMA invitation for Western New England in football at Clean Harbors Stadium on the Academy campus beginning at noon. Selectmen interested are to contact Mr. Bob Corradi by this Thursday.

TA Guerino to check if the Constable money is in this year's FY budget.

Item E – Frank Kodzis interested on committees and TA Guerino to contact.

Item B - Commission approved precincts and compliments to the Town Clerk and staff and Planning Department for getting new precincts drawn and draft letter thanking from the Selectmen.

Storm Update: Noyes – Tellier – Sala – Tribou – Greene – Woodside

TA Guerino said the Town was prepared, but did want to formally recognize all of the folks, including Tim Mullen from DNR who could not make tonight's meeting all of their hard work to

the Board. There were overnight guests at the shelter. Thank you notes were sent by said guests. TA Guerino also personally thanked Police Chief and Fire Chief.

Therese Murray's office informed TA Guerino that reimbursements to each Department from Irene are moving forward.

Agrillo – thanked the folks involved.

Gately – inquired about NStar performance. TA Guerino said Chief Green and Chief Woodside made their concerns known to NStar. TA Guerino summarized that Nstar could have done better.

Chm. Pickard asked if the Selectmen need to enhance the policy with regard to loss of power due to emergencies. TA Guerino said the Town has to look at a different type of storms protocol.

Ford – raised issue of a retrofit generator with a plug. TA Guerino responded that there are a couple issues and one was that the plug wouldn't meet current codes.

Final Reading Board Public Comment Policy

Chm. Pickard read into record said Policy.

Ford MOVED and SECONDED by Sloniecki that the Selectmen on behalf of the Town of Bourne adopt the Board of Selectmen Public Comment Policy as outlined by Town Counsel. VOTE 5-0.

Ford MOVED and SECONDED by Meier to take Auto Policy out of order before the note/bond signing.

Energy Policy for the Vehicle Policy – Richard Elrick and Elizabeth Caporelli

Energy Coordinator Richard Elrick discussed the Policy, which requires the purchase of fuel efficient vehicles when replacing the lesser efficient vehicles. This can save the Town money, and is one of five criteria the Green Communities Act in order for the Town to receive grant money. Exemptions are vehicles over 8,500 pounds – vehicles that aren't practical. Administrative and police vehicles be energy efficient (not electrical, just energy efficient).

Energy Advisory Committee Chairman Caporelli said that as the Selectmen supported the EAC efforts, this Policy will gain cost savings and efficiencies to the Town.

Chm. Pickard said he asked the head mechanic at the highway garage and if his staff is capable at working on the list of vehicles. TA Guerino said basic mechanical work is something the highway department can do. If the Town doesn't go forward with the entire Green Communities Act, the Town could move forward with one piece to assist the Town. As the Town has a lot of hand-me-downs, it would be when a new vehicle is purchased. Mr. Elrick said

expectation would be a step up that meets efficiency guidelines and that the swapping vehicles from departments are realized.

Mr. Agrillo inquired about if this affects the private industry. He also asked how much money the Town save and the safety factors in the newer vehicles.

Chm. Pickard requests TA Guerino to meet with Mr. Wilson and Mr. Elrick for further discussion. TA Guerino will come before the Board on 9/27/11 and would hope there will be an endorsement.

Note/Bond Signing

Karen Girouard, Treasurer, stated that on August 30, 2011 the Town of Bourne sold \$4,561,255.00 in General Obligation Bonds. The debt service on the Landfill (ISWM) bonds will be paid from the Landfill Enterprise Fund.

The town was able to affirm the AA/Stable rate. The Town received 4 competitive bids on the 8/30/11 sale and the notes were awarded to Roosevelt & Cross, Inc. The following is a summary of the results of the sale:

Bidder	TIC
Roosevelt & Cross, Inc.	2.501091%
Robert W. Baird & Co., Inc.	2.593211%
Janney Montgomery Scott LLC	2.662354%
FirstSouthwest	2.726308%

Chm. Pickard asked that said report be put on the website.

Chm. Pickard read into record some highlights of the Global Credit Portal Summary of Bourne MA; General Obligation dated 8/26/11.

Meier MOVED and SECONDED by Ford and Voted: that the sale of the \$4,561,255 General Obligation Municipal Purpose Loan of 2011 Bonds of the Town dated September 15, 2011 (the "Bonds"), to Roosevelt & Cross, Inc. at the price of \$4,723,803.95 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on September 15 of the years and in the principal amounts and bear interest at the respective rates.

Further Voted: that the Bonds maturing on September 15, 2024, September 15, 2026 and September 15, 2031 (each a "Term Bond") shall be subject to mandatory redemption or mature.

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated August 16, 2011, and a final Official Statement dated August 30, 2011 (the "Official Statement") each in such

form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds, for the benefit of the holders of the Bonds from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes. VOTE 5-0.

Parking Issues

a. Tideway – One Hour Parking

Ford discussed site visit and requested No Parking. An appropriate sign would be "Unloading Area" in lieu of One Hour Parking.

Resident complaints brought to Conservation Agent, who came before the Board regarding site. Brendan Mullaney memo dated 9/6/11 with regard to the Parking Restriction, Tideway Road was reviewed by the Bourne Police Department which is summarized.

Sloniecki MOVED and SECONDED by Meier to make parking at Tideway Road and to post "30-Minute Parking" sign on the pier as described in the 6/22/11 memo per Brendan Mullaney. VOTE 5-0.

Licenses/Appointments

a. Harbor to the Bay – Bike Ride

Sloniecki MOVED and SECONDED by Baldwin to approve the Harbor to the Bay request for the Annual Aids Benefit Bike Ride on 9/17/11 from 9:30 am – 2:30 pm per routing slip. VOTE 5-0.

TA Guerino informed the Board that the Phil Gomes auction originally to take place on 9/10/11 will be changed to 9/24/11 due to the issues with the Hurricane Irene.

Town Administrator's Report

TA Guerino thanked all those for implementation with Hurricane Irene. He also wants to thank the Mezza Luna for meals served during the storm.

Selectmen's Business

Meier – inquired about the lifeguards. A Recreation Revolving Account will be set up. Selectmen will make determination to increase fees or not. Article proposed to the BOS will raise fees and utilize portions for lessons and lifeguards. After the first year, swimming lessons will be privately funded. TA Guerino will make recommendation for lifeguard beaches and will send to Selectmen by email before the next meeting.

Sloniecki – Reiterated comments and that each department is important and was approached by people with regard to the removal of down trees.

Ford – attended 100th anniversary of the Canal Committee this morning and they are moving forward.

Mr. Agrillo – thanked people who each gave part of themselves during this storm.

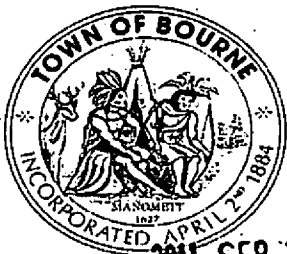
Pickard – inquired about the Warrant articles: 2 proposed zoning (right of solar), CPC article on historic issues, budget amendment article, betterment article relative to the Pocasset Golfway, 2 articles relative to the beach house, granting of easement on Circuit Ave as it relates to a septic, and a couple other articles. Future agenda item - the Board have a policy where issues be publicized and not voted on for perhaps 2 or 3 meetings down the road for public comment. TA Guerino will draft and put together. Town Reports are due 9/16/11.

Meier – Grand opening of the MMA informational building at 10:00 am. Invited to the 9/11 recognition on Sunday 9/10 at 10:15 am. Attended meeting at MMA in where a tour of a shop was given.

Adjournment

Ford MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 8:55 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



**Board of Selectmen
Meeting Notice
AMENDED AGENDA**



2011 SEP 16 PM 2 17

Date TOWN CLERK'S OFFICE
Bourne, MASS
Tuesday
September 20, 2011

Time
6:00 p.m.

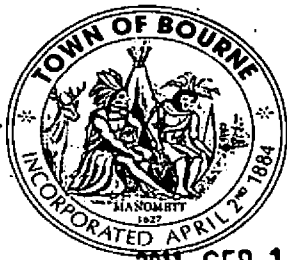
Location
Bourne Middle School Library
77 Waterhouse Road
Bourne, MA 02532

ISWM WORKSHOP

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, they need to acknowledge such at this time

6:00 - 6:20 (Items 1-3) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Licenses/Appointments:
 - a. BBBG Polar Express – Use of Town Property
 - b. BBBG Scare Crow Festival – Use of Town Property
 - c. BBBG Pumpkin Carving – Use of Town Property
 - d. MMA One Day Liquor 10.12.11
 - e. Rescind Licenses – Striper Fest
 - f. Appointment Election Clerk – Lorraine S. Young
4. Wind legislation – Bill # H1775 – discussion and possible vote
5. ISWM Workshop
6. Adjourn



Board of Selectmen Meeting Notice AGENDA



2011 SEP 16 PM 12 35

Date TOWN CLERK'S OFFICE
Tuesday BOURNE, MASS
September 20, 2011

Time
6:00 p.m.

Location
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6. Adjourn

Capital Outlay subcommittee to be established in May after Annual Town Meeting
Fire Overtime – review
Tim Mullen to bring recommendation/s to future agenda item

Board of Selectmen
Minutes of September 20, 2011
Bourne Veterans' Building
Buzzards Bay MA 02532

*****2011 OCT 13 PM 3:10*****

TA Guerino

TOWN CLERK'S OFFICE
BOURNE, MASS

Donald Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

- House Bill #1775 – Executive Summary – 3 pages

Meeting called to order

7:00pm

Moment of Silence/Salute the Flag

Licenses/Appointments

a. Buzzards Bay Beautification Group

Ford MOVED and SECONDED by Sloniecki to approve the BBBG request to use Buzzards Bay Park for the 4th Polar Express Event and Lighting with DPW on 12/8/11 between 4:00 pm – 9:30 pm, waiving all fees and per routing slip. VOTE 5-0.

b. Scarecrow Festival

Meier MOVED and SECONDED by Sloniecki to approve BBBG request for the 4th Annual Scarecrow Festival on 10/7/11 between 10/30/11 along Main Street, waiving all fees and per routing slip. VOTE 5-0.

c. Buzzards Bay Beautification Group

Ford MOVED and SECONDED by Sloniecki to approve BBBG request for use of Bourne Town Hall Parking Lot for pumpkin carving display and contest on 10/29/11 between 12:00 pm – 5:00 pm, waiving all fees and per routing slip. VOTE 5-0.

d. Bourne Financial Development Group – one day liquor license

Ford MOVED and SECONDED by Sloniecki to approve BFDG request for one day liquor license at Mass. Maritime Academy for all alcohol on 10/12/11 from 4:30 pm – 7:00 pm per routing slip. VOTE 5-0.

e. Rescind license – Striper Festival

Ford MOVED and SECONDED by Baldwin to rescind license on the water for the Striper Festival due to Striper Festival being relocated from Bourne to 35 Technology Drive in E. Falmouth, MA. VOTE 5-0.

f. Election Clerk

Baldwin MOVED and SECONDED by Meier to approve appointment of Loraine Young as Election Clerk for a term to expire 6/30/12 on recommendation of Town Clerk. VOTE 5-0.

House Bill #1775 – Proposed Regulation for Land-based unit projects

All Selectmen received proper documentation (short Executive Summary) from President Murray's office. Sloniecki requested item to be put on the agenda and read into record said Executive Summary. He would like proposed regulation to remain in local control of the Boards in the Town and remain under Bourne's permitting process. The second meeting for said regulation will be held on 10/20/11 at the Cape Cod Community College. Sloniecki read into record the introduction of proposed regulation.

Sloniecki MOVED and SECONDED by Meier to vote in opposition of House Bill #1775 and send notice to Senate President Therese Murray's office and legislature, as well for Sloniecki and Meier to take copy of said vote to the 10/20/11 second hearing at Cape Cod Community College. VOTE 5-0. *TA Guerino said the Town of Bourne is on record on having a long history for as long as this proposed regulation has been around to be in opposition for loss of control.*

Board of Selectmen took brief recess before moving into joint meeting.

Joint Meeting of Selectmen/FinCom/Board of Health/Energy Advisory Committee/ISWM Working Group/Capital Outlay Committee

Michele Ford, Mary Jane Mastrangelo, John Redman – FinCom; Stanley Andrews, Skip Barlow – BOH; Bob Schofield – EAC; Phil Goddard, Dan Barrett – ISWM; Mr. Ware and several members of the Capital Outlay Committee in attendance.

Selectmen meeting reconvened. Chm. Pickard said this joint meeting is to provide update of the progress of the Business Model of the ISWM Working Group and to provide with ISWM Article on the Special Town Meeting of 10/17/11. This was prepared by Phil Goddard and Dan Barrett. Essentially, the ISWM Working Group would like the key stakeholders from each of the committees to know what to expect and to be prepared for any questions from voters prior to Town Meeting.

The Working Group has developed three (3) draft RFPs discussing: land, gassification, leachate evaporation, and equipment. Phil Goddard and Dan Barrett have been working with Commonwealth Resource Management. Town Counsel has reviewed submitted Warrant Articles and has provided a review and has checked compliance with 30B providing comments. RFP language and RFP are being refined. Serious vendors have been giving feedback to Commonwealth Management and Mr. Barrett. Town Counsel strongly urged the Board of Selectmen to seek Town Meeting approval specifically authorizing Selectmen to issue the RFPs and to enter into a 25-year negotiation. ISWM Professional staff has been working closely with the Cape Cod Commission and MEPA in Boston to make sure permitting is clear.

ISWM recently finished their air emissions modeling with a consultant and is about to apply for a major comprehensive air plan approval from the DEP which will take several months. Therefore, the reasons for the issuances of the RFPs have been delayed to late January 2012 with a final selection sometime in May 2012.

The Selection Committee for the successful vendors will be Mr. Schofield (EAC), Mr. Redman and Mr. Were, Dan Barrett, Phil Goddard and Mr. Arson, the consultant. It is important to note that no lease will be signed until the Board of Health has reviewed proposals and issued a decision of the proposals have complies with their finding and other conditions they have imposed.

At the Special Town Meeting, the ISWM Professional Staff will provide a 15-minute presentation to review history of what ISWM does, how they got to where they are, and what the Articles are asking for. There will be two (2) Articles and final wording is being developed by Town Counsel. Chm. Pickard turned the meeting over to Mr. Barrett.

Mr. Barrett said the main goal was to provide information and to get feedback from the people sitting here tonight. He said originally ISWM had hoped to get the RFPs out before the end of this year (2011). Before expanding the landfill further, ISWM needs to go back to all regulatory boards prior to formally submitting permanent approval. Great success with Massachusetts Environment Policy Act Unit (MEPA) and gave break down, they want ISWM to file a Notice of Project Change to consider the landfill footprint first, brings them up to speed of what ISWM has been doing for the past 10 years and gives them a background. Once received, ISWM can be developing the RFPs moving forward. When ISWM gets to a point of a definite vendor, then ISWM can ask MEPA for approval of a Notice of Project Change. In summary, they are speeding up the process.

Mr. Goddard added that one of the terms discussed was "de-risk" for local Boards understand what ISWM is proposing to do, as well as State and local permitting paths, which is almost pre-approving process before moving forward. MEPA macro-manages the issues involved. Since receiving original approval, regional policy has changed. One of those changes is a developmental agreement between entities (Town of Bourne and the Cape Cod Commission) that is good for 12 years to implement plan and provides certainty with the Cape Cod Commission going forward. Cape Cod Commission is comfortable working with ISWM.

Mr. Goddard said the two (2) Articles basically are to authorize the Selectmen to issue the RFPs for the purposes of leasing land and buildings for a period of up to 25 years, and to further authorize the Selectmen entering into negotiations including discussions of payments in lieu of taxes for landfill gasularization or for land, and for vendors to come in and develop their technology.

Sloniecki inquired about the timetable and what happens after May 2012. RFPs issued and then reviewed, moving forward ISWM will begin site lease negotiations.

Mr. Barlow (BOH) commended the paths ISWM is taking for this process to run smoothly.

Chm. Pickard stated the processing would enhance the price for the vendors at which they expect to be at. Mr. Barrett said that all systems are in place (sewer, septic, fire) is all there and a full package. Mr. Goddard said the goal is to have citizens of the Town to want the Selectmen to move forward.

Ms. Ford (FinCom) inquired about the Cape Cod Commission's role. Mr. Barrett said when he and Mr. Goddard approached CCC, they were told "this will happen". Mr. Goddard added that the development agreement will go for 12 years and CCC is well up to speed and a good momentum going.

TA Guerino said that the meeting with Atty. Troy put ISWM in a good position to move forward. Also, Executive Director of CCC has been extremely positive.

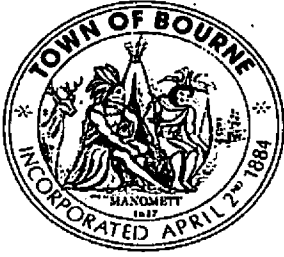
Ms. Mastrangelo (FinCom) inquired if ConCom has been involved with process and Mr. Goddard said there are no issues on site for ConCom. She also asked about traffic, which Mr. Barrett said will move forward and have been working with a traffic evaluation in case.

No further questions or comments from the Boards and Committees.

Adjournment

Ford MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 8:00 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen
2011 Meeting Notice



TOWN CLERK'S OFFICE
AGENDA
BOURNE, MASS

6:20 P.M. - Executive Session - Contract Negotiations
regarding ISWM

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday September 27, 2011	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 videotaping, they need to acknowledge such at this time

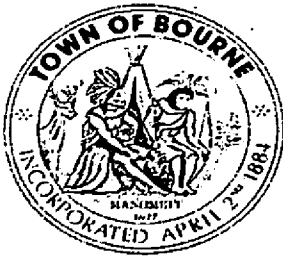
7:00 - 7:15 (Items 1-5) Call to order .

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment - Non-Agenda Items
4. Minutes : 7/5/11, 9/6/11, 9/20
5. Correspondence
6. Licenses/Permits - Appointments
 - a. Change in Manager only for Cranberry's LLC
 - b. Bylaw Committee/Energy Advisory Committee- Frank M. Kodzis
 - c. Discussion and vote on waiver of fees for the Physic Fair - Friends of the Council on Aging
7. 199 Herring Pond Road Acquisition Sign Purchase and Sale
8. Presentation of Richard Conron - Open Space Spending Concerns
9. Joint Meeting with Open Space Committee
10. Outhaul discussion and possible vote
11. Review and sign Special Town Meeting Warrant
12. Town Administrator's Report
 - a. Vet Clinic - Sagamore Fire Station
13. Selectmen's Business
14. Adjourn

Capital Outlay subcommittee to be established in May after Annual Town Meeting

Fire Overtime - review

Tim Mullen to bring recommendation/s to future agenda item



Board of Selectmen Meeting Notice



AGENDA

6:00 P.M. - Executive Session – Contract Negotiations regarding ISWM – TA Contract

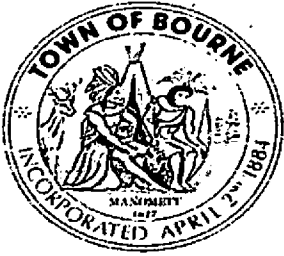
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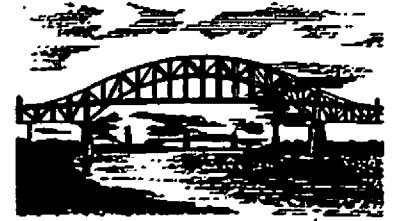
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TOWN CLERK'S OFFICE
BOURNE, MASS.
2011 SEP 23 PM 2:15



Board of Selectmen Meeting Notice



AGENDA

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TOWN CLERK'S OFFICE
BOURNE, MASS.
2011 SEP 23 PM 2:42

Capital Outlay subcommittee to be established in May after Annual Town Meeting

Fire Overtime - review

Tim Mullen to bring recommendation/s to future agenda item

Board of Selectmen
Minutes of September 27, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 OCT 25 AM 10 44

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

- None

Meeting called to order

7:00pm

Moment of Silence/Salute the Flag

Public Comment – Non Agenda Items

None.

Approval of Minutes

Sloniecki MOVED and SECONDED by Ford to approve minutes of 7/5/11 as submitted.
VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to approve minutes of 9/6/11 as submitted.
VOTE 5-0.

Sloniecki MOVED and SECONDED by Ford to approve minutes of 9/20/11 as amended
(correction of Chm. and V. Chm.). VOTE 5-0.

Correspondence

Meier read correspondence into the record. A copy of all correspondence is available at the
Town Administrator's Office.

Item C – Ford said having a long standing policy with regarding to anonymous letters to the
Board and never should have been entertained. Sloniecki for the record said the Selectmen
have no intention of shutting down the Food Pantry. He further stated that when he first took
office six years ago, and today his contact information [(774) 313-8888; 9: am – 9:00 pm, 7
days/week] for people to discuss issues with him as he and the Board are concerned about the
Town issues.

Sloniecki MOVED and SECONDED by Ford to not allow anonymous correspondence be sent to the Selectmen. VOTE 5-0.

Item – Opinion of Atty. Troy in regard to the Board of Trustees setting fees at the Community Building. It is to go through the Selectmen.

Licenses/Appointments

a. Cranberries, LLC- Change of Manager

Jake Jakeman, Pocasset, one of the owners and soon-to-be manager of the Restaurant.

Sloniecki MOVED and SECONDED by Meier to approve the Cranberries, LLC request of Change of Manager per request and per routing slip. VOTE 5-0.

b. Meier MOVED and SECONDED by Sloniecki to approve BBBG request for the 4th Annual Scarecrow Festival on 10/7/11 between 10/30/11 along Main Street, waiving all fees and per routing slip. VOTE 5-0.

c. Buzzards Bay Beautification Group

Ford MOVED and SECONDED by Sloniecki to approve BBBG request for use of Bourne Town Hall Parking Lot for pumpkin carving display and contest on 10/29/11 between 12:00 pm – 5:00 pm, waiving all fees and per routing slip. VOTE 5-0.

d. Bourne Financial Development Group – one day liquor license

Ford MOVED and SECONDED by Sloniecki to approve BFDG request for one day liquor license at Mass. Maritime Academy for all alcohol on 10/12/11 from 4:30 pm – 7:00 pm per routing slip. VOTE 5-0.

e. Rescind license – Striper Festival

Ford MOVED and SECONDED by Baldwin to rescind license on the water for the Striper Festival due to Striper Festival being relocated from Bourne to 35 Technology Drive in E. Falmouth, MA. VOTE 5-0.

f. Election Clerk

Baldwin MOVED and SECONDED by Meier to approve appointment of Loraine Young as Election Clerk for a term to expire 6/30/12 on recommendation of Town Clerk. VOTE 5-0.

Outhaul Discussion and Possible Vote

Ford MOVED and SECONDED by Sloniecki to take Item 10 - Outhaul Discussion out of order. VOTE 5-0.

Chm. Pickard said it has come to the attention of the Board that some residents of Patuisset have three items they are requesting be change in the Waterways Regulations.

John White, Don Tibbets, and Russell Hart, all of Pocasset, here tonight to address the policy of the moorings called outhauls. Mr. White stated that in 2001, Selectmen at the time took away

outhaul right users using town land. Everyone who had an outhaul permit on public property would not be allowed to renew.

Chm. Pickard read into record the three issues with regard to the Waterway Regulations that Mr. White is bringing before the Board:

1. Owners of shorefront property need Bourne's permission to install an outhaul (process takes about five (5) years) – Owners of shore property be allowed to install an outhaul immediately with no wait period;
2. Outhauls do not pass to heirs other than the spouse – Allow outhauls to be passed on to children and grandchildren upon or before death;
3. Bourne has indicated outhauls removed from town-owned land (some outhauls have been there for over 80 years) – Town allows outhauls on town-owned land.

Ford asked Mr. Mullen, DNR Director how this all happened. This all began at Monument Beach with outhauls having been removed which were called the "Senior Section". Mr. Mullen said there is a designated area included in the Shellfish Regulations, but it is not designated "seniors only". Mr. Ford asked if someone had an outhaul where would it be placed. Mr. Mullen said to the right of the boat ramp. Mr. Mullen stated no issues with public land for a period of 10 years. Mr. Ford asked what would be the detriment to the Town to not allow. Mr. Mullen said if you are looking to install where there is a waiting list, require they be on a waiting list like everyone else.

Mr. Mullen said the only issue is going back to the Policy adopted by the Board in 2001 that stated no outhauls are to be permitted on public land. To the best of his knowledge, if had an outhaul on public land or on private land without Bourne's permission, those are the only outhauls that are targeted.

Ford inquired about the difference of the sale of a marina with outhauls included and an outhaul by private citizen. Mr. Mullen said the nature of a boatyard that has 300-500 commercial permits to not allow the transfer. He also said that homeowners can pass down their outhauls to the next homeowner if they are Chapter 91 licensed outhaul (always had an option to go through DEP and record on your deed at the time of the sale).

Sloniecki asked about any safety issues with regard to outhauls. Mr. Mullen said generally there are none.

Sloniecki asked if Mr. Mullen is opposed to the transfer of outhauls to the surviving spouse. Up until 2007 outhauls were not transferred to a surviving spouse (in addition to the property). Most decisions then were made at the discretion of the Harbormaster. Now it falls back on the Policy.

Sloniecki asked Mr. Mullen how many people have lost their outhauls due to the Policy. Mr. Mullen said there have been permits that couldn't be transferred, but he couldn't give an exact number.

Mr. Tibbets answered in the Patchawissit area it has been 8-10 outhauls permits that have been lost due to said Policy. He is asking for the transfer between families.

TA Guerino stated that the Board cannot change Policy tonight. This requires a public hearing, go through the normal course of events to change. Meier would like to get issues on an agenda sooner rather than later. TA Guerino said this is more of a fact finding issue.

Meier requested a public hearing for discussion and possible vote.

Sloniecki MOVED and SECONDED by Meier that the Selectmen hold a public hearing on 11/8/11 at 7:15 pm for the purpose discussion and possible vote on the Policy of outhauls and moorings. VOTE 5-0.

Mr. Agrillo inquired clarification of professional staff. He is in opposition of outhauls.

Mr. Webster asked for clarification of hearing addressing passing of outhauls to children and grandchildren.

Mr. Sherwit asked if a summer resident can vote. Chm. Pickard said non-residents will have the opportunity to speak.

Mr. Cruise, Pocasset, asked if differentiate outhauls on private and public land. He also asked about outhaul hearing, if it is continued, what happens January 1st, 2012. Sloniecki said he could ask for a stay of execution of that particular issue.

Chm. Pickard asked Mr. Mullen if it makes sense to reclassify as outhauls and not moorings. Mr. Mullen said they would be classified the same. A total of 26 outhauls are on town land; 18 are in Hen's Cove.

Sloniecki requested a room that can accommodate seating. Ford suggested digital boxes for people at home can watch.

Ms. Curtis asked if the report be on the website. TA Guerino said hard copies can be produced as well. She also asked about her mooring permit where she and her sister are co-owners. Sister is listed on registered on mooring permit. She would like to use the word "family" can be a sibling. Chm. Pickard said this can be addressed at the public hearing.

Mr. Mulvey suggested to accommodate the meeting, asked if the meeting can go out live on screen in the library to use an as annex for the hearing date. Ford said that was what he was discussing with regard to the digital box.

Chm. Pickard stated public meeting on 11/2/11 for discussion.

Sloniecki MOVED and Meier SECONDED for a brief recess. UNANIMOUS VOTE.

Chm. Pickard called meeting back to order.

Licenses/Permits

b. Energy Advisory Committee

Meier MOVED and SECONDED by Meier to appoint Mr. Frank Kodiz to both the Bylaw Committee for a term to expire 6/30/14; and the Energy Advisory Committee (EAC) for a term to expire 6/30/12. VOTE 5-0.

c. Psychic Fair – discussion

Lisa Laney, VP of the Friends, Carol MacDonald, Pres. of the Friends. Ms. Laney read into record letter request for waiver of fees and Friends asking for compromise for the need of fees.

Sloniecki asked about a fee structure on the Community Building. TA Guerino said there is one for the weekend fee. He's asked if any fees have been waived in this building. TA Guerino said here has never a request. Ford pointed out that there was never a fee charged prior and said having a Council on Aging on the premises there may not be a fee to be charged. The fee was specifically for the SWISH league, but someone not belonging to the Community Building.

Ford MOVED and SECONDED by Sloniecki to approve the Friends of Council on Aging requesting waiver of fees for both the Psychic Fair on 10/8/11 and the Annual Holiday Fair on 11/5/11 with the stipulation to clean up, carry in and carry out, per routing slip. *Baldwin said Town Counsel opinion made in 1946 stated the Selectmen have the right to set fees, however, it would not be fair for other charitable organizations to waive fees where funds will be raised. Meier said without the Friends there would be no Community Building today, but in the future there may be a time when fees will be more structured.* VOTE 4-1 (Baldwin opposed).

TA Guerino said the President, VP of Friends are meeting with him on 10/6/11 to discuss the Kitchen clarification to move forward on fee structure and to present to the Selectmen.

Sign Purchase & Sale – 199 Herring Pond Road Acquisition

Purchase and Sale Agreement as drafted and approved by Town Counsel. No building structures and part of what the Town has been doing with Open Space through the CPC for the Town's benefit.

Sloniecki MOVED and SECONDED Baldwin the sale of the sale and acquisition relative to the property at 199 Herring Pond Road. VOTE 5-0. *BOS to sign document at the end of the meeting*

Open Space Spending Concerns – Richard Conron

Mr. Conron supports the CPC efforts to acquire land and to keep the rural character of the community. He hasn't seen a number of articles acquiring land in a number of years and questioned why taxes are being paid if no action is moving forward.

He referenced his memo, saying the Town is sitting on over \$6M in cash for Open Space and asking for the Selectmen's assistance. He said there is no information in Town Reports that can demonstrate the activity that is going on with the pursuit of purchase of land. There is no information in the Town Reports that talk about parcels available, number of parcels investigated, how many owners were contacted, all of which are basic metrics that should be available to the public.

Mr. Conron went to the Open Space and Recreation Report to get these answers. In 2008 talks about goals, objectives, creating property lists, etc. to try to promote acquisition of property.

If the Town is going to sit on the \$6M, he suggested the Town put 3% towards a new Police Station. The fact the Town cannot spend the money that is collected from the citizens of Bourne is an issue.

Sloniecki asked Barry Johnson touch base on some of the points raised by Mr. Conron. Mr. Johnson said after presentation hopefully will answer some of the questions.

Joint Meeting of Selectmen/Open Space Committee

Open Space Committee presentation includes:

Current Members – currently have 10 members are re-energized.

Executive Order – 99-01, Open Space Committee shall be made up of a maximum of 13 members. "... shall recommend acquisition and interests in real property." In making recommendations of any acquisition, the committee shall use as a guideline local and regional open space plans, master and local comprehensive plans.

Local Comprehensive Plan Section 8.2 – "promote acquisition and preservation of key parcels of land for protection of groundwater supplies, coastal wetlands, wildlife habitat and other natural resources, and to maintain the appearance of Bourne's rural character"

Parcels available – Section 9.1- color coded status of action items. Red – completed; Green – in progress. Some of the items are dependent are many of other committees in the communities. Mr. Johnson said the OSC is working and will continue to work on projects.

Potential Open Space Acquisitions in the Town map which began in 2004/2005 and has come forward and has been updated. Ms. Moore, Town Planner, has offered to coordinate and track for the OSC. Have a possible acquisition in the very near future which will be brought to the

next Town Meeting. This listing is currently is 42 possible acquisitions to be considered, some were purchased, so OSC are currently reviewing.

Parcels purchased - In Cape Cod Land Bank Summary from 1998-2007, up through 2007, Bourne ranked 6th out of 15 towns acquiring parcels and the rate of acreage (Bourne's rate/acre was \$17,133). Bourne was shown as 1 of 5 towns that were "winners" as able to negotiate prices and keeping them reasonable.

Current OSC Activities - The OSC had a large advertisement in the Bourne Enterprise last week seeking nominations for parcels.

Mr. Johnson said the figure Mr. Conron raised in his letter and presentation tonight is not the \$6M, but actually is \$3,025,548,000. The Town Meeting Article of \$3.2M is there and authorization is still there to acquire parcels out in the Mashnee Island which should not be included in the \$6M figure. Financial Director Linda Marzelli has confirmed.

Mr. Johnson said Penny Meyers who is on the OSC is looking to serve on the Community Preservation Committee (CPC), who will be the 4th member of the OSC to serve on the CPC.

Mr. Johnson turning presentation over to Mr. Andy Cooney of the CPC to discuss Little Buttermilk Bay Woods (Henshaw property) which was acquired in 2007:

Little Buttermilk Bay Woods

- Public trails
- Parking lot
- Maps
- Boy Scouts
- Signs
- Eastern Mountain Sports volunteer work

Once access from Head of the Bay Road by Jack MacDonald as project manager; developed trails on parcel by Red Reinhardt as project manager; and Penny Meyers as project manager for signage identifying trails to enjoy the property.

Eagle Scout candidate Tim Kennedy of Troop 49 and Troup 79 was offered to develop his project of taking an old boathouse and converting to an observation deck. Local builders Mr. Wing and Mr. Bilodeau; Funds from CPA to purchase materials to build observation deck; Tim Mullen, DNR, found resources to coordinate to have Scouts bring materials over; and Mr. Mulvey allowing access from his property to get the job done. Deck is expected to be complete in two weeks.

Current OSC Activities:

- Three-Mile Look

- Canal Crossways - planned improvements in coordination with Cape Cod Centennial Celebration in 2014
- Great Herring Pond – access improvements and construct deck overlooking pond
- Monk's Park – signage and trails
- Open Space advertisement – seeking potential parcels in accordance with LCP and the OPS/Recreation Plan

The OSC currently has 6/7 parcels in the works and some things have to remain in Executive Session.

Mr. Johnson said when the Cape Cod Land Bank was converted by all 15 towns that adopted the CPA; the earliest communities can vote to get out of the Land Bank is the year 2020. The four things CPC money can be used for (Historic, Open Space, Recreation, and Community Housing) are frozen as far as recreation due to a court case. Legislation making its way called the Act of Sustained Community Preservation – OSC and CPC has voiced full support to said Act.

Joan DeLapp, Gray Gables, is appreciative of the OSC/CPC presentation tonight. She suggested going towards more on the commercial side, a lot abutting Gray Gables Beach would be well worth money into.

Mr. Majewski, Monument Beach, asked about real activity over the last couple of years, as this is a great opportunity to generate interest in these economic times.

Mr. Johnson said the Town signed P&S at the Herring Run in Bourne which was just voted at this past Town Meeting.

Meier MOVED and SECONDED by Sloniecki to take Item 12A out of order. UNANIMOUS VOTE.

Town Administrator's Report

Clinic at the Fire Station in the past, and has a conflict to have this portion at the Fire Station. The whole idea of the clinic was to provide a place to go to afford a vet. There have been some concerns by the Fire Department relative to animal waste and urine.

TA Guerino was notified on 9/16/11 of a health issue found by Chief Green. On 9/20/11 TA Guerino spoke with vet who admitted no custodian cleaned that week and the previous week. His concern is the health and safety of the Fire Departments or Scouts. While the clinic is providing a good service to the Town, he believes the clinic can be moved to the Hoxie School.

Sloniecki said he was opposed to the clinic being moved to the school, and now hearing upon this latest incident, he concurs with TA Guerino.

Ford and Meier are in favor of the move of the clinic to Hoxie. Meier hopes to get some revenue stream with the proposed moved. TA Guerino said a fee has not been charged because of the sliding scale. If the Board will entertain a fee, he will do so. The clinic has grown

since it first began. Clinic prepared to move to the Hoxie on 10/12/11. Ford and Baldwin concur with Meier on imposing a fee.

Chief Green commented on vet being the victim of his success. The few times TA Guerino met with the vet, Chief Green followed up with visits. His concern with wear and tear of the furniture being used as the waiting room.

Sloniecki is concerned with where the clinic will be set up at the Hoxie and the potential damage. If the clinic is that busy, maybe the vet should come before the board to discuss. TA Guerino said the area is tiled area, no upholstered chairs and set up for heavy traffic. He believes a fee schedule can be set up.

Sloniecki requested from the vet how much his annual salary is from the clinic; how he will set up the clinic, Board of Health concerns. Meier would also like the vet to come before the Board to determine a fee schedule.

Ford would like a plan from the vet to keep the area clean and is in favor of a fee schedule.

Sloniecki raised issue of moving issue from one building to another building. Chm. Pickard raised supervision 24/7 at the Fire Station and will not have at the Hoxie School and asked if the Selectmen are doing an injustice to the other veterinarians who pay for their business.

Meier MOVED and SECONDED by Baldwin to not allow the clinic move to the Hoxie as scheduled until the vet come before the Board to speak on the privilege of using the Hoxie School. *Sloniecki had concerns with people using the clinic who deserve to be there and suggests to move in and then bring before the Board. Chief Green envisioned the clinic a short-term basis and his concerns are the clinic being in limbo before Selectmen discussion. Ford said there is a meeting 10/5/11 scheduled which will be before the move to the Hoxie (10/12/11). Ford also said that the vet can guarantee to the Board to keep the place clean and pay fee, the BOS may be agreeable to the move.*

Mr. Majewski, Monument Beach, raised concerns about safety, costs and liability to the Town. TA Guerino said there is a Certificate of Insurance from the clinic. VOTE 5-0.

Sloniecki MOVED and SECONDED by Baldwin that applicant fill out and submit a routing slip. VOTE 5-0.

Review and Sign Special Town Meeting Warrant

This is a 21 Article Special Town Meeting.

Sloniecki MOVED and SECONDED by Baldwin to take Article #14 out of order. UNANIMOUS VOTE.

Article 14 – Utilize \$15 beach parking permit on designated beaches to fund lifeguards

Selectmen need to make a determination whether to increase beach sticker rate.

Meier suggested looking at traffic enforcement.

Ford believes the fee could go up to \$20. He asked TA Guerino to report back many parking spots are available, but believes monies should come out of the General Fund for the purpose of lifeguards.

Sloniecki MOVED and SECONDED by Ford to pull Article 14 out of the Special Town Meeting Warrant. VOTE 4-1 (Meier - opposing).

Ms. Bobby Dwyer expressed concerns of being able to have public discussion on Article 14.

Mr. Majewski said parking fees allocated to fund lifeguards is insurance of a commitment to add lifeguards and suggested increases from non-residents for paying for a portion. Chm. Pickard said that if the fee was doubled, people may only one beach sticker.

A citizen (name inaudible) asked clarification on vote and increasing of beach sticker fees timeline.

Article 1 - \$2,000 to get a professional into the building 36 County Road. CPC would like opportunity to do an appraisal on ceiling.

Article 2 – Provide \$1,000 to Treasure and Collector for salary as recognition of being certified by the Commonwealth. Ford asked if these positions will still move forward if they are not certified and if they will lose \$1,000 if not certified – TA Guerino will get clarification.

Sloniecki MOVED and SECONDED by Meier to approve Article 2 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Article 3 – Easement for septic system on Circuit Avenue
Ford MOVED and SECONDED by Sloniecki to approve Article 3 in the Special Town Meeting Warrant on 10/17/11. VOTE 5-0.

Article 4 – Road Betterment
Private owners will pay the Town back with interest.

Ford MOVED and SECONDED by Sloniecki to approve Article 4 in the Special Town Meeting Warrant on 10/17/11. VOTE 5-0.

Article 5 – To reinstate Article that anything take in excess of \$450,000 from Landfill host community fee put in the capital expenditure stabilization fund.

Ford MOVED and SECONDED by Sloniecki to approve Article 5 in the Special Town Meeting Warrant on 10/17/11. VOTE 5-0.

Article 6 – Authorize Revolving Fund for the Council on Aging
New Revolving Fund for Council on Aging for Council related activities.

Sloniecki MOVED and SECONDED by Meier to approve Article 6 in the Special Town Meeting Warrant on 10/17/11. VOTE 5-0.

Article 7 - Supplemental Budget

Human Resources Expenses - \$26,000. \$6,000 – training supplement for LIUNA contract. Some examples: wastewater treatment certification, training for George Tribou for future retirement replacement. \$20,000 – wage and classification and job description and quantitative methodology for upgrade of position; RFP to be put together by Human Resource Director to have written policy and system developed. 2007 found starting wages low ending wages okay. In these economic times we need to evaluate and re-align wages, steps, etc.

Discussion on putting the additional \$20,000 off to the Annual Town Meeting.

Sloniecki MOVED and SECONDED by Ford to keep the \$6,000 for the Human Resources Expense Fund and not fund the additional \$20,000 for the consultant. VOTE 5-0.

Selectmen Expenses for controlled services - \$3,000.

Town Administrator Expenses for contracted services to pay for - \$2,000 (interim working on succession planning).

Community Building Expenses - \$17,500 (no overtime). \$15,000 – majority related to supplies and drugs which were replaced by hospitals but now need to be purchased. Some of the cost will be collected through fees. \$2,500 – when power went out servers/wireless. This provides use of mifi wireless in emergency (One time \$2,000 equipment cost - \$40/month line charge. \$2,500 each for DPW, Fire Department, Police Department).

Fire Department wages - \$6,000 to cover absence of administrative secretary.

Meier with regard to the FD \$6,000 disclosed that his mother is an employee of the Town of Bourne as Administrator Assistant in the FD and has 58 days in the books and was told she needs to spend. This line item is to perform to do that task.

Sloniecki MOVED and SECONDED by Ford to approve line item Fire Department wages of \$6,000 as outlined. VOTE 4-0-1 (abstention-Meier).

Emergency Preparedness Wages - \$7,000 for EMS Director who must attend monthly meetings. Increase from \$5,000 to \$12,000.

Lifeguard Wages - \$10,000 to get up and running for June (lifeguards in June 2012).

Police Expenses - \$2,500 (same as Fire Department for emergency wireless)

DPW Expenses - \$2,500 (same as Fire Department for emergency wireless).

Human Services Org. - \$5,395.00 to correct error in request for budget this year that was missed. Gosnald - \$4,545; Site loss - \$300; Youth Council - \$550.

Fuel and Gas - \$5,500 to supplement budget due to cost.

Ford MOVED and SECONDED by Sloniecki to approve Article 7 as amended without the \$20,000 Human Service Expense. VOTE 5-0.

Article 8

TA Guerino recommended pulling article.

Sloniecki MOVED and SECONDED by Ford to pull Article 8 from the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Article 9

Capital Outlay Expenditures. TA Guerino explained that ISWM gas extraction wells (\$375,000 transfer from closing fees). Library furnace \$20,000 - \$16,000 for installation small charge for furnace and contingency.

Article 10

Planning Board next week.

Article 11

Planning Board next week.

Article 12

To transfer tax title property to ConCom. Some tax title property to be soled, some goes to Housing Authority. These parcels will go to ConCom. Most are too small to be buildable or are drainage areas.

Article 13

Estimated cost is about \$600,000. Town would have to match \$125,000. If money is available from USDA, we would need to match, need to be shovel-ready to get the funds from USDA. If funding from USDA is not available, funds would be returned. To be funded from Free Cash or Stabilization.

Ford MOVED and SECONDED by Sloniecki to approve Article 13 of the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Article 15

TA Guerino said Article needs to read to the "Bourne Housing Authority" not "Affordable Housing Trust". Meier said this is a deed change.

Article 16

Energy Coordinator (EC) position. TA Guerino said Selectmen will sponsor for Energy Committee. Request for \$15,000 article for 10-15 hours/week to continue Energy Coordinator after grant expires. TA Guerino said this contract has expired (funded by grant money) and is carrying EC on his budget until 10/17/11. Ford said CE brings in more money to the Town than the cost. Extension is for the purpose of the CE to finish up work on the Library.

Ford MOVED and SECONDED by Meier to approve Article 16 of the Special Town Meeting Warrant of 10/17/11. *Sloniecki asked if someone else could do this work if given the opportunity and was told yes. Chm. Pickard asked when the funding ceased and was told 2 weeks ago. Ford said EC does a fantastic job. TA Guerino said this is on as the Town was not adding any more employees, but little money for the work. VOTE 4-1 (opposed-Sloniecki; for the opportunity of other candidates to apply and not for the work that has been done.)*

Article 17 and Article 18

TA Guerino said the sale of property, surplus, on Cody School towards down payment on DPW facility.

Meier asked when the next meeting would be regarding the DPW facility and the names of members serving on the Committee. TA Guerino to put on a future agenda item.

Ford MOVED and SECONDED by Sloniecki to approve Article 17 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Ford MOVE and SECONDED by Sloniecki to approve Article 18 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Article 19 and 20

Chm. Pickard said these are ISWM articles for RFP's. For Article 19 to lease parcel for alternative integrated. For Article 20 to lease portion of property at ISWM for landfill gas utilization facility. TA Guerino explained that the ISWM Future Working Group has done an excellent job and has worked hard over the last year.

Ford MOVED and SECONDED by Sloniecki to sponsor and approve Article 19 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Ford MOVED and SECONDED by Meier to approve Article 20 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Chm. Pickard asked how many articles are designated as necessary to conduct the Town's business. TA Guerino said the Supplement Budget Article, Articles 19 and 20, and one other.

Article 21 – replenishment of Article; buy outs when employees retire so it doesn't come out of the Department budgets. TA Guerino said there is and was on the Warrant and disappeared.

Meier MOVED and SECONDED by Sloniecki to approve Article 21 on the Special Town Meeting Warrant of 10/17/11. VOTE 5-0.

Mr. Mulvey asked the Selectmen to look at Article 6 (Council on Aging) for intent and its implementation. He will discuss later with TA Guerino for his own clarification.

Town Administrator Report – continued

Memorandum dated 9/23/11 voted by the Cape Cod Commission (CCC) with regard to the Metropolitan Planning Organization in which Peter Meier indicated seeking this post. Each Selectman in the four towns received a ballot. The Town of Falmouth chose to vote by Committee by the Board (one vote of the Town). Bourne protested to both the Executive Director of Commission and the Town of Falmouth has questioned whether vote by ballot was a violation of the Open Meeting Law. The Committee has set up a new voting procedure where there will be nominations and a vote taken on 10/17/11 at a place to be determined (County Complex). Anyone interested, need to be present at nomination and vote on that particular day. TA Guerino will make the Board aware as he gets more information.

Selectmen Business

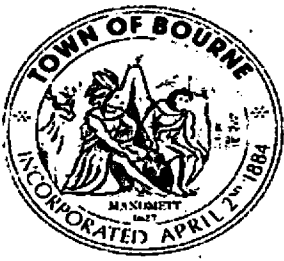
Due to the late hour, it was the consensus of the Board to pass on comments under Selectmen Business.

Mr. Mulvey suggested the Selectmen request from Comcast to provide and install digital boxes to activate for the TVs in the Community Building for the public hearing regarding outhauls. TA Guerino said the boxes have been ordered.

Adjournment

Baldwin MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:45 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



Executive Session 6:00 – Litigation-Contracts

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 4, 2011	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, they 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. Correspondence
5. Committee Reports - Planning Board Chairman – Route 2878 Repaving and repairs.

2011 SEP 30 PM 4 20
TOWN CLERK'S OFFICE
BOURNE, MASS

6. Licenses/Appointments

- a. Board of Appeals Associate – Thomas C. Armstrong
- b. MMA-Brookside Community Event – 1 Day Liquor License
- c. MMA-Jonathan Bourne Public Library – 1 Day Liquor License
- d. Chartwells@ MMA – Women on the Water - 1 Day Liquor License

7. Miller – Courtyard Entertainment License Hearing

8. Vet Clinic - Discussion and Possible Vote

9. Beach Street and Shore Road Parking – Discussion and Vote

10. Town Administrator Report

11. Selectmen's business

- a. TA Contract amendments
- b. Other

**Board of Selectmen
Minutes of October 4, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532**

2011 NOV 4 AM 11 49

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

John Ford, Chairman
Don Pickard, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:
None

Meeting called to order
7:12 pm

Moment of Silence/Salute the Flag

Correspondence

Meier read correspondence into record. A copy of all correspondence is available at the Town Administrator's office.

Item H – requested to be made available to the public.

Item G – Ford read into record beach, location and number of spaces for the public. There is a total of 290 spaces available in Town.

TA Guerino said discussion on beach stickers will be on the next Selectmen meeting of 10/18/11.

Committee Reports – Planning Board – Route 28/6 Repaving and repairs

Chris Farrell, Planning Board Chm. Two projects are simple resurfacing projects. There is an opportunity to work with the Mass. Highway on some small improvements on MacArthur Blvd. Mr. Farrell is asking the Board to reinstate the Transportation Advisory Committee to handle short term and long term issues and to issue a policy to expand and to include looking at all different issues.

Transportation Advisory Committee (TAC) in the past included a Mass. Highway surveyor, members of the BOS, but also suggests adding Planning Board, ISWM, DPW, a Business Committee of businesses along MacArthur Blvd.

Mr. Farrell said there are also Bourne projects that are farther away with Mass. Highway on their priority list.

TA Guerino will take old charge and bring before the Board at the 10/18/11 BOS meeting. Meier was assist TA Guerino on said charge. The TAC will need to be reinstated and will be a Selectmen's committee. Mr. Farrell asked to include Police and Fire Chiefs for their input on who should be included on said Committee and hopes to move quickly.

Chm. Pickard would like to respond to Mass. Highway in 30 days. Meier said he would like to have the MPO ready as well.

TA Guerino said the Metropolitan Transportation Organization will conduct a new ballot held in Barnstable for the Upper Cape towns at the multi-complex. Pursuant to Chm. direction, TA Guerino will get the MPO out.

Licenses/Appointments

a. Board of Appeals Associate – Thomas C. Armstrong

Meier MOVED and SECONDED by Sloniecki to appoint Thomas C. Armstrong to the Board of Appeals as an Associate Member for a term to end 6/30/12. VOTE 5-0.

b. MMA – Brookside Community Event – 1 day liquor license

Ford MOVED and SECONDED by Sloniecki to approve MMA request for the Brookside Community Event at the ABS Library Information Commons one day liquor license (all alcoholic beverages) on 10/22/11 from 4:30 pm – 8:00 pm per routing slip. VOTE 5-0.

c. MMA – Jonathan Bourne Public Library – 1 day liquor license

Ford MOVED and SECONDED by Sloniecki to approve MMA request for one day liquor license (all alcoholic beverages) at the ABS Library Information Commons for Friends of Jonathan Bourne Public Library on 10/16/11 between 4:00 pm – 9:00 pm per routing slip. VOTE 5-0.

d. Chartwells @ MMA – Women on the Water – 1 day liquor license

Ford MOVED and SECONDED by Sloniecki to approve Chartwells request for one day liquor license (beer and wine) at the ABS Library Information Commons for Women on the Water event on 10/28/11 from 3:00 pm – 7:00 pm per routing slip. VOTE 5-0.

Miller – Courtyard Entertainment License – Entertainment License Violation

Hearing called to order at 7:35 pm. Chm. Pickard read into record a hand delivered letter to Paula Perini-Miller, Manager dated 9/14/11) from Police Chief Woodside. At this time Chm. Pickard reviewed protocol on entertainment license hearing.

Chief Woodside stated that the license holder has acknowledged violation and is taking responsibility of police reports. Chief Woodside also read into record of letter dated 9/6/11 to TA Guerino with regard to the violation of Courtyard Entertainment license.

Ms. Paula Miller acknowledges facts stated in 9/6/11 letter for the record.

Ford asked Ms. Miller to explain what happened. It was stated someone was using a microphone, but it was not amplified. She lost track of time with regard to the timeframe.

Ms. Kelley Morley, abutter, asked for clarification on license. Chm. Pickard read into record the amendment license vote by the Selectmen on 7/22/08 – inside music 7 days a week; outside music Sunday – Thursday from 11:00 am – 12:00 midnight; outside music on Saturday from 11:00 am -12:30 am with no percussion or base. TA Guerino said that the Board at the time, wanted the same issues relative with a band apply for a disc jockey after those hours.

Ms. Morley would like to see no disc jockey outside. Ford said the Board can clarify in Courtyard license. Ms. Miller willing to amend the disc jockey outside.

No other questions or objections by the Board members and Chm. Pickard closed hearing.

Ford MOVED and SECONDED by Meier to close hearing for deliberation. VOTE 5-0.

Ford MOVED and SECONDED by Meier to issue warning to Millerco Corporation d/b/a Courtyard Restaurant for admitted violation on 9/4/11 with the stipulation that no outside percussion music as stated in license, and no disc jockey outside as agreed upon tonight. VOTE 5-0.

Vet Clinic – Discussion and possible vote

Weekly Vet Clinic is moving from Sagamore Fire Station to the Hoxie School. Hours are 9:00 am – 2:00 pm on Wednesdays.

Dr. Newman present tonight as a result of presentation brought to light by Chief Greene of Fire Department. TA Guerino discussed with Dr. Newman the moving of Clinic to the Hoxie School. Sloniecki requested a routing slip for said move.

Sloniecki asked Dr. Newman if he is offering service to local residents and if continued would the clinic still be what it originally is supposed to be. He wanted clarification that 10% of visitors are from out of Town. 90% are local. There were a total of 290 visitors last year and this year is bordering on 400. Dr. Newman has one worker, a technician working with him.

Meier raised issue of the Firehouse always having someone in the building whereas the Hoxie School does not. TA Guerino said the Hoxie has a tiled area and notwithstanding, paramedics are at the stations 24/7. However, TA Guerino conducted spot checks through the course of the past year and being at the Hoxie School would be no different than what is being done currently. If the Board concurs to move forward, any negative issues arise, TA Guerino will shut down the clinic and the clinic will have no other place to go.

Sloniecki asked Dr. Newman if he objects to paying a user fee that would be used to clean the area every two weeks to Board of Health standards. Dr. Newman stated a user fee would be acceptable. Sloniecki indicated that a user fee would be his recommendation. Selectman Meirer concurred with that recommendation.

TA Guerino said heating will not be a difference due to being in the basement. He suggested every 2 weeks a \$40 fee to cover custodian fee for 30-35 minutes (sweep, mop and take care of the bathrooms and remainder would cover some of the oil to heat). TA Guerino has not made a determination who would conduct janitor services.

Sloniecki MOVED and SECONDED by Meier approval of Vet Pet Pals Inc. request and impose a \$100 per month user fee. Discussion held.

Mr. Agrillo is in favor of the move of Clinic.

Mr. Mulvey doesn't believe fee should be accepted by the Board and suggest a 6-month trial and encumber to the tenant to maintain maintenance factors and be subject to reasonable inspections.

Chm. Pickard also suggests a trial period as the building is vacant.

Ms. Nancy Sundman is in favor of Clinic.

Meier said the Clinic has been in Town for a while, and has already had his "trial period".

Chm. Pickard's issue is the managing of space and should re-visit in 6 months so TA Guerino can report back.

VOTE 5-0.

Dr. Newman thanked people for their kind words and is grateful to be available for people.

Beach Street and Shore Road Parking – Discussion and vote

Chm. Pickard read into record amendment with regard to Beach Street and Shore Road Parking.

L.J. Palazesi proposes parking.

TA Guerino said with regard to Beach Street, spot #3 and #4, he has not spoken to the Police Chief about said parking spots at this time. TA Guerino will bring to the Police Chief and request his opinion.

Proposed modifications by Palazesi are what the Selectmen have approved. Chm. Pickard said the Town had input from the Police Chief and Town Engineer. He would like to ask TA Guerino to check with Mr. Sala (DPW) to see if an error was made while painting spaces.

Proposal is to make one hour parking between the hours of 9:00 am -6:00 pm.

Mike Geller, from the bakery, said overnight he doesn't have any problem. He does have issue during the winter months. His hours are 7:00 am – 4:00 pm. Eventually would like to extend hours.

Mr. Dwyer (443 Shore Road, has one parking space where one tenant parks) commented on the one-hour parking would affect him as he has technicians, loading and unloading vehicle, etc. He is agreeable to everything else. His hours of operation 9:00 am – 5:00 pm M-F. No parking citations were given to him in the past.

Mr. Agrillo asked for clarification of proposed parking restrictions.

Mr. Geller asked the Board if they can re-visit the parking space discussion in the future. Chm. Pickard stated his specific issues are not with the Board of Selectmen.

Mr. Dwyer said the hourly limit would be inconvenient. Sloniecki told Mr. Dwyer if he has any further issues, to ask TA Guerino to put discussion on a future agenda item.

Ford MOVED and SECONDED by Baldwin to amend the Bourne Parking Traffic Rules and Orders to state one-hour parking on both Beach Street and Shore Road to add 7:00 am – 7:00 pm on signs in reference to Agenda Item #9. VOTE 5-0.

TA Report

- Attended the FinCom meeting last night.
- 10/12/11 meeting at 3:30 pm regarding Pre-Town meeting at Town Hall.
- 10/18/11 is the next Selectmen meeting.
- 10/25/11 joint meeting with the Finance Committee.
- Free Cash Certification is up due to Selectmen Policy created to help save the Town's reserves. Will have to look at a couple of Departments (line-items to level out [DNR, Police Depart., Comm. Bldg., Recreation]) and re-look at budget. This past year, up until this Special Town meeting, the Town has spent \$800,000, down roughly by two-thirds from Free Cash compared to the previous year.

Ford spoke with the Financial Director and was told a line-item budget really doesn't change, but he would like to look at where the money came from. He would like to make a judgment once the paperwork is received from the Financial Director.

- Sewer Enterprise Fund balance is \$351,000 after \$100,00 put up at Town Meeting and ISWM retained earnings is at \$2M (2 years ago it was well below \$600,000)
- DPW Committee meeting will be held in two weeks from tomorrow (10/19/11).
- Fire Union negotiations – Union held election yesterday, and their President requested TA Guerino get in touch with Town Counsel moving forward.
- Two positions have opened up in the Town. Both positions drew in multiple applications.

Selectmen's business

a. TA Contract amendments

Chm. Pickard said Executive Session was held at which time Selectmen erroneously opened TA Contract to discuss clerical terminology as well as a discussion that TA Guerino asked to be restored the use of his Town vehicle to go back and forth to his home during the week. After notification by Town Counsel, that negotiations should have been done in Open Session. Town Counsel was notified of pending Exec. Session topic and Chm. Pickard takes responsibility for erroneous action taken.

Sloniecki MOVED and SECONDED by Meier to open the Town Administrator contract for purposes of voting on some amendments. Discussion held. Ford said he called Town Counsel and Financial Director about contract and was told wording can be stricken by Board members as it has no effect on any items in contract. He is against opening said contract as it was negotiated in good faith.

VOTE 2-3 in opposition of opening TA contract (opposition-Baldwin,Ford,Pickard).

Ford requested looking at Executive Session minutes to open and encumber. Meier has volunteered to take project on.

Ford received a memo re: Fisherman's Statue Fund in Buzzards Bay to reach goal of \$80,000.

Meier mentioned an upcoming fundraiser "Race for October" to be held on 10/9/11 to raise money for cancer awareness.

Ford attended the Committee for the 100th Anniversary. Safety will be the biggest issue and the events will be over two weekends.

Baldwin recognized that the junior Basketball donated clocks, nets to the Community Building.

Pickard said the result of the subsequent meeting of the Community Building Trustees acknowledged Town Counsel decision that the Selectmen can set and control fees at the Building. The Trustees indicated there will be a member of the staff at the Building who will have to be paid. TA Guerino said if they run short, we can look at the Reserve Fund. Baldwin said that staff member will be the Building Director at no additional cost to the Town.

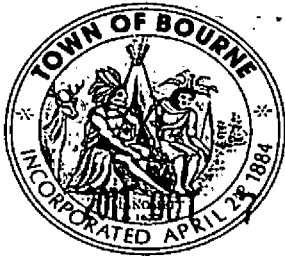
Sloniecki commented about Swish Youth Basketball Group and additional fees will go to the parents. His hope is that additional costs can be worked out and not be put on the parents.

Meier mentioned that a Maintenance Labor position drew in multiple applicants, showing this is still a tough economy.

Adjournment

Ford MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 9:20 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



PM 4 03

**Board of Selectmen
Meeting Notice
AGENDA**



TOWN CLERK'S OFFICE

BOURNE, MASS **Joint Meeting with Board of Selectmen**

Finance Committee

Town Counsel

Moderator

Town Clerk

Finance Director

Town Administrator

Date

Wednesday
October 12, 2011

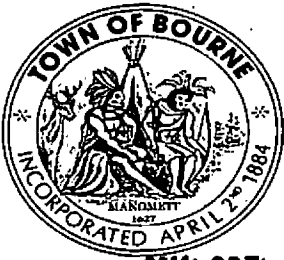
Time

3:30 p.m.

Location

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

Discussion and possible votes on Special Town Meeting Articles.



Board of Selectmen Meeting Notice AGENDA



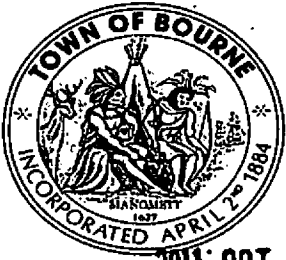
2011 OCT 7 PM 4 03

Joint Meeting with the Board of Selectmen, Planning Board and
TOWN CLERK'S OFFICE Conservation Commission
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday October 12, 2011	5:15 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

Joint meeting to discuss and possible vote on disposition of Tax Title Properties listed below:

M. 26.3 P 65 – 81 Rocky Point Rd
M. 19.4 P 111.01 - Colonial Rd
M 31.3 P 189 - Clay Pond Rd
M 7 P 10 -3 - Bird Song Hill Rd (has a house)
M 23.1 P 42.01 - 22 Main St
M 23.1 P 42 – 20 Main St
M 27 P 23 – Old Dam Rd
M 3 P 34 – Sycamore Ave
M 14 P 48.02 – 2f Hideaway
M 38.4 P 42 – 11 Wales Dr (has a house)
M 5 P 41 – Harding Lane
M 4.1 P 161 – 10 Samoset Rd



**Board of Selectmen
Meeting Notice
AGENDA**



2011 OCT 7 PM 4 12

**Joint Meeting with Board of Selectmen
TOWN CLERK'S OFFICE
BOURNE, MASS. Finance Committee
Town Counsel
Moderator
Town Clerk
Finance Director
Town Administrator**

Date

Wednesday
October 12, 2011

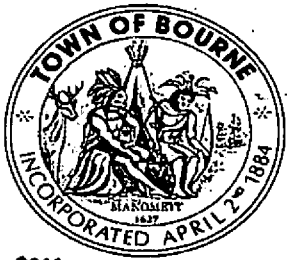
Time

3:30 p.m.

Location

Bourne Town Hall
24 Perry Avenue
Buzzards Bay

Discussion and possible votes on Special Town Meeting Articles.



Board of Selectmen Meeting Notice AGENDA



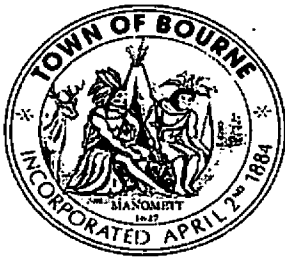
2011 OCT 13 PM 4 26

Joint Meeting with the Board of Selectmen, Planning Board and
TOWN CLERK'S OFFICE Conservation Commission
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday October 17, 2011	6:30 p.m.	Bourne High School Auditorium Waterhouse Road

Joint meeting to discuss and possible vote on disposition of Tax Title Properties listed below..

- M. 26.3 P 65 – 81 Rocky Point Rd
- M. 19.4 P 111.01 - Colonial Rd
- M 31.3 P 189 - Clay Pond Rd
- M 7 P 10 -3 - Bird Song Hill Rd (has a house)
- M 23.1 P 42.01 - 22 Main St
- M 23.1 P 42 – 20 Main St
- M 27 P 23 – Old Dam Rd
- M 3 P 34 – Sycamore Ave
- M 14 P 48.02 – 2f Hideaway
- M 38.4 P 42 – 11 Wales Dr (has a house)
- M 5 P 41 – Harding Lane
- M 4.1 P 161 – 10 Samoset Rd



Board of Selectmen Meeting Notice AGENDA



6:15 – Executive Session – contracts and real-estate.

2011 OCT 14 PM 4 38

6:45 - SEWER COMMISSIONS MEETING: Fred Mielke –

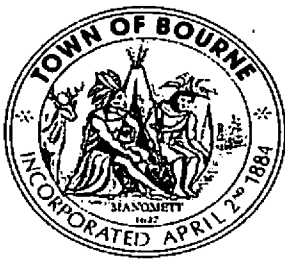
TOWN CLERK'S OFFICE
Optimus Senior Living Center
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 18, 2011	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 videotaping, they 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: 8/23/11; 9/27/11; 10/4/11
5. Correspondence
6. Committee Reports: Selectmen's Task Force on Local Pollution
7. Licenses/Appointments
 - a. Andrew Cormier – SWOP
 - b. Buzzards Bay Beautification Group-Bournedale Schoolhouse for holiday bazaar
 - c. Cape Cod Canal Centennial Celebration – Exclusive use of park
 - d. Hoxie Center for Art, Science and Culture Group – Fundraiser
 - e. Paws for Thoughts – Fundraiser for the MSPCA
 - f. D'Arcy Palo – Wedding at Bournedale Schoolhouse
8. Town Administrator Report
 - a. Transportation Advisory Committee – Charge and Committee makeup. Time line presented by TA to have committee named.
 - b. Public Works Facility Building Committee – TA appointment and initial schedule presented by TA
9. Selectmen's business
10. Adjourn



Board of Selectmen Meeting Notice AGENDA



6:150 – Executive Session – contracts and real-estate.

6:45 - SEWER COMMISSIONS MEETING: Fred Mielke – Optimus Senior Living Center

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 18, 2011	7:00 p.m.	Bourne Veterans Memorial Community Center 239 Main Street, Buzzards Bay

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 - b. Buzzards Bay Beautification Group-Bournedale Schoolhouse for holiday bazaar
 - c. Cape Cod Canal Centennial Celebration – Exclusive use of park
 - d. Hoxie Center for Art, Science and Culture Group – Fundraiser
 - e. Paws for Thoughts – Fundraiser for the MSPCA
 - f. D'Arcy Palo – Wedding at Bournedale Schoolhouse
8. Town Administrator Report
 - a. Transportation Advisory Committee – Charge and Committee makeup. Time line presented by TA to have committee named.
 - b. Public Works Facility Building Committee – TA appointment and initial schedule presented by TA
9. Selectmen's business
10. Adjourn

2011 OCT 14 PM 4 25
TOWN CLERK'S OFFICE
BOURNE, MASS

Bourne Board of Selectmen Executive Session AM 11 48

October 18, 2011

TOWN CLERK'S OFFICE
BOURNE, MASS

Mr. Ford Called the meeting to order at 6:15 P.M. – Mr. Ford, Mr. Sloniecki and Mr. Baldwin were present. Mr. Pickard and Mr. Meier were excused from this evening's proceedings.

MOTION: Mr Sloniecki moved to enter executive session for the purposes of real estate and contract negotiations and to return to open session at the conclusion of the Executive Session. Mr. Baldwin Seconded the motion and by a roll call vote was agreed to by the Board.

Mr. Sloniecki – YES; Mr. Baldwin – YES; Mr. Ford – YES.

Town Administrator Guerino informed the Board that the Town had solicited proposals for auctioneer services for the upcoming real-estate and property auction. Mr. Paul Zekos is the preferred bidder and is present this evening to discuss the different types of approaches that could be taken during the auction. Mr. Zekos explained the pros and cons of ABSOLUTE v. minimum bid options. He explained that in his experience with cities, towns, banks, etc. more dollars are derived from the absolute auction option as more bidders will attend and will be serious about the properties being offered. HE further discussed the costs associated and how the legal fees would be covered, et.al. Specific properties were also discussed.

At the conclusion of the Boards questions and further discussion MR. Sloniecki made a MOTION to auction the properties and equipment in the ABSOLUTE AUCTION option. Mr. Baldwin SECONDED the motion and upon a roll call vote the motion was agreed to.

Mr. Sloniecki – YES; Mr. Baldwin – YES; Mr. Ford – YES.

MOTION: Mr. Sloniecki made a motion to adjourn the Executive session and reconvene in open session. The motion was seconded by Mr. Baldwin and agreee to by the Board via a roll call vote.

Mr. Sloniecki – YES; Mr. Baldwin – YES; Mr. Ford – YES.

The Executive session adjourned at 6:57 P.M.

Respectfully submitted,

Thomas M. Guerino
Town Administrator

Board of Selectmen
Minutes of October 18, 2011 2011 NOV 17 AM 11 16
Bourne Veteran's Building
Buzzards Bay MA 02532 TOWN CLERK'S OFFICE
BOURNE MASS

TA Guerino

Don Pickard, Chairman (excused)
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier (excused)

List of documents:

- None

Sloniecki MOVED and SECONDED Baldwin at 6:15 pm to go into Executive Session to discuss contracts and real estate and to reconvene in Open Session. Roll call: Sloniecki – yes; Ford – yes; Baldwin – yes.

Meeting called to order
7:10 pm by V. Chm. Ford.

Moment of Silence/Salute the Flag

Public Comment – Non Agenda Items
None.

Approval of Minutes
Meier requested to defer 10/4/11 minutes due to discrepancies.

Sloniecki MOVED and SECONDED by Baldwin to approve minutes of 8/23/11 as submitted.
VOTE 3-0-1 (Sloniecki-abstention).

Sloniecki MOVED and SECONDED by Baldwin to approve minutes of 9/27/11 as submitted.
VOTE 3-0.

Correspondence
Sloniecki read correspondence into the record. A copy of all correspondence is available at the Town Administrator's Office.

TA Guerino:
Item E – Any Selectmen interested in attending the 11/12 celebration, let Nancy know. Chm. Pickard will be notified and should attend. Baldwin will attend.

Item H – Series of two meetings held with Mr. Ronald Anderson representing Bournedale Civic Association (BCA). Committee somewhat dormant and there is interest to active and utilize the schools. TA Guerino thanked Diane Flynn to bring forward. TA Guerino explained the BCA has maintained property. The Beautification Group came to TA Guerino to get Committee up and running. The Committee is very supportive of the Beautification Group.

Ford asked what the Town has done to maintain said property. Some work needs to be done due to age. Cataumet Association takes care of the schoolhouse and with partnership of BCA and BBG will be a positive thing for the Town.

TA Guerino said there is a difference between the Association and the Trustees.

Item D – part of the Comcast contract. Comcast's contract has expired and moving forward until new contract in place.

Committee Reports: Selectmen's Task Force on Local Pollution

Ford asked to table and will give report when grant money is received. TA Guerino followed up with Tim Mullen as grant money was received a couple of months ago and wasn't aware of a planned presentation. He will again follow-up and put on Selectmen agenda in two weeks.

Licenses/Appointments

a. Andrew Cormier - SWOP

Sloniecki read 9/13/11 letter of Mr. Cormier into the record. Mr. Cormier was introduced to the Board.

Sloniecki MOVED and SECONDED by Baldwin to appoint Andrew Cormier to the SWOP for a term to end 6/30/12. VOTE 4-0.

b. Buzzards Bay Beautification Group (BBBG) – Bournedale Schoolhouse for holiday bazaar

Ms. Diane Flynn before the Board giving brief explanation of request.

Sloniecki MOVED and SECONDED by Earl to approve BBBG request for the Bournedale Schoolhouse for Holiday Bazaar on 11/12/11 between 8:00 am – 5:00 pm, request waiver of fee and per routing slip. VOTE 3-0.

c. Cape Cod Canal Centennial Celebration – Exclusive use of park

Ms. Diane Flynn before the Board giving brief explanation of request for the nine-day celebration using park exclusively. TA Guerino stating for the public this is the only function at the park.

Sloniecki MOVED and SECONDED by Baldwin to approve Cape Cod Canal Centennial Celebration request for exclusive use of park on 7/23/14 – 8/6/14 between 8:00 am – 6:00 pm per routing slip. VOTE 4-0.

d. Hoxie Center for Art, Science and Culture Group - Fundraiser

TA Guerino said the Town is in process of addressing all concerns raised before event can take place. Fire Alarm panel and light will be inspected, exits, fire extinguishers. No implication on the Veterinarian Clinic. This is a one-time only event from 5:00 pm – 7:00 pm.

Sloniecki MOVED and SECONDED by Baldwin to approve Hoxie Center for Art, Science and Culture Group request for fundraiser on 10/29/11 from 5:00 pm – 7:00 pm, waiving fee but request appropriate deposit \$50 and returned upon clean up and per routing slip and to Fire Department satisfaction. VOTE 5-0.

e. Paws for Thoughts – Fundraiser for MSPCA

Ms. Nikki Brady before the Board and requested the fee waived. She briefly explained the event which includes a small bake sale.

Sloniecki MOVED and SECONDED by Baldwin to approve Paws for Thoughts request for fundraiser for MSPCA on 11/5/11 from 9:00 am – 5:00 pm, waiving all fees and deposit per routing slip. VOTE 3-0.

f. D’Arcy Palo – Wedding at Bournedale Schoolhouse

Ms. Diane Flynn explained this will be a reception for cake.

Sloniecki MOVED and SECONDED by Baldwin to approve D’Arcy Palo request for wedding reception for cake at Bournedale Schoolhouse on 10/21/11 from 12:00 noon – 7:00 pm, waiving both fees per routing slip. VOTE 3-0.

Town Administrator’s Report

a. Transportation Advisory Committee – Charge and Committee makeup. Timeline presented by TA to have committee named

Committee charge is taken from the 2007 (traffic patterns and betterments for all of Bourne). Members will be DPW Director, representative of the Cape Cod Commission or the DPO, Planning Board and four (4) members appointed by the Selectmen. Timeline named will be on website and advertise in newspaper. He hopes to have committee up and running 3rd week in November. Applications of interested parties should be in by 11/14/11.

b. Public Works Facility Building Committee – TA appointment and initial schedule presented by TA

Committee has been appointed and appointment slips are going out next Wednesday. John Redman as representative of the Capital Outlay, Don Ahearn from FinCom, Mr. Ragone from Ragone Construction, Rickie Tellier, Mr. Townsic from Gray Gables, an engineer and Chris Farrell. TA Guerino and Finance Director as exoficio members.

Committee will review data at facility at the facility, reviewing cost estimates, needs of public works, and garage, if new one to be built, and to run forward at the ATM 2012.

Selectmen Business

Ford - asked about the solar panels and if the STM decision was due to the fact of an overlay. Ms. Coreen Moore indicated the Town being bare with ability to regulate solar farms under the Statue. By placing an overlay district, the Town can regulate. Ford suggested the Selectmen ask a member of the Planning Board to better understand bylaw for a future agenda item.

Sloniecki suggested having abutters come to be part of discussion. He commented on the "naked" comment and said he doesn't believe that was the case with regard from protection. TA Guerino said not with regard to General Laws.

Ford requested that if people have issues, the time to discuss is the time it is brought up at Town Meeting. TA Guerino said if the Board at the time thought this would be subsitive enough to discuss (can make a non-formal policy at every town meeting to explain articles). TA Guerino said the Selectmen have notified the public also through the newspapers and website. He thinks there is a limit on what the Town can do to inform the public. TA Guerino suggesting televise elected boards, in addition to Ford's suggestion, to inform the public.

Ford suggested the Selectmen make a recommendation on future bylaws. TA Guerino suggested the Selectmen speak on the Town floor at ATM to discuss their own vote. Ford said he believes the FinCom is better informed for speaking on the Town floor.

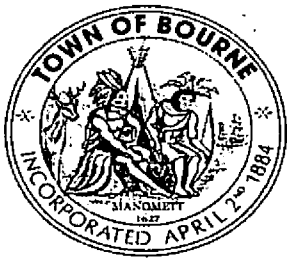
Sloniecki – was interviewed as a school project by 3rd grader and said the girl did well.

Baldwin – asked for public support by attending Football games.

Adjournment

Sloniecki MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 8:00 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



5:45 p.m. – Executive Session – contract negotiations

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 25, 2011	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 videotaping, they need to acknowledge such at this time

6:30 p.m. to order
to salute the Flag

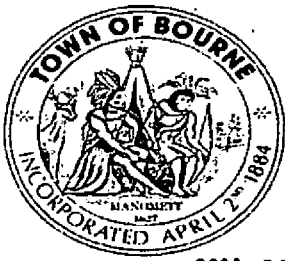
Board of Selectmen Workshop regarding the proposed organizational chart

Joint Meeting - BOS and Finance Committee

a. FY11 Closeout and Judiciary Position of Town

Adjourn

2011 OCT 21 PM 3:17
TOWN CLERK'S OFFICE
BOURNE, MASS



**Board of Selectmen
Meeting Notice
AGENDA**



2011 OCT 24 PM 1 57 AMENDED

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

5:45 p.m. – Executive Session – contracts negotiation

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 25, 2011	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 videotaping, they need to acknowledge such at this time

6:30 p.m. Call to order
Salute the Flag

Board of Selectmen Workshop regarding the proposed
organizational chart

Joint Meeting - BOS and Finance Committee
a. FY11 Closeout and Fiduciary Position of Town

Adjourn

Board of Selectmen
Minutes of October 25, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 NOV 4 PM 3 21
TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

FinCom Members: Michele Ford, Elinor Ripley, Mary Jane Mastrangelo, George Slade, David Ahearn, Glenn Galusha, Don Montour, Mark DeCicco, Bill Grant

List of documents:

- Organizational Chart – 1 page dated 10/4/11
- Town of Bourne Financial Review of FY2011 – 22 pages dated 10/25/11
- Draft Cable Television Renewal License – 79 pages dated 10/11/11

Sloniecki MOVED and SECONDED Ford at 6:45 pm to go into Executive Session to discuss contracts negotiation and to reconvene in Open Session. Roll call: Sloniecki – yes; Ford – yes; Baldwin – yes.

Meeting called to order
6:39 pm by Pickard.

Salute the Flag

Chm. Pickard announced the Selectmen were in Executive Session endorsing the work of Cable Advisory Committee and request said committee move forward with finalizing negotiations with Comcast. Once lawyers have the contract in final form, a presentation will be made by the CAC at future Selectmen hearing. At a subsequent meeting, the Selectmen will take public comment before voting on the contract.

Board of Selectmen Workshop regarding the proposed organizational chart

TA Guerino introduced an organizational chart, which includes an additional staff member in both the Building/Facilities Services and the Bourne Veterans Community Building staff. In the chart, Town Clerk has an "*" mark, indicating an elected position, but the staff is appointed by TA Guerino pursuant to the Charter.

The Selectmen looked at reducing reportees to the Town Administrator (TA) from a maximum of 21 down to a manageable line, of 7.

Under the Town Administrator:

- **Police Dept. - DNR**
- **DPW – Engineering, Highway, ISWM, Sewers, Building/Facilities Services**
- **Dept. Municipal Finance – Accounting, Assessing, Collections, Information Tech, Treasury**
- **Dept. Cultural & Leisure Svc – Library, Recreation, COA & Human Svc, Bourne Vet Comm. Bldg**
- **Town Clerk**
- **Fire Dept.**
- **Human Resources**
- **Economic & Comm Dev. – Appeals, Conservation, Planning Dept., Health and Inspectional Svc**

To get this chart, TA Guerino went to Dept. Heads for any input. For the record, he has received a letter from the Director of the Council on Aging (COA) who believed by putting the COA under Human Services diminished what the Council does relative to some of the bulk of what they do. This letter has been taken under advisement, and TA Guerino has not responded to said letter to this date.

Anyone who needs access to the TA, would continue to have access, but would go to the Division Head first. The personnel annual reviews will be done by a leader in these departments (appointment process) as well as the budgets to the TA.

Selectmen would have to consider said chart. Some items can be done immediately. If there were money in the budget, he would recommend a Recruiter, Public Works (PW) Director with an engineer and Facilities Manager (FM). FM is something the Town should look at in the next budget discussions.

Division leaders would be internal and receive a small stipend or increase to take on the responsibility. This process will take some thought and TA Guerino will work toward full implementation.

In summary, Selectmen TA Guerino has discussed chart with both Chm. Pickard and V. Chm. Ford (*This was one of Ford's Selectmen's goals*). TA Guerino opens the floor for discussion.

Sloniecki asked why this was done. TA Guerino explained it was cumbersome to have 17 Department leaders reporting to the TA, including having a well-working division for the Department of Finance. TA ends up taking upon tasks that could be taken care of by a Dept. Head. This will free up TA for other tasks. This is something the Selectmen endorsed and was put into an organizational chart.

V. Chm. Ford said this has been a Selectmen's goal for about 5 years.

Chm. Pickard believes this chart is a good start.

Baldwin said he has been thinking about this for some time and the chart will be as concise as it can get at the moment.

TA said the Charter requires a public hearing. Once hearing is set, the Selectmen vote and chart will be implemented. This chart can be implemented immediately (3-6 months) and some will need to be worked through succession plans, etc.

No further comments from the Selectmen. No public comment.

Joint Meeting – BOS and Finance Committee

a. FY11 Closeout and Fiduciary Position of Town

Introduction from TA Guerino saying this is what former Selectmen Mealy began putting together for the Board and this is the second year of this format from Linda Marzelli for Selectmen review.

TA Guerino said the Fiduciary position of the Town is due to good management practices, smart department heads, some "luck" and some stringent directions from the Selectmen on expenditures.

Highlights to General Fund Revenues & Expenditures

- Local receipts came in higher than anticipated
- Local receipts were actually higher than budgeted resulting in a new surplus of \$428,048
- Departmental expenditure was less than appropriations resulting in a net turn back by departments of \$1,406,482.

Mastrangelo (FinCom) asked what "Other Miscellaneous" is. This is known as Tax title.

Sloniecki asked where Penalty & Interest on taxes comes from. It comes from vehicles, real estate and tax liens which are set by the State.

Appropriations & Expenditures

General Fund Total (Year Ended 6/30/11) - \$1,406,481.99

Education makes up 43.96% of the budget. TA Guerino said that the Education doesn't change too much and was pretty much the same last year.

Analysis of Departmental Turnovers reviewed. \$1,369,000 in Departmental turnovers in total.

Ford asked about reserved transfers and wondered if the Town was doing some too fast. Linda Marzelli said the Town will stop doing this. Ford questioned OT and if it is still interchangeable for salaries and OT. TA Guerino concurs with V. Chm. Ford. He said at the most recent

Department meeting, took the budget and at the end of the year took any line item that have been "blown". This needs to be done so line items get closer the next year. There is that authority to do so, to make adjustments.

Sloniecki asked about salaries breakdowns and will it in next year's budget and if so, would it be less from last year. For example, he questioned the \$67,000 salaries in DNR. TA Guerino said with DNR some folks didn't get hired and then some folks were let go earlier. TA Guerino some breakdowns would be less next year.

Meier asked about why employees were let go earlier? TA Guerino said \$2.3M to continue trend of keeping staffing levels the same. There were some things the Town did not know at the time; the Fire Department (FD) had three (3) vacancies and wanted to send people to academy, Police Department (PD) had intentions to send people to their academy. The Selectmen asked departments to reduce overtime. When the budget was brought forward, it was based on facts known at the time. Due to TA Guerino asked all Department Heads to "clamp" expenditures. TA Guerino said when the Town was able to bring some employees back, the Town sent letters to employees who were laid off, all found work else where and didn't come back. Meier raised issue about creating new positions while laying people off.

Sloniecki asked about police cadets and if the academy would still be available. TA Guerino responded yes.

V. Chm. Ford said looking back; the TA needs to ask why does a Department need more money? Consequently going into this year, the departments have to justify why needing more money.

Stop Loss Insurance - TA Guerino said this is \$1.3M less product for product.

General Government Department Turnbacks

Only departments over \$10,000 were included. Salaries turnbacks discussed from TA, HR, Finance Department, and Election & Registration.

V. Chm. Ford asked if the Facilities Manager will be in next year's budget and what the figure would be. TA Guerino said yes and roughly about \$60,000.

ISWM & Sewer Revenue & Expenditure Highlights FY2011

ISWM's actual estimated revenues received in FY2011 were higher by \$686,836 but down from the FY2010 overage of \$1M. Budget and indirect costs decreased in FY2011 by \$130,437 from FY2010 budgeted amounts. ISWM turned back \$518,841 from budgeted appropriations.

Sewer departments actual estimated revenues received in FY2011 were higher than budgeted revenues by \$18,563 where in FY2010 actual revenues were short by \$43,866. TA Guerino cautioned that the Sewer estimated revenues will not be exact. He notified Wareham that he wasn't comfortable with their numbers.

TA Guerino said overall, the Town is in pretty good shape compared to neighboring towns. Moving forward, it seems the Town can handle some catastrophic incidences. However, depending on the Federal and State, all that contribute to the State will be severely reduced and trickle down to the Towns. He will know better in December. These are types of things the Town will need to look at.

Financial Reserve Highlights

The Town's certified Free Cash as of 7/1/11 is \$5,099,675 compared to 7/1/10 at \$4,347,334. The increase over FY2010 free cash came from local receipts higher than estimated, appropriation turnbacks and a decrease in free cash used to fund FY2011 budget and articles. In FY2010 \$1.8M was used for the budget and in FY2011 \$800,000 was used towards the budget. At the STM meetings in FY2011 an additional \$517,687 was spent from free cash.

Stabilization Fund History has remained stabilized in the last two years.

TA Guerino said the Finance Department and the TA Department has continuity and inter-departmental trust. He and Ms. Marzelli said looking at Undesignated Reserves, it is usually discussing Free Cash, and may be appropriate to revisit that portion of the Policy to make clear.

V. Chm. Ford said the combination of team meetings and what was spent compared to what the Town was taking in, the Town is in a position to not have any lay offs for next year. Goal Sessions discussions prove Facilities Manager would save the Town money. He cautions the Town not to overspend.

TA Guerino said the State gave "pothole money" to Bourne which has offset educational costs. The total was \$780,000 and was given to Bourne. This is strictly due to the work of the Senate President's office and to be acknowledged.

Slade (FinCom) commented that the strict financial policies should put the Town in good shape when it is time to go for capital improvements. TA Guerino said depending what happens in December, the Selectmen are prepared to look at some realistic budget flexibility to start moving on capital.

V. Chm. Ford asked for clarification on employees who received step increases. TA Guerino responded Units A and B, Highway, DPW, Town Hall, and Higher Management in Administration.

DeCicco (FinCom) asked about applications coming in for positions. TA Guerino talked about the 300 plus people applying for the one position in the Clerk's office.

Galusha (FinCom) requested adding health insurance costs within departmental budgets for comparison. TA Guerino said it will be a best guesstimate as it is a snapshot in time.

Mastrangelo (FinCom) responded by saying it would be hard to get individual departmental health insurance costs as it will cause line item problems but look at a separate spreadsheet. She also said one thing to look at is how to determine how much Free Cash to use in the budget. She wants to come up with a way to determine to calculate to use in the budget. Right now it is a number. How do we feel comfortable with the number in Free Cash relative to what we have in Free Cash and what the target is? She doesn't want to be too conservative if we are over the Policy.

TA Guerino said in FY2011 \$2.3M was spent in Free Cash, which was too much. When he started the budget discussion, there was serious State discussion of another bad year. He looked back in history and the Town was conservative. He suggests using 2% of the budget coming from Free Cash.

Mastrangelo (FinCom) said she liked TA Guerino's 2% of budget come from Free Cash and from there it is a benchmark. She asked if we looked at the Supplemental Budget, would we have done things differently.

Ford (FinCom Chm.) said she feels the joint meetings are good for the two boards and the community. The Selectmen and the FinCom concur. She added that when the Community Building is available, all FinCom meetings are held there so the public can follow the live meetings.

DeCicco (FinCom) asked about yearly budgets. TA Guerino said he hasn't looked as we are in the first quarter, but will look at the mid-year. He has not yet been cautioned by Department Heads of any issues to date, but fuel is up 18% on an average. No fixed fee bid was put in by Bourne, but tomorrow TA Guerino will look at a spot market price or walking into a fixed fee.

Chm. Pickard said Fire Fighter Poirier is being honored for Outstanding Acts in the Community at the Fire Fighter Awards Ceremony on 11/30/11 in Worcester. Chm. Pickard suggested having recognition after the awards at a future Selectmen meeting.

Selectmen Business

November

11/1 – Regular meeting

11/15 - 6:00 Exec Session and Regular meeting (outhauls)

11/22 – Workshop (COA, Fees)

December

12/6

12/13

12/20

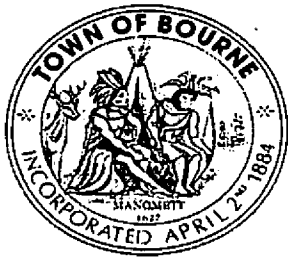
Sloniecki – with regard to the Organizational Chart, asked about a person who will head the Department of Cultural & Leisure Services. TA Guerino responded yes, he has ideas of who will run various divisions. TA Guerino said the staffing will come through the TA Department. Selectmen will vote on the organizational chart pursuant to the Charter.

Ford - commented on the Town saving money by not using consultants as much with the new organizational chart.

Adjournment

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

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



Date 2011 OCT 28 PM 2 59
Time
Tuesday TOWN CLERK'S OFFICE 7:00 p.m.
November 1, 2011 BOURNE, MASS

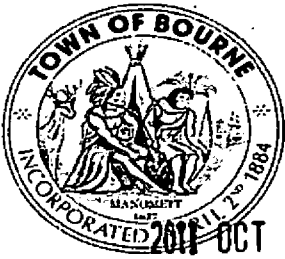
Location
Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, they 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: Executive Session: 9/27/11, 10/18/11
Regular Minutes: 10/04/11, 10/25/11
5. Correspondence
6. Committee Reports: Shore and Harbor Committee
7. Shellfish Regulation Amendment – Reclassification of Areas
8. Beach Sticker fee discussion
9. Licenses/Appointments
 - a. Appoint to Recycling Committee – Kathleen MacNally
 - b. Signing of 5 year license for Army Corps of Engineers
10. Town Administrator Report
 - a. Preliminary discussion related to upcoming fee schedule and board expectations on policy, including the Bourne Veterans' Community Building
 - b. Recommendation on Marina Manager's position
11. Selectmen's business
 - a. Resolution for Hydroid
 - b. Recycling Center Policy

12. Adjourn



Board of Selectmen Meeting Notice AGENDA



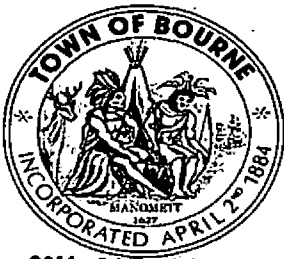
Date TOWN CLERK'S OFFICE Time
Tuesday BOURNE, MASS 7:00 p.m.
November 1, 2011

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

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11. Selectmen's business
 - a. Resolution for Hydroid
 - b. Recycling Center Policy
12. Adjourn



Board of Selectmen Meeting Notice AMENDED AGENDA



2011 OCT 31 PM 12 10
Date

Town Clerk's Office
Bourne, MA
November 1, 2011

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, they 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: Executive Session: 9/27/11, 10/18/11
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 - b. Recommendation on Marina Manager's position
11. Selectmen's business
 - a. Resolution for Hydroid
 - b. Recycling Center Policy
 - c. Discussion and possible vote – street lighting Academy Drive.
12. Adjourn

Board of Selectmen
Minutes of November 1, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

NOV 17 AM 11 17

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

Meeting called to order
7:00 pm by Pickard.

Moment of Silence/Salute the Flag
None.

Public comment (non-agenda items)

Approval of Minutes

Ford proposed changes to 9/27/11 Executive Session minutes: Page 1, 6th paragraph 4th line "and other expenses";
Page 2, 2nd paragraph change to the minutes; 6th word add a "t" to the word.

Ford MOVED and SECONDED by Meier to approve Executive Session minutes of 9/27/11 as amended and to remain unencumbered. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to approve not remain unencumbered Executive Session minutes of 10/18/11 as amended. VOTE 3-0-2 (Pickard, Meier).

Sloniecki MOVED and SECONDED by Meier to approve minutes of 10/4/11 as amended with Sloniecki revisions. VOTE 5-0.

Ford MOVED and SECONDED by Sloniecki to approve minutes of 10/25/11 as submitted. VOTE 5-0.
Ford raised issue with manner in which executive session minutes approved and recommends to comply with policy, unseal and make public, and inventory every six (6) months. Inventory was done on executive session minutes are up to date. TA Guerino said 9/27/11 executive session minutes were ready and was requested to have ready once a full board was present, but does concur with Ford.

Sloniecki for the record sent amended copies of the 10/4/11 minutes to Nancy Sundman and Lisa Groezinger for their records.

Meier stating a transcriber needs to be present to take minutes at all Selectmen meetings.

For the record, Ford said he didn't send email copies to changes to the executive minutes and raised issue under Approval of Minutes section.

TA Guerino added that corrections to motions should be done by Selectmen.

Correspondence

Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

Item G – John Carter letter. TA Guerino has not discussed with Mr. Carter but will forward to Tim Mullen, Harbormaster. As an additional request, Chm. Pickard requests to add that Mr. Carter sees on the Town website that "moorings are available for everyone." Mr. Mullen confirmed this information. Ford asked if mooring costs have gone up from last year – TA Guerino to answer once he reviews budget.

Pickard read document with regard to the NOAH telethon on 12/14/11 and anyone interested to call (508) 364-7590.

Committee Reports

Shore & Harbor Committee (SHC) - Tim Mullen as Chm. unavailable at this time.

The SHC has worked on the dredging for the Town. Permitting process takes on average 3 years. The most recent dredging project at Hen Cove received a start date from County Dredge to begin 11/14/11. This is an ongoing dredging plan which has been in place for about 20 years, getting refined in some areas due to storms. This project will be done under one permit blanketing other projects.

SHC has been working on the Monument Beach and Phinney's Harbor marina configuration plans, for almost 4 years now. Plan will include licenses of the mooring field, all the filled tide lands up to the railroad ties, existing building, existing septic system and possible expansion of the marina from 62 slips to 99 slips. The permit is in hand and the largest marina configuration permit in the Commonwealth. Town Engineer has been working with Norm Hayes from BSC Group in Yarmouth and Mr. Mullen suggested having Town Engineer and Norm Hayes before the Selectmen at a future meeting.

SHC spent a few meetings on privatization of the town marinas (research, public meetings on how to handle vs. privately owned) at the request of the Selectmen and report was submitted in September, 2011 to the Selectmen.

They also worked on the town ramps with regard to the deterioration and adding signage prohibiting powering on and off.

SHC Chairman attended the Pocasset Heights Improvements Association in the summer with Mr. Mullen.

Sloniecki asked about the blanketing all licensing by including what will be anticipated. Mr. Mullen said it was productive for the Town to do.

Ford asked about the 62 slips at Monument Beach to a maximum of 99 slips with regard to the parking spots. Mr. Mullen said if the Town wants to generate more revenue, permit is in place.

TA Guerino recognized the amount of time spent by the Town Engineer Mike Leitzel.

Shellfish Regulation Amendment – Reclassification of Areas, Tim Mullen

Samples from the three (3) transplant areas were taken in September and tested by the Division of Marine Fisheries (DMF). The results were favorable and the shellfish have been approved for harvest by DMF. Mr. Mullen proposes to reclassify all three areas from a closed status to an open status effective 11/2/11. This includes Taylor Point, Tobey Island, North Side and Ram Cove.

Sloniecki MOVED and SECONDED by Baldwin to approve the Shellfish Regulation Amendment No. 2011-3 as presented by DNR Director/Harbormaster Tim Mullen which reclassifies Taylor Point, Tobey Island, North Side and Ram Cove. VOTE 5-0.

Ford asked about taking monies out of Waterways Revolving funds. TA Guerino explained that it would require a Town vote.

Beach Sticker fee discussion

Selectmen requested to review fees charged to see if they should raise resident and non-resident fees, leave the same or amend in any way. TA Guerino said the Selectmen need to discuss and make a determination in the next few weeks as the policy needs to be put in place.

Ford is not in favor of increasing fees.

Sloniecki asked what the total revenue due to Bourne would be if they increase fees by \$5. TA Guerino said about \$15,000.

TA Guerino asked the Board if they would consider raising non-residents permits. Ford doesn't feel the need.

Mr. Agrillo is not in favor of increasing beach sticker fees, and suggests discussing at a later date.

Ms. Bobbi Dwyer, Gray Gables, researched seven other towns on Cape Cod (Sandwich, Falmouth, Barnstable, Yarmouth, Brewster, Dennis and Harwich). She suggested having other venues to purchase stickers other than Town Hall. She also said that towns who increased their fees, lost sticker sales, but gained more money due to the increase in fees. Ms. Dwyer is in favor of raising fees to fund lifeguards at all the beaches.

Chris Farrell commented on already ear marking portion of monies for commercial licenses, and asked why the town couldn't raise fees and ear mark for the beaches.

Neil Rangel is opposed to raising fees at this time.

Ford requested from TA Guerino a full list of town fees that went up from the Town of Bourne.

Jim Mulvey said he is opposed to raising the sticker fees.

Ford MOVED and SECONDED by Sloniecki that the Selectmen do not increase the beach sticker fees for the calendar year 2012. VOTE 5-0.

Licenses/Appointments

a. Appoint to Recycling Committee

Meier MOVED and SECONDED by Baldwin to appoint Kathleen MacNally to the Recycling Committee for a term to expire 6/30/13. VOTE 5-0.

b. Signing of 5 year license for Army Corps of Engineers

Access through Army Corps property would bring access from Three-Mile Look to the Canal. Army Corps is proposing five (5) years.

Meier MOVED and SECONDED by Ford to authorize the Board of Selectmen Chairman to sign the 5 Year License for the Army Corps of Engineers on behalf of the Selectmen. VOTE 5-0.

Town Administrator's Report

a. Preliminary discussion related to upcoming fee schedule and board expectations on policy, including the Bourne Veterans' Community Building

Chm. Pickard explained document is a work in process and would like the Selectmen to review and take into consideration.

TA Guerino explained the Community Building and the two Fire Stations will need a method of how fees are collected and delivered to the Treasury. Meier asked about the Hoxie school, but TA Guerino said the Hoxie fees will not be reviewed until there is a proposal for the use of the building.

Ford asked about both rooms fee at the Community Bldg - \$75 (Mon-Sun). TA Guerino explained currently there are two (2) part-time custodians. The Trustees are proposing a third part-time custodian to offer a flexible schedule to possibly eliminate over time charges.

Ford asked about the proposed fees for private or for-profit outside group. TA Guerino said the Selectmen will always have the opportunity to waive fees similar at Buzzards Bay Park. Chm. Pickard said the Selectmen should consider the days fees are waived, particularly on weekends. Ford asked about kitchen and cafeteria fees and the gym fees for a full day.

TA Guerino will review and may make modifications. Ford asked if fees will be made available to the public. TA Guerino responded that once modifications are made, the Board will hold a public hearing at which fees will be made public.

Sloniecki commented on the kitchen and cafeteria having not time slots and wondered if it would be all day. TA Guerino said yes. Sloniecki requested an additional column be added to the modified fee schedule depicting the old fee when from TA Guerino.

Sloniecki previously asked about splitting fees prior to this meeting. TA Guerino said fee will be charged to anyone wanting to use the gym. Said fee could be split, but generally one fee will be charged.

Mr. Agrillo had some general questions about the fee schedule. Chm. Pickard explained there will be a proposal, a hearing and then Selectmen vote. Any objections, members of the public can appear at said hearing to discuss.

(Ford wanted clarification of when the COA staff will be discussed - 11/25/11).

Jim Mulvey suggests split fees should be for a joint activity only. There is no differentiation between profit/non-profit with regards to the kitchen and cafeteria. He suggested a 4-hour provision for the kitchen and cafeteria.

b. Recommendation on Marina Manager's position

Chm. Pickard announced the retirement of Town Marina Manager Mr. Dawley. This created an opening for this position and he asked TA Guerino, under the Selectmen policy to do business better, if the town can combine or do something with this position to effectively fund a Facilities Manager. Chm. Pickard and the Selectmen received letter from SHC Chm. Richard Libin stating SHC endorsement of a full time marina. Chm. Pickard said he was not looking to combine the positions, but rather to see if there was a decrease in day-to-day job description of the Marina Manager and possibly combine responsibilities once Facilities Manager position is in place.

TA Guerino said Chm. and V. Chm. asked TA to look into. He reviewed current duties and seasonal duties. A report was provided to TA Guerino who forwarded to the BOS by HR Director Ms. Thompson. Both Ms. Thompson and TA Guerino found the position should be a full-time position. However, TA Guerino will look into the reclassification of pay schedule (When Taylor Point manager took on all 3 marinas, the position was augmented in the past). TA Guerino recommends the reclassification will bring back to the town about \$14,000. He discussed with Tim Mullen who concurs.

TA Guerino does not want to do away with a Marina Manager. Ford concurs.

Tim Mullen, DNR/Harbormaster, believes the Town does need a Marina Manager.

Chm. Pickard wondered how much between clerical and maintenance that a manager does not have to do. TA Guerino explained the Town will get the most money by how the position is set now.

Ford suggested hiring a part-time secretary to help the Marina Manager to help manager to do a better job while still saving the Town money.

Meier suggested new Marina Manager look into winter boat storage in parking lots. TA Guerino responded that as far as the Mass. Maritime Academy and parking, the MMA is aware the town will be looking at a fee schedule for the MMA.

Jim Mulvey said this is position warrants a full-time employee.

Chm. Pickard said he brought Marina Manager position up to see if the Town is doing due diligence. Ford added the reclassification puts the position in the current time frame and is warranted.

Meier MOVED and SECONDED by Baldwin to support Town Administrator's recommendation of changing the Marina Manager position to a Unit B, M4. VOTE 5-0.

TA Guerino met with Mr. Ware with regard to Regional Transit Authority on bridgework/disruptions. Army Corps of Engineers said steel replacements on deck/upper deck will begin on 11/14/11. The Bourne Bridge will have disruptions between now and mid December. Sagamore Bridge work will begin late March through late May.

Meier asked when the next DPW meeting would be. 11/9/11 at the Community Building.

Ford asked about the MPO Committee. TA Guerino has not heard at this time.

Sloniecki suggested having Blood Drive later in the afternoon.

Chm. Pickard - Town auction property - contract is currently with Town Counsel with a timeframe of January; Status of Hoxie - TA Guerino suggests re-RFP. In the meantime, TA Guerino suggests Ms. Alyson Bizer-Knox come before the Board to discuss plans at Hoxie; Division Heads compensations under new organizational chart - minimal in scope of work and TA Guerino has spoken with some people. Compensation will be minimal.

Selectmen Business

a. Resolution for Hydroid - Chris Farrell

Hydroid expansion proposal on Henry Drive doesn't meet Comprehensive Regional Policy Plan. Mapping not completed. Planning Board requests Selectmen support of expansion of Resolution.

Discussion held by Selectmen with regard to their support of Hydroid expansion and the benefits to the Town.

Meier MOVED and SECONDED by Sloniecki Whereas: Hydroid is a company located in the industrial park owned by Tom Donovan located off MacArthur Blvd, the company located to Bourne approximately seven (7) years ago from Woods Hole. They currently occupy 17,500 sq. ft. of space and desire to build a new facility with approximately 30,000 sq. ft. with possible future expansion.

And whereas: Hydroid employees 66-70 people (engineers and assemblers), if allowed to expand the number of employees would double.

And whereas: Hydroid is part of a larger company Kongsberg, that produces high quality marine electronics, underwater vehicles, underwater sensor systems, and complex ship process control systems for shipping vessels.

And whereas: The expansion of Hydroid is consistent with the Local Comprehensive.

And whereas: The failure of the ability for Hydroid to be able to expand in Bourne will require the company to relocate, thus displacing scores of good paying of local jobs.

Be it therefore resolved: The Board of Selectmen hereby support and approve the location of Hydroid Corporation to construct a facility outside of the designated Economic Center, Industrial and Service Trade area or Village, as outlined in the Regional Land Use Village Map, is strongly endorsed by the Board of Selectmen for the Town of Bourne. The Selectmen find the Hydroid expansion meets the requirements and intent of the Local Comprehensive plan as depicted above and is of great necessity to the economic well-being of the Bourne Community.

In witness whereof, we have set our hands and caused the seal of the Town of Bourne to be affixed on this 1st day of November in the year 2011. VOTE 5-0.

b. Recycling Center Policy

Ford MOVED and SECONDED by Meier to accept Recycling Center Policy as outlined with one amendment (date in back changed to 2012). VOTE 5-0.

c. Street lighting

Meier requested item put on tonight's agenda regarding a MMA cadet's recent accident. Meier asking to give TA Guerino authority to look at other options from NStar and report back to the Board. Sloniecki added the cadet hit was wearing all black and was skateboarding in the street. He feels TA has enough duties to handle.

Chm. Pickard said people do have to exercise responsibility. Baldwin agrees with Police Report in saying there was sufficient lighting at site of accident.

TA Guerino will contact Globe and discuss other options for increasing lighting.

MMA graduate who was present at tonight's meeting encourages TA Guerino to contact NStar to conduct a Lighting Study which is no cost to the Town.

Neal Langal is in favor of a study from NStar.

Meier requests TA Guerino report to Selectmen discussions with Globe on options for increasing lighting before NStar conducting a Lighting Study. The Board concurs.

Ford – volunteers needed to set up flags at the National Ceremony on 11/5/11 at noon (Ceremony 11/6/11 at 1 pm) and then to remove flags on 11/13/11; Attended seminar in Boxboro on labor; Mentioned email from Sloniecki in regards to soliciting on school property with public funds and how

to distribute materials (PTA). TA Guerino said Town Clerk and Superintendent LaMarsh are working on a policy to remedy.

Meier – Attended the Public Safety and Awareness Day and thanked all involved.

Baldwin – Suggested any donations for the cost of the flags at the National Cemetery.

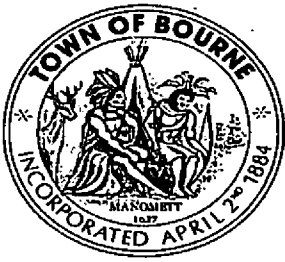
Pickard – Annual Thanksgiving Day Dinner free of charge for those alone for the Holidays at the Trowbridge Club. Free transportation will be available. Call (508) 743-9000 for reservations, to volunteer or for donations; Selectmen hearing on 11/15/11 on requested amendment to Waterway Regulations with regard to outhauls (Water Regulations reviewed annual or when appropriate per Tim Mullen).

TA Guerino notified Selectmen of Mr. Peter Crane, who is in the audience tonight, inquired about amendments procedures to the Shellfish Regulations. TA Guerino advised Mr. Crane to give changes to either Tim Mullen or the Selectmen. Ford suggested to speak with and getting support of the Shellfish Advisory Committee and to get a consensus of the commercial fisherman. Tim Mullen suggests attending the next Shellfish Advisory Committee to begin process.

Adjournment

Meier MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 9:50 pm. UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, November 15, 2011	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, they need to acknowledge such at this time

7:00 – 7:15 (Items 1-5) Call to order

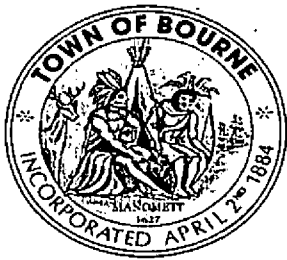
1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes:

Executive Sessions: 06/23/08; 01/05/10; 12/14/10; 01/04/11; 9/6/11

Regular: 7/19/11; 10/18/11; 11/1/11

5. Correspondence
6. Licenses/Appointments
 - a. 7:30 PM Paradigm, Inc. – addition to existing premise for storage
 - b. The Brookside Club – Sunday hours change from 11:00 AM to 10:00AM
7. Outhaul/moorings discussion and possible vote
8. Town Administrator's report
 - a. Municipal Facility fee schedule
 - b. Town Administrator's Contract – vacation
9. Selectmen's Business
10. Adjourn

2011 NOV 10 AM 11 48
TOWN CLERK'S OFFICE
BOURNE, MASS.



Board of Selectmen Meeting Notice



2011 NOV 9 PM 5 43
AGENDA

TOWN CLERK'S OFFICE
BOURNE, MASS

6:40 Town Administrator Contract - Vacation

<u>Date</u>	<u>Time</u>	<u>Location</u>
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3. Public Comment – Non-Agenda Items
4. Minutes:

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5. Correspondence

6. Licenses/Appointments

- a. 7:30 PM Paradigm, Inc. – addition to existing premise for storage
- b. A.L.S. Family Charitable Foundation, Inc. – Walk Fundraiser
- c. Alzheimer's Services of Cape Cod & Islands – Walk Fundraiser
- d. Cystic Fibrosis Foundation – Walk Fundraiser
- e. National Marine Life Center -5K Walk/Run Fundraiser

7. The Brookside Club – Sunday hours change from 11:00 AM to 10:00AM

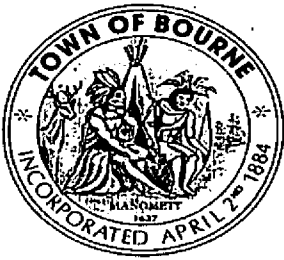
8. Outhaul/moorings discussion and possible vote

9. Town Administrator's report

- a. Municipal Facility fee schedule

10. Selectmen's Business

11. Adjourn



Board of Selectmen Meeting Notice



AGENDA
2011 NOV 9 PM 5:43

TOWN CLERK'S OFFICE

6:40 Town Administrator Contracts Vacation

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday November 15, 2011	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
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3. Public Comment – Non-Agenda Items
4. Minutes:

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8. Outhaul/moorings discussion and possible vote

9. Town Administrator's report

- a. Municipal Facility fee schedule

10. Selectmen's Business

11. Adjourn

Board of Selectmen
Minutes of November 15, 2011

2011 DEC 13 PM 4 20 Bourne Veteran's Building
Buzzards Bay MA 02532

*****TOWN CLERK'S OFFICE*****

TA Guerino BOURNE, MASS

- Don Pickard, Chairman
- John Ford, Vice Chairman
- Jamie Sloniecki
- Earl Baldwin
- Peter Meier

List of documents:

- Signed private petition regarding Outhauls dated 11/15/11 – 3 pages
- Town of Bourne Facilities/Building Use Policy – 10 pages dated 11/15/11

Meeting called to order

7:00 pm by Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)

None.

Approval of Minutes

Meier MOVED and SECONDED by Ford to approve and unencumber Executive Session minutes of 6/23/08 and 1/04/11 as submitted. VOTE 5-0.

Meier MOVED and SECONDED by Ford to approve and release to public Executive Session minutes of 1/05/10 as submitted. VOTE 5-0.

Meier MOVED and SECONDED by Sloniecki to approve and encumber Executive Session minutes of 9/6/11 and 12/14/10 as submitted. VOTE 5-0.

Meier MOVED and SECONDED by Baldwin to approve Regular meeting minutes of 7/19/11 and 11/1/11 as submitted. VOTE 5-0.

Meier MOVED and SECONDED by Baldwin to approve Regular meeting minutes of 10/18/11 as submitted. VOTE 3-0-2 (Pickard, Meier).

Correspondence

Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

Item C – Ford inquired about reappoint Ms. Lois Carr. TA Guerino to bring before the Selectmen appointment dates moving forward.

Item E – Ford requested to forward to the Police Chief.

Item J – TA Guerino to put on a future agenda item meeting date and invite Conservation Agent before the Board.

Sloniecki commented on additional correspondence sent to the Selectman, as it is relative to discussion on outhauls. TA Guerino added Shore & Harbor Committee (SHC) Chairman Richard Libin's correspondence was also an additional piece relative to tonight's discussion.

Item F – Pickard requested TA Guerino forward to Town Counsel for review.

Item H – Being discussed at the 11/29/11 meeting agenda.

Licenses/Appointments

a. 7:30 pm Paradigm, Inc. – addition to existing premise for storage

Chm. Pickard called meeting to order and read public notice into record. Abutters were notified and Town Hall is in possession of the green cards. TA Guerino said Planning Board and Building Inspector concurs with said request per routing slip. FD needs to inspect prior to use. Applicant not present tonight.

Pickard asked if anyone here to speak about the hearing. No comment from the public.

Sloniecki MOVED and SECONDED by Ford to close public hearing. Roll call: Sloniecki – yes; Ford – yes; Meier – yes; Baldwin – yes; Pickard - yes.

Sloniecki MOVED and SECONDED by Ford to approve Paradigm request to amend year round retail package goods store license to include a 2,200 sq. ft. storage area to existing premise for storage, subject to Fire Inspection. Roll call: Sloniecki – yes; Ford – yes; Meier – yes; Baldwin – yes; Pickard - yes.

At this point, Sloniecki MOVED and SECONDED by Ford to open Agenda Item #7. UNANIMOUS VOTE. (See Outhaul/moorings discussion and possible vote section).

b. Brookside Club – Sunday hours change from 11:00 am to 10:00 am

Ford MOVED and SECONDED by Sloniecki to approve Brookside Club request for Sunday service hours changed from 11:00 am to 10:00 am per routing slip. VOTE 5-0.

Outhaul/moorings discussion and possible vote

Chm. Pickard explained several weeks ago, some members of the public came to the Selectmen with regard to issues with outhauls.

The issues of shorefront property relate to the approximately 5-year waiting period in obtaining requisite permit from Bourne. Members of the public are hoping to have proposed amendments to the Waterways Regulations:

- 1) Outhauls do not pass to heirs, grandchildren have no votes. Solution: allow outhauls to pass to children
- 2) Bourne demands removal of outhaul on Town owned land. Solution: allow outhauls on town-owned land.

John White, said another issue, permits succeed to other than spouse be for moorings and not just outhauls. Chm. Pickard inquired if these particular citizens have any issues with the moorings. Several members of the public stated they did have issues with moorings as well.

Peggy Curtis said many people thought tonight's meeting was just outhauls.

Chm. Pickard recommends sticking with outhauls only. The Selectmen meeting of 12/6/11 will include mooring discussions. Ford said some members of the audience at a previous Selectmen meeting did discuss moorings and were under the impression moorings would be discussed tonight.

TA Guerino suggested including discussion tonight relative to all issues can be taken, but recommends since there are some people not here tonight to discuss moorings that the Board take testimony/comments relative to moorings in general. Issues for determination and possible vote be withheld until meeting of 12/6/11.

Ford disagrees as he believes the outhauls/moorings can be discussed. TA Guerino recommends no votes taken tonight relative to moorings. Sloniecki asked about discussion of succession of moorings. Sloniecki recommends moving forward as one discussion at this time.

A petition with signatures was submitted to TA Guerino. Chm. Pickard said that the SHC states it is opposed to proposed changes to the Waterways Regulations.

At this point, Ford MOVED and SECONDED by Meier to table discussion of outhauls until after the liquor license hearing. VOTE 5-0 (See License/Appointments Item b).

Outhaul/Mooring Discussion

1) Installation of outhauls

Harbormaster Tim Mullen's position is that the Waterways Regulations should stay as written. He said owners should have to be on the wait list. The issue at hand is whether to install mooring where there is an existing waiting list. Referencing 3-10 CMR 907, Mr. Mullen read into record "the Town shall not discriminate based on residency, race ...".

Ford made calls to the town of Falmouth, which doesn't have a wait list. He feels it doesn't make sense to wait for an outhaul which is on one's property. He would like to see this part changed. Mr. Mullen said there is nothing to prevent Bourne from doing this. Ford asked petitioners if this satisfied their request.

Mr. White said it is cumbersome and doesn't feel it is a practical solution. Members of the public are in concurrence. Mr. Mullen said it would be a waterway permit. Sloniecki asked what the process would be for a property owner to obtain a license in the spring. Mr. Mullen said property owner would apply for a new waterway license (like applying for a dock).

Roger White, said that the impression is that this process is not seamless.

Chm. Pickard asked Mr. Mullen what the process would be if a person lives in Bourne and owns shorefront property and would like to get an outhaul. Mr. Mullen said shorefront property owner would need to get the permission of the homeowner to use a boat that is attached to the outhaul to get to the mooring, which is the intent. Sloniecki asked if there would be a lot of interest. Mr. Mullen responded yes and as there are about 500 people on the list. Sloniecki asked Mr. Mullen if he objected to the Selectmen designing a separate waitlist. Mr. Mullen said an outhaul is considered a mooring. A distinction between outhaul and mooring would need to be done and feels it would be difficult. Sloniecki asked if outhauls and moorings are restricted to sizes. Mr. Mullen responded that they are.

Ford said Falmouth has a definition of mooring and an outhaul. Mr. Mullen said Bourne could separate them.

Nancy Witherall said she purchased property after her husband's family passed away. She was told she could apply for an outhaul permit and would have an approximate 5-year waiting list. She was told there are about 30 people on the waiting list.

Dave Cruz said there really isn't an outhaul list. He raised issue with outhauls being on public or private land. He feels all outhauls are public. He is asking why this is being discussed now. Chm. Pickard said on 8/15/11 the Selectmen received some residents' concerns: shore property need to install outhaul (approximately 5 years) – petitioners want shore front property want to immediately stall; outhauls do not pass to heirs when grandparents die –

which has dovetailed into discussion of both outhauls and moorings; and Bourne demanded removal of outhauls on town-owned land – allowing outhauls on town-owned land.

Ford said 12 years ago, Bourne used to have a lot of outhauls. Since that time, it was discouraged. Outhaulers are good for people who want to get out to their boat. If you own property, had the outhaul on your property and didn't have to put a pole in the water, it wouldn't have to be an outhaul.

Meier read petition for the record as requested by Paul Gately, Bourne Courier. Chm. Pickard said it was not part of the original issue.

Member of the public said most towns don't consider outhauls as moorings and feels there is no reason why Bourne cannot do this. He would like Mr. Mullen to explain the superior value of this. Mr. Mullen said this proposal will turn an outhaul into a mooring, which is more than what an outhaul was originally intended for.

Chm. Pickard asked out of the 160 outhaul permits now, is there any documentation of outhauls who have permits. Mr. Mullen responded 80 out of 160 using permit.

Jay Fisher who does not have an outhaul, is on the waiting list for a mooring. He said outhauls are not moorings. There are situations that have a crossover, but an outhaul (private property and goes out to a point where the pole is no more than 2 ½ ft. at low tide); a mooring is not going to be in water in that depth at low tide. Mooring field is in deep water. They are two separate issues. If going to have a waitlist, have an outhaul waiting list.

Tad Chase presently has an outhaul. Under proposed outhaul changes, the outhaul would not be of use to the family for approximately 5 years and would have a certain level of hardship getting back and forth to the island. He feels there is a conception there is discrimination between land owners and people seeking outhauls on public land. Outhauls on private property is not public property (pole in the ground portion). As a private land owner, it seems odd he would have to wait approximately 5 years. He said there is a need to separate both public and private. The outhaul is used for his rowboat and a 13-ft. rescue boat. Mr. Mullen said there is some confusion about the approximate 5 year waiting period, which is an average time someone would be on a waiting list. On Bassett's Island, there is no waiting list and would not be an issue to Mr. Chase. As far as the discrimination, you cannot discriminate against anyone based on their residence and therefore would be some type of discrimination without making them going through the same waiting list as a waterfront owner unless licensed from the State.

Ford said an easy solution would be to have separate definitions for moorings and outhauls and there wouldn't be any discrimination. Mr. Mullen suggests seeing Town Counsel for language.

Sloniecki said solution states petitioners "install immediately", he is inclined to allow shore front property owner to install outhaul with some insight with the DNR. He feels the moorings

and outhauls should be separated and would be in favor of passing onto immediate family. Ford said it is easily done, give definition of "immediate family".

Don Tibbe's says he knows of about 7 people who would want an outhaul immediately. With regard to boat size and outhauls, there wasn't a lot of moorings and only recently outhauls used as ways to store your dingy. The comment of the Boston Whaler, is a perfect example to use as a dingy and is quality use of the shore. The argument about bigger boats, the outhaul cannot handle the weight. It is a good idea to separate mooring and outhauls. He suggested to also consider having a smaller boat on an outhaul.

Scott O'Cott said there are two houses with one vacant property to which the town cannot guarantee potential owners access to the property and information to consider. Mr. Mullen said he will not be unreasonable and would have property permitted under these conditions.

A member of the public said the waterways are public ways. He maintains there is no difference between that and an outhaul.

Roger White has an inflatable dinghy he takes to his sailboat. It sits on the marsh grass. If he had the permission of an outhaul, he would not be destroying marsh grass and putting paint onto the marsh from his inflatable.

TA Guerino said that for the public, the regulations currently in place are being enforced by the Harbormaster which were approved back in 2001 and is doing what he is supposed to be doing.

Erik Wes wanted clarification on what has been recently been enforced. Mr. Mullen said what has recently been enforced was the policy by Selectmen in 2001 regarding outhauls on public lands.

Sloniecki asked if DNR could curtail the word "immediately". Mr. Mullen said it could be done.

Ford MOVED and SECONDED by Baldwin to separate the list to an outhaul list and a mooring list to be acted upon the 12/6/11 meeting. VOTE 5-0.

TA Guerino requests this be forwarded to Town Counsel for review, and may be discussed later than the 12/6/11 meeting. Chm. Pickard requested this be endeavored for the 12/6/11 meeting.

Ford asked what Mr. Mullen would tolerate with regard to boat size on the outhauls. Mr. Mullen said it could be subject to shellfish closure, etc. and doesn't see as a major problem.

A member of the public stated Mr. Mullen does a great job. He suggested when dividing the moorings and outhauls, for each mooring to define a mooring field and an outhaul mooring field for implementation.

Ford MOVED and SECONDED by Sloniecki to allow shore front property owners have one outhaul and more at the discretion of the Harbormaster.

Don Tibbets said there are properties that have more than one outhaul and has been this way for a while.

Ford amended motion: Ford MOVED and SECONDED by Sloniecki to allow shorefront property owners have at least one outhaul at the discretion of the Harbormaster.

Sara Watkins concerns about limiting more than one property owner. Mr. Mullen said grandfathering would come into play.

Mr. Mullen is leary of the term "discretion". He recommends there should be at least one outhaul and to grandfather the current ones.

Ford MOVED and SECONDED by Sloniecki to allow shorefront property owners have at least one outhaul and the ones now would be grandfathered.

Bill Garrison points out being a guest outhaul owner and this spring Harbormaster requested permission.

Frank Gasson on behalf of Cedar Point Association has 4 or 5 outhauls as well as hookups to a wall created back in the 1950's. With Mr. Mullen's recommendation, this would suffice.

Ford withdrew his previous motions and Sloniecki withdrew his second to the previous motions.

Ford MOVED and SECONDED by Sloniecki to grandfather existing outhaulers on private shorefront property and permit shorefront property owner to have at least one outhaul.

Mr. Mulvey asked about the Conservation land. Mr. Mullen said currently he can permit outhauls with regard to Conservation.

Sloniecki MOVED and SECONDED by Ford the question. VOTE 5-0.

MAIN MOTION: VOTE 5-0.

2) Outhauls do not pass to heirs.

Ford said discussion of "immediately family" definition.

Tibbet's said original petition raised issue before death.

Bill Garrison asked for clarification. Being a guest, and there is a new property owner, asked if he can pass the outhaul down to his daughter upon his death. TA Guerino said when a property owner allows a guest to have rights to property, it doesn't transcend to a guest's heirs. Mr. Mullen said upon his death it is transferred to his daughter. Sloniecki recommends obtaining written permission from the owner to grant outhaul to his heirs.

Ford MOVED and SECONDED by Sloniecki to change the definition of immediately family include mother, father, son, daughter, children, sister, brother and spouse. VOTE 5-0.

3) Removal of outhauls on town-owned land

Mr. Mullen said 26 outhauls are affected and are in conservation areas, could be beach goers and shellfishers. Chm. Pickard suggested grandfathering the 26 outhauls and allow no further outhauls. Ford finds it hard that some elderly and handicapped people who need a boat to get to their property and put in an area that houses those and doesn't understand why the town did away with area that didn't interfere with the swimmers.

Mr. Mullen would suggest getting area reviewed.

Pat Morley said she had an outhaul when she owned shorefront property. The owner sold house and donated to the town, so outhaul was on town property. She couldn't have the outhaul put in because it was town-owned property.

Erik Wes is on shorefront property on public land. He had deeded rights in front of his land. Mr. Mullen said each deed is different. Sloniecki asked if property is not on town-owned property, how does a property owner change a deed. Mr. Mullen said the property owner would go to DEP.

Martha Noyes, David Noyes, Andrew Noyes said putting their dingy on town-owned property would be difficult. Andrew Noyes said it is not about having outhauls in the way of people that are there, but have Harbormaster tell them where they can put the dingy out of the way of everyone else.

Sloniecki MOVED and SECONDED by Ford to grandfather present outhauls on town-owned property. VOTE 5-0. *(Ford would like DNR to come up with number of outhauls to move ones on outhaul list and come back with a recommendation. Mullen said this is a liability issue and recommended TA Guerino to forward to Town Counsel)*

4) Discussion of moorings

Ford said there was a distinction that if a mooring will be passed on. If a mooring is in a Federal channel, by law the mooring only goes to the spouse per the Corps of Engineers. Other than that, they can be transferred. Mr. Mullen said he wouldn't have an issue, but asked the Selectmen to look at the big picture and take into consideration not just current mooring

holders, but the ones on the list. Permits are transferrable, but the wait is more like 10-15 years (some town's it is 20 years). He said to keep in mind that this is almost issuing a permit in perpetuity.

Chm. Pickard asked how many people are on both outhaul and mooring lists. Mr. Mullen said less than 30 are for outhauls. Some people are probably on two lists, approximately 350 different people waiting for a permit. Jay Fischer would like to include this topic for 12/6/11 for further participation. He believes as far as passing down to heirs, it is the same issue as with outhauls.

Chm. Pickard agrees citizens not hear tonight for mooring discussion should come before the Board vote tonight.

Jim Dineen said people who have their children currently on the mooring list, this would make the list would shrink.

John Woodley would hope the Selectmen consider people may never get a mooring in the area they would like.

Peggy Curtis owns a boat with her sister. The State allows only one name on the boat title. They share the boat. She would like to see the expansion of succession of permits. She asked if any proposed regulations for moorings be available to the public before the website. TA Guerino said if the Board votes affirmatively, it may be put on the website but it would be before comment from Town Counsel. Ford suggests draft of any changes be made available to the public before the 12/6/11 meeting. Mr. Mullen can make available to the public, including the changes. Ford said with regard to discrimination, he doesn't see where Selectmen couldn't come up with a number.

Sloniecki MOVED and SECONDED by Meier to table mooring discussion to 12/6/11. VOTE 5-0. *(Member of the public said opening discussion of the moorings is the proper thing as there are many issues. He recommends having the SHC recommendation discussion about mooring issues).*

Pickard said the agenda item at the 12/6/11 meeting with regard to waterways regulations, the Selectmen will discuss the succession of moorings from spouse to spouse to immediate family. The Selectmen will decide which wording to adopt if they wish to adopt request of the petitioners.

Ford said regulations discussion can include any discussion.

Sloniecki MOVED and SECONDED by Ford to recess for 10 minutes. VOTE 5-0.

Meeting called back to order at 9:50 pm.

Town Administrator's report

a. Municipal Facility fee schedule

Policy relative to fees charged for many public facilities. The Bourne Veteran's Trustees also came up with a fee schedule to Selectmen and handed back to TA for possible amendment or incorporation. Other bills include Pocasset Fire Station, Community Building and Sagamore Fire Station. There are no other buildings where there is other meeting space, with exception to Town Hall. TA Guerino recommends the Town Hall be used for solely municipal purposes. TA Guerino also recommends the Selectmen to vote Fee Schedule as a whole. The Selectmen is in concurrence. Policy set with preamble with rules relative to alcohol, debris, etc. Issues specific to buildings with audio vision equipment and proposed fee schedule. TA Guerino recommends all buildings have refundable fees at the end of activities as far as clean up. Deposit is non-refundable except for unforeseen purposes. TA Guerino has no particular fee structure for the Board to institute or amend tonight.

TA Guerino reviewed available information (rooms available, usage and fee scheduled through the TA):

- Bourne Town Hall
- Sagamore Fire Station (Station #3)
- Pocasset Fire Station (Station #4)
- Bourne Veterans' Community Center – Visiting Nurses Association relative to well being, shots, no fee. If they hold monthly meetings of the Board of Directors, town would put a fee (but could be waived). Ford suggested a general policy that makes fees. If this group and pay director, they are in business that is different from a non-profit; at some stage define who pays and who doesn't.

Fee at this building per Trustees and scheduled fees put forward. TA Guerino amended (bridal shower, etc.) increased to \$35. 501 c 3 organizations (United Way, foundations, etc.) dropped to a \$10 fee. Gymnasium did not change. Issue here is one of fairness and does not personally believe groups that serve town citizens in this building should really be charged. That being said, the Selectmen need to look at the budget for wear and tear of the building. He believes the town is not. The issue is with a kitchen. If an outside group (to be determined at a later time) wants to use the kitchen, there needs to be a fee. Water rates have been increased and there is no measure for the gas stove.

Meier said the Community Center should not charge unless it is a baby shower, etc. Selectmen need to take into consideration the budget. Ford concurs and suggests looking at adding another part-time janitor. The charge issue is mainly about Saturdays.

TA Guerino agrees with Meier, but when he came 6 years ago, the town was \$1M in the red. The Selectmen need to look at the staffing issues. The town hired a second ½ time person without running into overtime situation. The idea was to schedule this person with flexibility.

Ford feels the Selectmen can come up with a reasonable fee. If it is a fundraiser, a fee should be charged. TA Guerino said Selectmen asked him to come up with fees which will be addressed on 12/6/11.

Chm. Pickard raised issue of waiving fees, but the Trustees can say they are requiring a custodian is needed (creative scheduling, adding to the budget). He says this will save time for the Selectmen and the groups as said groups won't have to request a waiver.

Ford read email about Friends of the Bourne Library having control and custody (different from the Trustees). TA Guerino didn't consider the Archives group in said schedule. There is not an exhausted group and meant to be examples.

Ford suggested not charging fees for groups providing services to residents to Bourne.

Sloniecki suggested TA Guerino to rewrite; if group provides a service to the Town of Bourne. TA Guerino can write a narrative with each.

Meier said if the Selectmen approve a fee schedule, can they do an appropriation with the trustee's budget. TA Guerino said to wait until the end of the year and do transfers necessary as allowed by statute by reserve fund transfer.

TA Guerino will not allow the Community Building service be placed in jeopardy because the Board waiving fees.

TA Guerino said that the Fee Schedule is administrative purposes only and it is not policy. The Board is in concurrence with regard to the Fire Departments.

TA Guerino said there are some things the Board needs to comply with legally. TA Guerino clarified what was in the newspapers. The issue was with activities outside and primarily not related with the Friends.

TA Guerino to amend and bring before the Board to vote by the Friday before the 12/6/11 meeting.

Sandy Partisi asked the Board to consider this issue be early in the agenda.

Pat Horton mentioned that the Psychic Fair. A situation left them with only one MMA cadet was available for breakdown of the tables and chairs. The rest of the building was closed. The fair was done for 18 years. When she left, everything was in order.

Vicky Carr said Nathan Carr enjoys visits to the community center and requests the group support The Green Buzzards. No funding beyond State funding and currently charge survivors and families (\$5 for survivors and \$10 for family). Thanked everyone for a place to meet.

Recreation Department will offer pre-school programs at the Community Building. They are in their second Learn to Skate and should be know.

Bourne Bridge construction has begun. Senator Murphy contacted TA Guerino relative to the bond bills.

The town is moving forward with the rotary and the Memorials.

A bid gone out with regard to Cohasset Narrows.

b. Town Administrator's Contract – vacation

TA Guerino requesting to purchase vacation back. Chm. Pickard asked about the procedure. TA Guerino requesting 5 days buy-back.

Meier would like to get Town Counsel opinion before putting to vote. Ford believes there is a need to open the contract. (Section 8).

Sloniecki MOVED and SECONDED by Pickard to open Paragraph 8 to discuss Town Administrator's Contract with regard to buy-back vacation days. VOTE 4-1 (Ford opposes). Ford is not in favor of opening the contract. Pickard will approve the buy-back of 5 days of his contract.

Sloniecki MOVED and SECONDED by Baldwin to approve TA request a 5-day buy-back of his vacation. VOTE 4-1 (Ford opposes).

Sloniecki MOVED and SECONDED by Ford to send previous vote to Town Counsel. VOTE 5-0.

Selectmen's Business

Sloniecki discussed the boys varsity football. The first playoff game is next Tuesday. Tickets on sale through the school for the Thanksgiving Day game. Any donations for the Food Pantry would be greatly appreciated.

Ford talked about Turkey Harvest Dinner at the Eagles on Thanksgiving Day open to everyone, regardless of affordability. Call for deliveries if you cannot make the dinner.

Meier congratulated the football team making the playoffs. Homeless for the Holidays on 11/30/11.

Pickard said Royal Health Group providing transportation at the Trowbridge for Thanksgiving dinner.

Baldwin said the installation of flags for Veterans' Day at the cemetery and was done within 2 ½ hours.

Pickard:

12/6

12/13

12/20 – possible workshop

1/3/12

1/17/12

1/31/12

After that a regular weekly schedule for the budget.

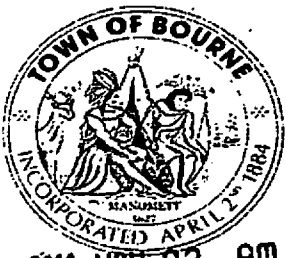
Adjournment

Meier MOVED and SECONDED by Sloniecki to adjourn. Meeting adjourned at 11:00 pm.

UNANIMOUS VOTE.

Respectfully submitted,

Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



2011 NOV 23 AM 9 27

TOWN CLERK'S OFFICE
BOURNE, MASS

EXECUTIVE SESSION
5:30 P.M. - Fire Negotiations

Date

Tuesday

November 29, 2011

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 videotaping, they 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. 7:20 p.m. Assessors: Recommendation by Board of Assessors and Vote on Tax Classification
7. Licenses/Appointments
 - a. 7:30 p.m. - Batman Corporation, d/b/a The Parrot Bar & Grille
 - b. 2012 Annual Liquor License Renewals and accompanying licenses
 - c. Lois Carr – at large member to Human Services Committee
8. Committee Reports
 - a. Wastewater Advisory Committee Report.
9. Tax Title Property - Brian Valanzola – Barbara Hingston
10. Town Administrator Report
 - a. Budget
 - b. Review public facility use
11. Selectmen's business
 - a. Review License/Permits/Fees make copies
12. Adjourn

Board of Selectmen
Minutes of November 29, 2011

2011 DEC 13 PM 4:20
Bourne Veteran's Building
Buzzards Bay MA 02532

*****TOWN CLERK'S OFFICE*****

TA Guerino BOURNE, MASS

- Don Pickard, Chairman
- John Ford, Vice Chairman
- Jamie Sloniecki (excused)
- Earl Baldwin
- Peter Meier

List of documents:

- None

Meier MOVED and SECONDED By Ford at 5:33 pm to enter into Executive Session to discuss Fire Department negotiations and to come back into regular session. Roll call: Ford – yes; Meier – yes; Baldwin – yes; Pickard – yes.

Meeting called to order
7:07 pm by Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)
None.

Approval of Minutes
Ford MOVED and SECONDED by Meier to approve Regular meeting minutes of 11/15/11 as submitted. VOTE 4-0.

Correspondence
Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

Item I – Ford requested letter of recognition on behalf of the Selectmen.
Item F – Chm. Pickard and Ford will attend scheduled meeting.

Item D – Annual Tree Lighting Ceremony on 12/4/11. TA Guerino requests the BOS takes a holiday vote to support. Chm. Pickard planning to attend.

Meier MOVED and SECONDED by Ford to support Tree Lighting Ceremony in Cataumet on 12/4/11. VOTE 4-0.

Meier added the MIA League function will be at Stonehill College, time to be determined and to be announced on the MIA website.

Assessors Recommendation by Board of Assessors and Vote on Tax Clarification

The Board of Assessors recommends that the Board of Selectmen retain one tax rate for all classes of property for FY2012. 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. Bourne is largely a residential community that simply does not have enough of a Commercial/industrial base to make classification worthwhile.

When real estate assessments go up, tax rates goes down; when real estate assessments go down, tax rates go up.

Mr. Agrillo inquired about the new tax rate increases and asked why rate is based on a house that is assessed at \$300,000 (\$170/year increase). The tax rate is derived by monies spent at Town Meeting. There is a certain levy, add 2.5% and have new growth. Levy went from \$35M to \$37M from last year to this year. Monies spent at town meeting will be covered.

Ford MOVED and SECONDED by Meier to approve residential tax rate at \$9.12 per Board of Assessors recommendation. VOTE 4-0. *TA Guerino recognized the work the Assessors Department for said tax rate. Members concurred.*

Licenses/Appointments

a. 7:30 pm The Parrot Bar & Grille

Meier MOVED and SECONDED by Ford to open liquor hearing for the Parrot Bar & Grille for office change, change of stock and change of manager. VOTE 4-0.

Chm. Pickard read public notice into record. Abutters not required to be notified for a liquor hearing. He explained the applicant's Right of Appeals for the record.

Brian Crocker as representative to the Parrot Bar & Grille.

No Board comment. No public comment.

Meier MOVED and SECONDED by Meier to close public hearing. VOTE 4-0.

Ford MOVED and SECONDED by Meier to approve The Parrot Bar & Grille Change of Manager as outlined in the routing slip. VOTE 4-0.

b. 2012 Annual Liquor License Renewals and accompanying licenses

Ford MOVED and SECONDED by Meier to approve Club-All Alcoholic licenses for: Aptuxet Post #5988 - liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Buzzards Bay Eagles - liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Marconi Club - liquor; Monument Beach

Sportman's Club, Inc. - liquor and common victualer; Otis Fish and Game Club, Inc. - liquor and common victualer; Pocasset Golf Club, Inc. - liquor, common victualer, weekday amusement, Sunday amusement; and Weary Travelers Club, Inc. (pending change of manager)- liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement. VOTE 4-0. *TA Guerino said Marconi Club will be approved with stipulation of pending Change of Manager approval – Marconi Club will be back before the Board to vote as there is an issue with ABCC.*

Ford MOVED and SECONDED by Meier to approve Common Victualer – All Alcoholic licenses for: The Brookside Club – liquor, common victualer, weekday amusement and Sunday amusement; Buzzards Bay Tavern – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Courtyard Restaurant – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Cranberry's LLC – liquor, common victualer, weekday amusement and Sunday amusement; Flynn's – liquor, common victualer, weekday amusement and Sunday amusement; Leo's Seafood Restaurant, Inc. – liquor and common victualer; The Lobster Trap Fish Market and Restaurant – liquor and common victualer; Lost Dog Canal Club – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Mezza Luna Restaurant, Inc. – liquor and common victualer; The Parrot Bar & Grill – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Port O'Call, Inc. – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Sandy's Famous Seafood Restaurant – liquor and common victualer; Stir Crazy Restaurant – liquor and common victualer; T.J.'s Grill & Bar, LLC – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Trading Post Lounge, Inc. – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Trowbridge Tavern & Ale House – liquor, common victualer, weekday amusement and Sunday amusement; Wayho Grill, Inc. – liquor, common victualer and weekday amusement; Wayho Restaurant – liquor and common victualer; Whaleback Restaurant – liquor, common victualer, weekday amusement and coin-operated amusement. VOTE 4-0. *The Parrot Bar & Grille change of Manager approved tonight by the Selectmen.*

Ford MOVED and SECONDED by Baldwin to approve Common Victualer – Wine & Malt for: Buzzards Bay House of Pizza – liquor and common victualer; Chen Restaurant, Inc. – liquor and common victualer; Pizza by Evan – liquor. VOTE 4-0.

Ford MOVED and SECONDED by Meier to approve General on Premise – Wine & Malt for: Ryan Family Amusement – liquor, common victualer, Sunday amusement, coin-operated amusement and general license. VOTE 4-0.

Ford MOVED and SECONDED by Meier to approve Package Store – All Alcoholic for: Bourne Bridge Liquors – liquor; Gray Gables Market – liquor; Liberty Warehouse – liquor; The Liquor Barn – liquor; Monument Wine & Spirits, Inc. – liquor; Portside Liquors, Inc. – liquor; Sagamore Deli and Package Store – liquor; Sea Side Wine and Spirit – liquor; Ye Olde Spirit Shoppe – liquor. VOTE 4-0. *Meier asked if there are any violations, will they be before the Board – TA*

Guerino to inform Board at a future date. Ford inquired if package stores were all CORI checked – TA Guerino will check with Ms. Rebello and report back to the Board.

Chm. Pickard said in approving the Courtyard Restaurant's Common Victualer – All Alcoholic license, said approval included approving entertainment license request of hours from 8:00 am – 1:00 am on Sundays per ownership through 2012.

c. Lois Carr – at large member to Human Services Committee

Ford MOVED and SECONDED by Meier to appoint Ms. Lois Carr as an at-large member to the Human Services Committee for a term to expire 6/30/14. VOTE 4-0. *Ford said Ms. Carr has been on said committee for years and will continue to stay on to assist the community.*

Committee Reports

a. Wastewater Advisory Committee Report

TA Guerino said at 6:15 pm next week at the BOSCO meeting.

Tax Title Property – Brian Valanzola – Barbara Hingston

Atty. Valanzola representing Ms. Hingston. He is here tonight to negotiate a settlement with the Selectmen.

Ms. Jennifer Houston (Ms. Hingston's daughter) is looking to get house back. Foreclosure was brought to her attention when attempting to sell house. Through real estate agent, she was told she cannot sell property as town had already taken it. Ms. Houston is seeking to sell property to pay taxes and to place her mother in lower income housing, who is currently on a waiting list at the old Barnstable County Hospital property.

Property was foreclosed on 8/3/11 per Atty. Valanzola. Proper notification was given as stated by TA Guerino.

Meier inquired if policy to vacate was a State statute. TA Guerino explained that auction will be held in January, 2012 and property is listed in said auction. Any properties withdrawn after a contract is signed with the auctioneer, a penalty of 8% will be given to the town to auctioneer to take off the market. The total approximate cost is \$35,000, including auctioneer's fee. Chm. Pickard said the Board can choose to vote to permit Ms. Hingston to make town hold by paying approx. \$35,000 by 1/1/12. If the Board does not choose to vote permit, Ms. Houston will have option to bid at auction.

Atty. Valanzola asked TA Guerino why this was put in the January auction when he believed Ms. Hingston had a year from last August. TA Guerino said based on information given by the Treasure Office through Atty. Coppola, the property was able to move to the auctioneer's list.

Ford MOVED and SECONDED Meier to approve to vacate the decree of foreclosure for property at Map 38.4, Parcel 42.00 for Barbara Hingston in the amount of \$35,000 by January 1, 2012. VOTE 4-0.

Town Administrator Report

a. Budget

Update – budget reviews due by close of business 11/30/11. Department Head reviews and schedules moving forward. No recommendations at this point.

b. Review License/Permits/Fees make copies

Ford requested information for Selectmen of current fee structure, including when said fee structures were last increased. Documents provided for the Board for review.

Ford said only BOH, Clerk's Office and Tax Collector's fees were increased. TA Guerino added fees had not risen in the last 12 months. Meier said not all Board fees were included.

TA Guerino recommends not increasing fees that the Selectmen have any control over. He said DNR recommendation will be made when Mr. Mullen comes in to discuss Waterway Regulations, which will be a discussion on 12/6/11 and action taken on 12/13/11.

Selectmen's Business

Ford met with Senate President with regard to Celebration of 2014, a 9-day event over two weekends. Preliminary work has begun. He attended the Shellfish Advisory Group Meeting (next meeting will be 1/30/12) and will be viewing all Shellfish Regulations. He added there will be an 11/30/11 Assembly of Delegates meeting which will discuss regional type government discussion.

Baldwin asked to keep the Food Pantry in mind during the Holidays.

Pickard requested updates with regard to the Cody School - TA Guerino spoke with Mr. Haydon and the School Department signed off on the parking lot with regard to safety issues. Atty. Troy is removing Paragraph 4 and will have an agreement within the next week. Administrative – December meeting dates on 12/6, 12/13, and 12/20 (workshop, if necessary); January meeting dates on 1/3/12, 1/17/12 and 1/31/12 (workshop in between dates). BOS will meet jointly with FinCom. Selectmen Goals update - TA said Cody School is done, and the Re-organizing piece is done. He continues to work on public relations with regard to streaming videos of various Boards and Committees as well as the said Board/Committee's minutes put on the town website. TA Guerino will have an update in January 2012. Chm. Pickard said the goal in which to decrease amount of reports to the TA, these Division Managers might cost the town more money (TA said \$25,000 maximum with 4 or 5 Department Heads compensated as Division Managers). This will be further discussed at a suggested Executive Session on 12/13/11 from a policy perspective. TA Guerino said with regard to the Charter when discussing Organization – he has a quandary in which he will seek Town Counsel opinion (Article 5, section 5.1 and 5.2 of the new charter). Ford asked the Board have a copy of which TA Guerino is speaking of when he sends to Atty. Troy.

Meier thanked Ms. McCarthy from the Trowbridge Tavern and the Buzzards Bay Eagles for services provided on Thanksgiving Day.

Adjournment

Meier MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 8:10 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Board of Selectmen
Minutes of November 29, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2012 JAN 11 AM 9 35

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

- Don Pickard, Chairman
- John Ford, Vice Chairman
- Jamie Sloniecki (excused)
- Earl Baldwin
- Peter Meier

List of documents:

- None

Meier MOVED and SECONDED By Ford at 5:33 pm to enter into Executive Session to discuss Fire Department negotiations and to come back into regular session. Roll call: Ford – yes; Meier – yes; Baldwin – yes; Pickard – yes.

Meeting called to order

7:07 pm by Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)

None.

Approval of Minutes

Ford MOVED and SECONDED by Meier to approve Regular meeting minutes of 11/15/11 as submitted. VOTE 4-0.

Correspondence

Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

Item I – Ford requested letter of recognition on behalf of the Selectmen.

Item F – Chm. Pickard and Ford will attend scheduled meeting.

Item D – Annual Tree Lighting Ceremony on 12/4/11. TA Guerino requests the BOS takes a holiday vote to support. Chm. Pickard planning to attend.

Meier MOVED and SECONDED by Ford to support Tree Lighting Ceremony in Cataumet on 12/4/11. VOTE 4-0.

Meier added the MIA League function will be at Stonehill College, time to be determined and to be announced on the MIA website.

Assessors Recommendation by Board of Assessors and Vote on Tax Clarification

The Board of Assessors recommends that the Board of Selectmen retain one tax rate for all classes of property for FY2012. 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. Bourne is largely a residential community that simply does not have enough of a Commercial/industrial base to make classification worthwhile.

When real estate assessments go up, tax rates goes down; when real estate assessments go down, tax rates go up.

Mr. Agrillo inquired about the new tax rate increases and asked why rate is based on a house that is assessed at \$300,000 (\$170/year increase). The tax rate is derived by monies spent at Town Meeting. There is a certain levy, add 2.5% and have new growth. Levy went from \$35M to \$37M from last year to this year. Monies spent at town meeting will be covered.

Ford MOVED and SECONDED by Meier to approve residential tax rate at \$9.12 per Board of Assessors recommendation. VOTE 4-0. *TA Guerino recognized the work the Assessors Department for said tax rate. Members concurred.*

Licenses/Appointments

a. 7:30 pm The Parrot Bar & Grille

Meier MOVED and SECONDED by Ford to open liquor hearing on the Change in Manager for the Batman Corporation d/b/a The Parrot Bar & Grille. VOTE 4-0.

Chm. Pickard stated applicant was present and read public notice into record by stating notice was given in accordance to MGL Chapter 138, Section 112 that application has been received from Batman Corporation d/b/a The Parrot Bar & Grille at 1356 Route 28A in Cataumet, MA. Christina Crocker, Manager, to amend a year-round common victualer license for the sale of all kinds of alcoholic beverages and transfer of stock; appointment of new officer and director; and a change in manager from Christina Crocker to Brian M. Crocker. Description of premises is a one-story building with a kitchen, bar, dining room, two (2) decks, storage area, cellar used for storage, men's and ladies' rest rooms. Exits and entrances are located on the north, south and east sides of the building. Hearing to be held at the Bourne Veteran's Community Building on 11/29/11 at 7:30 pm and signed by members of the Board of Selectmen. Chm. Pickard explained the applicant's right of appeals for the record.

Brian Crocker as representative to the Parrot Bar & Grille. Christina Crocker chose to go in a different direction and Mr. Crocker will be taking on the responsibilities. Chm. Pickard said because this is a change in manager, no notification of abutters was required.

No public comment. No Board comment.

Meier MOVED and SECONDED by Meier to close public hearing. VOTE 4-0.

Ford MOVED and SECONDED by Meier to approve the Change of Manager for the Batman Corporation d/b/a The Parrot Bar & Grille as outlined in the routing slip. VOTE 4-0.

b. 2012 Annual Liquor License Renewals and accompanying licenses

Ford MOVED and SECONDED by Meier to approve Club-All Alcoholic licenses for: Aptuxet Post #5988 - liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Buzzards Bay Eagles - liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Marconi Club - liquor; Monument Beach Sportman's Club, Inc. - liquor and common victualer; Otis Fish and Game Club, Inc. - liquor and common victualer; Pocasset Golf Club, Inc. - liquor, common victualer, weekday amusement, Sunday amusement; and Weary Travelers Club, Inc. (pending change of manager)- liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; with the stipulation that we check on the Marconi Club before issuing liquor license to see if they need a common victualer license.

Discussion on motion. Meier raised issue with regard to the Weary Travelers Club, Inc. under remarks of the routing slip for a change of manager. They will need to come back before the Selectmen. Chm. Pickard added there was an issue at the ABCC in Boston relevant to getting a change in manager, and confirmed they will have to come forward to the Selectmen once everything is straightened out with the ABCC. TA Guerino said currently it is appropriate to go ahead and approve.

MOTION VOTE 4-0.

Ford MOVED and SECONDED by Meier to approve Common Victualer – All Alcoholic licenses for: The Brookside Club – liquor, common victualer, weekday amusement and Sunday amusement; Buzzards Bay Tavern – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Courtyard Restaurant – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Cranberry's LLC – liquor, common victualer, weekday amusement and Sunday amusement; Flynn's – liquor, common victualer, weekday amusement and Sunday amusement; Leo's Seafood Restaurant, Inc. – liquor and common victualer; The Lobster Trap Fish Market and Restaurant – liquor and common victualer; Lost Dog Canal Club – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Mezza Luna Restaurant, Inc. – liquor and common victualer; The Parrot Bar & Grill – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Port O'Call, Inc. – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Sandy's Famous Seafood Restaurant – liquor and common victualer; Stir Crazy Restaurant – liquor and common victualer; T.J.'s Grill & Bar, LLC – liquor, common victualer, weekday amusement, Sunday amusement and coin-operated amusement; Trading Post Lounge, Inc. – liquor, common

victualer, weekday amusement, Sunday amusement and coin-operated amusement; Trowbridge Tavern & Ale House – liquor, common victualer, weekday amusement and Sunday amusement; Wayho Grill, Inc. – liquor, common victualer and weekday amusement; Wayho Restaurant – liquor and common victualer; Whaleback Restaurant – liquor, common victualer, weekday amusement and coin-operated amusement. VOTE 4-0. *The Parrot Bar & Grille change of Manager approved tonight by the Selectmen.*

Ford MOVED and SECONDED by Baldwin to approve Common Victualer – Wine & Malt for: Buzzards Bay House of Pizza – liquor and common victualer; Chen Restaurant, Inc. – liquor and common victualer; Pizza by Evan – liquor. VOTE 4-0.

Ford MOVED and SECONDED by Meier to approve General on Premise – Wine & Malt for: Ryan Family Amusement – liquor, common victualer, Sunday amusement, coin-operated amusement and general license. VOTE 4-0.

Ford MOVED and SECONDED by Meier to approve Package Store – All Alcoholic for: Bourne Bridge Liquors – liquor; Gray Gables Market – liquor; Liberty Warehouse – liquor; The Liquor Barn – liquor; Monument Wine & Spirits, Inc. – liquor; Portside Liquors, Inc. – liquor; Sagamore Deli and Package Store – liquor; Sea Side Wine and Spirit – liquor; Ye Olde Spirit Shoppe – liquor. VOTE 4-0. *Meier asked if there are any violations, will they be before the Board – TA Guerino to inform Board at a future date. Ford inquired if package stores were all CORI checked – TA Guerino will check with Ms. Rebello and report back to the Board.*

Chm. Pickard said in approving the Courtyard Restaurant's Common Victualer – All Alcoholic license, said approval included approving entertainment license request of hours from 8:00 am – 1:00 am on Sundays per ownership through 2012.

c. Lois Carr – at large member to Human Services Committee

Ford MOVED and SECONDED by Meier to appoint Ms. Lois Carr as an at-large member to the Human Services Committee for a term to expire 6/30/14. VOTE 4-0. *Ford said Ms. Carr has been on said committee for years and will continue to stay on to assist the community.*

Committee Reports

a. Wastewater Advisory Committee Report

TA Guerino said at 6:15 pm next week at the BOSC meeting.

Tax Title Property – Brian Valanzola – Barbara Hingston

Atty. Valanzola representing Ms. Hingston. He is here tonight to negotiate a settlement with the Selectmen.

Ms. Jennifer Houston (Ms. Hingston's daughter) is looking to get house back. Foreclosure was brought to her attention when attempting to sell house. Through real estate agent, she was told she cannot sell property as town had already taken it. Ms. Houston is seeking to sell property to pay taxes and to place her mother in lower income housing, who is currently on a waiting list at the old Barnstable County Hospital property.

Property was foreclosed on 8/3/11 per Atty. Valanzola. Proper notification was given as stated by TA Guerino.

Meier inquired if policy to vacate was a State statute. TA Guerino explained that auction will be held in January, 2012 and property is listed in said auction. Any properties withdrawn after a contract is signed with the auctioneer, a penalty of 8% will be given to the town to auctioneer to take off the market. The total approximate cost is \$35,000, including auctioneer's fee. Chm. Pickard said the Board can choose to vote to permit Ms. Hingston to make town hold by paying approx. \$35,000 by 1/1/12. If the Board does not choose to vote permit, Ms. Houston will have option to bid at auction.

Atty. Valanzola asked TA Guerino why this was put in the January auction when he believed Ms. Hingston had a year from last August. TA Guerino said based on information given by the Treasure Office through Atty. Coppola, the property was able to move to the auctioneer's list.

Ford MOVED and SECONDED Meier to approve to vacate the decree of foreclosure for property at Map 38.4, Parcel 42.00 for Barbara Hingston in the amount of \$35,000 by January 1, 2012. VOTE 4-0.

Town Administrator Report

a. Budget

Update – budget reviews due by close of business 11/30/11. Department Head reviews and schedules moving forward. No recommendations at this point.

b. Review License/Permits/Fees make copies

Ford requested information for Selectmen of current fee structure, including when said fee structures were last increased. Documents provided for the Board for review.

Ford said only BOH, Clerk's Office and Tax Collector's fees were increased. TA Guerino added fees had not risen in the last 12 months. Meier said not all Board fees were included.

TA Guerino recommends not increasing fees that the Selectmen have any control over. He said DNR recommendation will be made when Mr. Mullen comes in to discuss Waterway Regulations, which will be a discussion on 12/6/11 and action taken on 12/13/11.

Selectmen's Business

Ford met with Senate President with regard to Celebration of 2014, a 9-day event over two weekends. Preliminary work has begun. He attended the Shellfish Advisory Group Meeting (next meeting will be 1/30/12) and will be viewing all Shellfish Regulations. He added there will be an 11/30/11 Assembly of Delegates meeting which will discuss regional type government discussion.

Baldwin asked to keep the Food Pantry in mind during the Holidays.

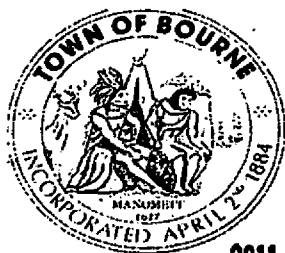
Pickard requested updates with regard to the Cody School - TA Guerino spoke with Mr. Haydon and the School Department signed off on the parking lot with regard to safety issues. Atty. Troy is removing Paragraph 4 and will have an agreement within the next week. Administrative - December meeting dates on 12/6, 12/13, and 12/20 (workshop, if necessary); January meeting dates on 1/3/12, 1/17/12 and 1/31/12 (workshop in between dates). BOS will meet jointly with FinCom. Selectmen Goals update - TA said Cody School is done, and the Re-organizing piece is done. He continues to work on public relations with regard to streaming videos of various Boards and Committees as well as the said Board/Committee's minutes put on the town website. TA Guerino will have an update in January 2012. Chm. Pickard said the goal in which to decrease amount of reports to the TA, these Division Managers might cost the town more money (TA said \$25,000 maximum with 4 or 5 Department Heads compensated as Division Managers). This will be further discussed at a suggested Executive Session on 12/13/11 from a policy perspective. TA Guerino said with regard to the Charter when discussing Organization - he has a quandary in which he will seek Town Counsel opinion (Article 5, section 5.1 and 5.2 of the new charter). Ford asked the Board have a copy of which TA Guerino is speaking of when he sends to Atty. Troy.

Meier thanked Ms. McCarthy from the Trowbridge Tavern and the Buzzards Bay Eagles for services provided on Thanksgiving Day.

Adjournment

Meier MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 8:10 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



2011 DEC 2 PM 3 03

Date TOWN CLERK'S OFFICE
Tuesday BOURNE, MASS 7:00 p.m.
December 6, 2011

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, they 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: 11.29.11; executive 11.29.11
5. Correspondence

6. Proposed Gift of land at 27 Beverly Road, Wings Neck and Conservation Restriction

7. Emergency Management – Mutual Aid Agreement – discussion and possible vote

8. Vehicle Policy – vehicle efficiency second reading

9. Department of Natural Resources

- a. Shellfish Regulations
- b. Slip Fees
- c. Aquaculture Rules & Regulations
- d. Waterway Regulations – Moorings

10. Selectmen's Business

- a. Notice of RFP's at ISWM on 12/13 - Board Vote and possible authorization of Procurement Officer to move forward.
- b. Discussion of Selectmen's meeting materials through electronic tablets.

11. Town Administrator Report

- a. DPW Truck Driver Request

12. Selectmen's business

13. Adjourn

Board of Selectmen
Minutes of December 6, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2011 DEC 28 PM 3 47

TOWN CLERK'S OFFICE
BOURNE, MASS

TA Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

- None

Meeting called to order

7:06 pm by Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)

Colleen Townsend letter of 11/18/11 with regard to the beach off Circuit Avenue. She would like the beach to remain a swimming area. Chm. Pickard said TA Guerino informed the Board that said letter was forwarded to Town Engineer Mike Leitzel for research and to provide answers to the Board and the public at a later date.

Approval of Minutes

Ford MOVED and SECONDED by Meier to approve Regular meeting minutes of 11/29/11 as amended VOTE 4-0-1 (Sloniecki).

Ford MOVED and SECONDED by Meier to approve and encumber Executive Session meeting minutes of 11/29/11 as submitted. VOTE 5-0.

Correspondence

Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

Item G – TA Guerino explained this is a new item to the Board's packets tonight.

Meier mentioned that Bourne High School football team won their first football Super Bowl, giving public recognition to the team. A citation will be signed by the Board and presented early January, 2012. Congressman Keating, State Senate President Therese Murray and State delegates invited for a small ceremony for the team. Per Sloniecki, a Proclamation to name Super Bowl Sunday "Bourne High School Super Bowl 2012."

Chm. Pickard attended Selectmen meetings and wagered on the winning team with regard to the Division 3A Super Bowl. In lieu of lunch, Chm. Pickard requested a donation to the Bourne Food Pantry and will be received by the middle of the month.

Proposed Gift of land at 27 Beverly Road

Director of the Compact of Cape Cod Conservation Trust, Inc. on behalf of the Bourne Conservation Trust's (BCT) acceptance of donation land, which requires Selectmen approval of the Conservation Restriction (CR) for the BCT's qualification for State income tax credit.

Town Planner Coreen Moore reviewed request for CR at 27 Beverly Road – Map 37.4 Parcel 5. The Compact of Cape Cod Conservation Trust, Inc. proposes to place a CR in perpetuity at the rear of 27 Beverly Road for the protection of the upland and wetland habitat. The CR will be held in perpetuity by the Bourne Conservation Trust a qualified conservation organization.

The proposed CT is consistent with Towns Conservation Restriction Policy benefits, meets four goals or policies of the Local Comprehensive Plan, meetings goals or objections of the Open Space Plan. Proposed parcel is 6.21 acres, meeting minimum 3 acres size requirement, the remaining parcel meets the current zoning requirements.

In conclusion, it is Ms. Moore's opinion that the proposed restriction constitutes an overall benefit of the Town of Bourne.

Town Assessor Donna Barakauskas said the Board of Assessors discussed and voted on the proposed CR on 11/10/11 and found that it meets the guidelines for approval of Conservation Restrictions in the Town of Bourne. Ms. Barakauskas said the land is appraised at \$559,700 and the taxes are \$4,766.57.

Sloniecki - for clarification, asked if there was no access to parcel of land, tax relief would be decreased. Ms. Moore stated because parcel is going to the BCT, they are tax exempt.

Ford – A CR does allow for public access. Director of the Compact of Cape Cod Conservation Trust, Inc. clarified and said the parcel does have public access. Ms. Moore stated she was misinformed and didn't have that information. Documentation to be signed by the Board did have that said parcel has public access.

Conservation Agent Brendan Mullaney said the Conservation Commission reviewed proposed CR for 27 Beverly Road at their meeting on 11/3/11. Discussion was held regarding the

environmental attributes of the property as well as the value that the parcel held with respect to the interests of the Wetland Protection Act. The Commission unanimously voted to move application forward to the Selectmen with a positive recommendation for proposed CR. Documentation provided of the Conservation Commission of Municipal Certification signed and sent to the Executive Office of Energy and Environmental Affairs.

Chm. Pickard – asked if land is a buildable lot. Brendan Mullaney said the property is 25% uplands and most likely can be a buildable lot. There is public access, through the water (revetment cut out during prior work for a proposed small marina).

Joe Agrillo asked about parking for Conservation Trust. Mr. Wijntjes, landowner, said there is access. Brendan Mullaney said one can walk through a salt marsh to get to the property but there is no place for a parking lot. Mr. Wijntjes said the end of Beverly Road was always used for parking.

Sloniecki **MOVED** and **SECONDED** by Ford to approve the Conservation Restriction Request of the Compact of Cape Cod Conservation Trust, Inc. for 27 Beverly Road – Map 37.4, Parcel 5 for the Compact of Cape Cod Conservation Trust to place a Conservation Restriction in perpetuity at the rear of 27 Beverly Road for the protection of the upland and wetland habitat. The Conservation Restriction will be held in perpetuity by the Bourne Conservation Trust, a qualified conservation organization. **VOTE 5-0.**

Final documentation was provided for the Board for signatures. A signed final copy will be sent to the TA office.

Emergency Management – Mutual Aid

Chief Charles Noyes (Ret.) reviewed the provisions of Chapter 188 of Acts of 2010 regarding mutual aid laws at the Selectmen's request, and sees great value to sharing Bourne's resources with other communities and sees many more resources becoming available to Bourne during a major event or incident.

Sloniecki - asked about the sending party retaining Director Supervision of all personnel and equipment and if it is common to do so. Mr. Noyes said it is common. Sloniecki added if Bourne receives resources, Bourne will still retain supervision, even if other towns are receiving resources. Mr. Noyes added it is the responsibility of the Town to maintain responsibility to the sending party (any liability) from the time they are deployed until the job complete.

Sloniecki **MOVED** and **SECONDED** by Baldwin that the Town "opt-in" its participation in the Statewide Public Safety Mutual Aid and the Statewide Fire Mutual Aid agreements as requested. **VOTE 5-0.**

Vehicle Policy

TA Guerino said Town could comply with said Policy easily. The Board asked TA Guerino to go to Departments (1st to 2nd reading) who work with various vehicles. The DPW and the Chief Mechanic are comfortable moving forward. Codes will be needed to fix and repair vehicles moving forward. DPW will have to be familiar with hybrid vehicles as they become part of the municipal fleet.

TA Guerino recommends moving Policy to a Third Reading and adoption at the first Selectmen meeting in January. Sloniecki inquired if the Town has the option to not accept. TA Guerino said yes, but recommends Selectmen do adopt.

Meier MOVED and SECONDED by Baldwin to move Vehicle Policy to the Third Reading and Adoption. VOTE 5-0.

Sloniecki – added said Policy doesn't include bigger vehicles, for example, used by the DPW for snow and ice removal.

Department of Natural Resources

a. Shellfish Regulations

DNR Director Tim Mullen is not recommending any changes aside of dates. Regulations are pretty straight forward.

Ford MOVED and SECONDED by Sloniecki to adopt Shellfish Regulations as presented. VOTE 5-0.

b. Slip Fees

Mr. Mullen finds it difficult to recommend any kind of increase. Looking at fees for surrounding towns (fees that are more and less than what Bourne is charging), he feels for the services rendered the fees as are justified.

Meier – inquired about the 2011 occupancy at Taylor's Point. Mr. Mullen said Monument Beach was 100% and Taylor Point, 1 or 2 slips were being used for transom vessels.

Ford – agrees not to raise fees unless there is a need for revenue for services. Bourne does a good job fees for services.

Chm. Pickard – inquired about the non-resident fees (slight increase of about \$20 than resident fees) and if any discussion with this proposal. Mr. Mullen says fees should be consistent with other boating fees as it is State law and that some towns still charge a non-resident fee. Chm. Pickard said he read the CMR relative to moorings and didn't see anything applicable to slip fee on a town-owned mooring and thinks mooring fees. While the Town cannot have resident/non-resident mooring fee, he feels the Town can have a non-resident dock fee for

non-residents. TA Guerino said money for recreational moorings goes to the Waterways account and the commercial slips money goes to the General Fund.

Sloniecki - agrees with Ford in keeping rates the way they are. He added that the Town still benefits from visitors buying gas from Bourne.

Sloniecki MOVED and SECONDED by Meier to leave fees as they are and the current 2012 Fee Schedule as proposed by the Director of DNR dated 12/6/11. VOTE 5-0.

c. Aquaculture Rules & Regulations

Mr. Mullen forwarded language to Town Counsel with regard to the Aquaculture Rules and Regulations. Atty. Troy reviewed proposed Aquaculture Rules and Regulations and Application Requirements and determined they are consistent with GL c. 130, Section 57 et swq and therefore approves same as to form.

In addition, with respect to the proposed Aquaculture licensing, he approved same subject to the following modification:

In the 5th paragraph the license may also be subject to review and/or approval of the ZBA if the proposed grant location is within an area that is subject to the Bourne Zoning bylaw.

Ford – There are a number of areas to apply said Rules & Regulations, by the statute states no one can swim and will need approval.

Chm. Pickard inquired about the leasing of acre lots on the waterways for Aquaculture Harvesting of shellfish. Mr. Mullen said the rest of Town would benefit from the rest of the shellfish in the area.

TA Guerino recognizing the work of Mr. Mullen and his Department for the presentation tonight.

Ford MOVED and SECONDED by Meier to approve the Aquaculture Rules & Regulations as presented tonight. VOTE 5-0.

d. Waterway Regulations – Moorings

Chm. Pickard went over protocol on the Waterway Regulations – Moorings discussion. He himself had some questions after his own research and will present facts; ask fellow Board members if they have any questions; followed by elected boards/committees through their chairs, before opening discussion to the public. He added both anyone for and against the Moorings regulations will have the opportunity to speak.

Chm. Pickard added that Mr. Mullen and the Shore & Harbor Committee are opposed to making any changes to the Waterways Regulations, and more specifically, as it relates to the section where the moorings are transferred to a surviving spouse. Several weeks ago the Board

had a hearing on the outhauls which allowed the transfer to immediate family. He also said that Mr. Mullen is truly a professional of his Department and is good at what he does.

Chm. Pickard questions:

- If a boat will be out for more than one season, boat owner needs to inform Harbormaster (HM). What is the minimum before the HM puts in mix and back on waiting list. Mr. Mullen said it is not in the provisions to "use it or lose it", although he has heard complaints of moorings left vacant. Mr. Mullen feels this should be addressed in the future.
- Wait list. Is there a requirement to show documentation to HM of a boat waiting to go on a mooring? Mr. Mullen said it is not a requirement to own boat while on the mooring waitlist.
- Are there any permit holders that have information pending, but no boat identified? Mr. Mullen said there are not.
- Section 2.8.4 was formulated after the CMR or State regulations which allow three (3) chances to take a mooring before removed from a list. Mr. Mullen said it is not part of any CMR and that after the third refusal, put to the end of a list.
- Public safety issue with regard to fitting more boats in a highly populated mooring field. Mr. Mullen said it would be easier to ask existing permit holders as to how many more can fit into more populated into the mooring fields, but it is pretty saturated.

Chm. Pickard asked Mr. Mullen questions over the week:

- How many people of the 233 on the waitlist that have two (2) permits: 61 have three (3) permits; 12 have four (4) permits; 5 have five (5) permits and 1 has six (6) permits. Adding 651 commercial moorings, 2537 total leaving 1156 for individual permit holders.

Breakdown of wait list of residents/non residents as well as non-resident: 168 on two (2) waitlists; 229 on one (1) wait list. Out of 565 applications, only 397 are on the wait list. Of that 397 on the waitlist, 155 people are not residents or tax payers in the Town of Bourne. 155 people who don't vote or pay taxes in the Town of Bourne. Chm. Pickard said since Bourne is a town with a large shoreline, he recommends the Board revisit the list to open up to more residents.

In summary, Chm. Pickard is in favor of changing the list to allow one mooring transfer per person which could open up 400 moorings over a period of time. In addition, he would like to look into the "use it or lose it" option further.

Chm. Pickard opened the discussion to fellow Board members once Mr. Mullen speaks.

Mr. Mullen said the "use it or lose it" sounds good, but almost impossible to determine who uses mooring, and what constitutes "use" during weekends. To determine in 42 different moorings of who is/isn't using them, it is not something that has been able to be resolved in decades. No one has come up with plan to implement and enforce. He added the Cove Masters (CM) are volunteers who assists DNR with mooring placement, and as an unpaid person who provides an annual survey, to require a volunteer to do enforcement is out of the scope of what is required from a volunteer.

Ford – There are ways to enforce, by ways of the eyes and ears of the HM, a CM receives a free mooring (Mr. Mullen said it is an abatement of the annual fee). Moorings are part of the equation. He was looking at commercial moorings, and there is no section in the Regulations that identifies who is entitled to a commercial mooring. Boat builders have a number of slips, and marinas are in business of moorings. Mooring Inspectors, even when they leave, there are no provisions of who is entitled to commercial mooring. Right now for commercial moorings, one goes on a waitlist, pays \$150, and once obtained, they have the option to sell it. There are people that have nine (9) moorings and feels this number can be tightened up. Boat yards have moorings as well as Mooring Inspectors (which is more residents can't get). He agrees with expanding the 2,500 moorings. If Mr. Mullen came up with spaces with regard for boat safety, he shouldn't be held to a 2500 moratorium. Ford has received a lot of emails from people who put their children on the waitlist. The list would go down if people were allowed to transfer to their family. If the Town came up with more slips for small boats and fewer slips for larger boats, this would be under the HM discretion. Ford is concerned with and believes the Town should have, in writing, a list of commercial slips of who is still in business.

In the Regulations, look at Section 2.2 in regard to mooring permits allowing changes to "spouses only", people couldn't have an outhaul on public property (with the exception of the 11/15/11 meeting). He would like DNR to move outhauls on public land and Mr. Mullen to come back with a recommendation. Mr. Mullen responded by saying this move would be a liability issue. TA Guerino forwarded liability questions to Town Counsel and Atty. Troy said it wouldn't be grandfathered if it was a liability. Ford would like a follow-up with regard to outhauls.

Ford – Section 4.2. Asked Mr. Mullen to follow-up and see if the Town can increase outhauls on public land if areas. He isn't asking Town Counsel to change any language. Mr. Mullen said anyone on the list can apply for outhauls where town waterfront property is available. Ford asked Mr. Mullen has the authority to do so, and Mr. Mullen answered yes. Mr. Mullen said he could strike language with regard to the 7/17/01 no outhauls on public land. Ford said he would like to leave language unless directed by the HM. Mr. Mullen said anything is subject to

the HM and if the Board wants to, and if there is room and it is not hazardous, issue additional outhauls on town-owned land, he can do so. Sloniecki said he misunderstood this section when grandfathering outhauls. Chm. Pickard said it is subject to approval by the HM and can approve outhauls on a case by case basis.

TA Guerino said one thing HM raised concern with was the wording "at the discretion of" relative to a lot of things. Is this one of these areas that was Mr. Mullen pause? Mr. Mullen said what caused him pause was the Board that adopted policy did not provide for permitting on public land. The issue is with the additional grandfathered outhauls from the last Selectmen meeting, which fall under same criteria of any other area where permit approved by the HM. Mr. Mullen believes taking out language in Section 4.2 that refers to "as permitted no outhauls on public land" and proposed language takes into account language adopted after the last meeting. Mr. Mullen could issue additional permits if the Board amends the original dingy storage policy.

Ford – Discussed a person falling under the Disability Act. Mr. Mullen would make an exception for someone with a disability.

Chm. Pickard – Inquired about paperwork with highlighted commercial moorings holders. Mr. Mullen said it was a result in transferring Excel spreadsheet to email format. Chm. Pickard agrees with Ford that marinas have a very severe need for moorings, but there are some entities that are located on 28A that have 14 or 20 moorings in various harbors and is not sure they need. He would like the Board to look into. Mr. Mullen said this falls under the Selectmen pervue.

Ford – Commercial mooring who is entitled (non marina) and licensed under Ch. 91, they pay a mooring fee. These people who inspect moorings to supplement income, can the Town give them a number to give to people to cut the waiting list down (maybe the Board can work on the wording). Ford would like to see commercial permits granted to people who have a need for a commercial permit and questioned why one Mooring Inspector needs nine (9) permits. Mr. Mullen said the Inspector livelihood is also to provide maintenance and inspection services, inspect small moorings which the Town seasonally leases out. Ford said this could be an affordable alternative to some of the larger boatyards, in addition to being part of the revenue.

Chm. Pickard shared that an entity that has 20 commercial moorings. He will give this information to Mr. Mullen for review.

Pickard – Asked how many mooring permits may be available next mooring season. Mr. Mullen said approximately 77. Ford said any additional wouldn't hold to 2,500. Mr. Mullen said this is included in the 2,500.

No further Board questions/comments at this time. Chm. Pickard invited elected or appointed member of a committee or board to take the floor.

Richard Libin, Shore & Harbor Committee (SHC) Chm. says the SHC looks at the mooring issue every year. Finding empty moorings left out and what people don't use them. SHC supports the Regulations as they stand now. In the last 10-12 years, more moorings have been issued than in the last 6 years. His biggest fear is if the Town limits or transfer moorings, the waiting list will never move. Every year the issue comes, especially the moorings never used. He suggested the Town consider if a mooring isn't used for 30 consecutive days, the mooring is lost. Mooring is issued to an individual who must prove they have a vessel. The SHC's position is to keep looking and help the HM make the list fair by having the list move.

Chm. Pickard – inquired if a 2-week per month limit for a vessel on a mooring be good. Mr. Libin didn't know how to police it. Mr. Mullen said the Town would have to increase mooring fees to be able to hire people to enforce. Chm. Pickard would rather have CMs asked to do more than one annual survey and possibly compensate them a tank of fuel. Mr. Libin said if you make the CM to be the enforcers, there will be issues with CM and the "neighbors". Ford said the CM can always report issues. Mr. Libin worked on the Moratorium and looked at expanding to see how many vessels can be added. This Moratorium Working Group consisted of members of the ConCom, SHC, BOH, FinCom, where every CM came to speak to the Group. Increased Barlow's Landing by 12 vessels and increased parking by 20 (ultimately forgetting Mill Pond uses parking lot and difficult for public access). Mr. Libin said there is no quick fix. If there was an area to put another mooring for 200 vessels, they would have done it 5 years ago.

Chm. Pickard opened the floor to public comment at this time.

Mr. Don Tibbett's – in support of having moorings pass to members of the family. If pass the concept of allowing moorings to pass to family, 5 positions on the waiting list will be eliminated just from his children he put on the list. He feels waiting list will get shorter.

Tom Armstrong – in favor of passing to family members.

Michael Parish – against passing moorings to family members.

Fred Ustis – lot of different ways discussed tonight to weed out moorings not used, he cannot think of a worse way to take from a tax payer that's been in Town for 50 years.

Thad Chase – in favor of passing mooring permits to members of the immediate family. Bourne Regulations are out of compliance relative to State law and were amended to reflect State law. In present situation, Regulations are inconsistent to the DEP Regulations. Section 3.10 Code of Regulations where the DEP says "no permit for mooring transferred except to immediate family upon approval of HM." The State already authorized. The definition of a family member includes a parent, sibling, child and other lineage. Mr. Chase gave different town definitions of "family member". Regulations at present give HM authority to pick any one member of the family – contrary to the entire law. The Board should rectify and follow State law. Mr. Chase suggests the issue be sent to Town Counsel to see if permissible, including the Inspector General of MA. Mr. Mullen said this was approved by Town Counsel, by MGL, required to be

consistent with CMR and have to at least abide by the State in CMR, but the Town is not precluded in being more stringent.

Bruce Gerard – in favor of passing mooring permits.

Jack Crowley – in favor passing mooring permits to family members.

Julie Allen – on the waiting list for 7 years. If she has mooring, she would be in favor of passing of moorings. Request any proposal include any family members taken in effect after people who have been on the list for several years obtain.

Jay Fischer – on waiting list, but support in change of regulations is strongly heard. Very fair and equitable to pass onto immediate family. Issue is how impact the waiting list. He would like to pass onto family. Velocity discussions are spot on and ways to increase velocity. Be careful of commercial moorings.

Robert Wheeler – commercial moorings seem to pass to survivors with 20 moorings under them. Why can they pass moorings when residents cannot?

Ed Doherty – shares boat with his son. Biggest fear is son left with boat and no place to put it. He would like to pass moorings to relatives, but maybe pass a limited number. He is in favor of transferring to the family.

Polly Watson – 60 years moored sailboat without incident. Supports to change current policy so family can continue to use mooring.

Joe Agrillo – had mooring and outhaul for 50 years. He turned in 2 licenses after 50 years. If it goes to passing to family members, I would like to request his license back. He also believes in giving someone else a chance.

Will Keene – everyone on list would like to hand down to a family member. He is in favor of passing down.

Susan Miller – lost moorings and has no place to put boats. She is in support of passing down of mooring permits to family members.

Steve Mealy – He was involved with the Moratorium some years ago. Currently he has a mooring, and doesn't agree in passing down other than a spouse. There were 300 people or so who were told they cannot pass down. Lots of people had moorings from many years, which changed due to growing population. If you change, you will freeze the waiting list. Of the 77 permits that may become available, how many will not become available if make the change. (Mr. Mullen concurred with less than half). The Town hasn't explored passing down to family and what happens to the people on the list. He suggested the SHC do a study of the impact of passing moorings down to family members. He also suggests if unable to use mooring, to allow

those who might enjoy mooring for that time understanding it is only temporary. Mr. Mullen looked at 20 towns and 50/50 do and do not pass to family. Allow permits to be passed on to other than a spouse, the waiting period is significant to those who do not allow passing.

Will Hickey – father transferred mooring to him, rules were you could transfer moorings back then. You couldn't transfer moorings until in the 1990's when the SHC wanted to protect clams. This is the history of where it came from. He is in support of passing down.

Francis Doherty – if a joint venture, a way to include passing boats.

Robert Priestley – on the waiting list, couple of people got ahead of him when it was required to need a boat to be on waiting list. In favor of passing down to family members but allow two names – have permit and allow access for family members.

Peggy Curtis – owns boat with sister. Mooring waiting list will be growing if pass the change and ask the Board consider a transfer fee of passing down to family members.

Jim Mulvey – to increase numbers of moorings in the Town, totally public property which belongs to everybody. Increase moorings, increase shellfish, boating, and eel grass – involve all issues. Conveyance of moorings, that is public water, how do you take and control within a family. If allowed, the person who obtains, resident at the property. Own a boat and registered to them. Live in State. All questions raised on houses on public water and public property. Doesn't feel these can be answered. He doesn't believe it is proper or legal to convey rights. Tackle, ball and anchor is personal property and owned. Top to bottom owns to all people.

Dan Daley – shocked to hear someone from another town that someone has the right to the same exact mooring. Selectmen deal with charge someone and someone gets right who is not paying taxes as it is not reciprocal. Chm. Pickard said it is State law anyone can obtain a mooring list. His main concern is the residents and tax payers. TM has to follow State law. Use it or lose it, commercial, how many times allow to pass (currently 3) and maybe less for people on waiting list.

David Sampson – owns a boat and is on a waiting list. He is not in favor of the change. More can be done to make moorings available.

George Jenkins – how ease the back log and that is if a family has 3 boats and want to pass on, why cannot brought up to the HM and one of the moorings passed on and free up others.

Fred Ustis – addressed comments about favoring residents. One, a large percentage passed on would be residents (favors taxpayers). Two, instead anyone pass on moorings, only residents. Pickard said it may not be legal.

Charles Morgan – in favor of passing moorings down to family.

At this time, the Board will recess until 9:25.

Peter Witherall – in favor of passing moorings to family members. Residents vs. non-resident discussion concerns and don't leave out taxpayers but not residents. Chm. Pickard said the Board does recognize this issue.

David Court – in favor of passing down, make sure moorings aren't used and get a way for people to use.

Bill Gorinson – asks not to discount non-residents as some are sons and daughters of residents and will be taxpayers down the road. In favor of continuing use of moorings in the family.

Ford – people who live near water are guaranteed mooring. Do something with the commercial permits; get definition in writing for who qualifies. Ford in favor of giving at least one mooring they own to pass down.

Chm. Pickard - Amend Section 2.2 of the Waterway Regulations which would change wording to mooring permit holders may transfer one mooring permit to immediate family member. He said this would open up 416 moorings over time.

Ford – If increase areas the Town would not be set to the 2,500. 77 permits available with additional of passing opening up some mooring permits. This list will substantially go down. Family taken care of and the list will go down.

Chm. Picard asked Mr. Mullen if in Section 2.8.4 – turn down permit twice, go to the bottom of the list, which includes all 42 mooring areas; whatever they are on the list for. Sloniecki asked why someone would turn down a mooring permit. Mr. Mullen responded saying turn down due to illness, etc. Sloniecki feels if you turn down once, go to bottom of the list.

Peggy Curtis – asked Mr. Mullen how many people on multiple waiting lists (168 on 2 waitlists; 229 – 1 waitlist; Total of 397 for 565 applications on file.

Baldwin – raised analogy of passing down an automobile. Set system that is fair to everyone. He doesn't feel be able to resolve all issues and suggested to table to another date.

Jim Mulvey – asked not to leave the mooring permits to the discretion to the Harbormaster. He also asked if an individual ends up with a mooring, does he/she need a boat or who can use it. Chm. Pickard said boat registered per regulations in place.

Ford – disagrees with taking discretion away from the Harbormaster. Discretion has to be there.

Ford MOVED and SECONDED by Pickard to amend Waterway Regulations Section 2.2 to allow mooring permits holders transfer one mooring permit and others held by individual would go to the surviving spouse as outlined. This opened up discussion.

Mr. Mullen – By voting as motioned above, the Town will allow 1,500 permits passed onto immediately to family members. Ford disagrees and says the number is 421. Mr. Mullen said there is 2,500 total. Chm. Pickard said out of 651 commercial, 728 owned by 312 people. He feels this will open 416 over time. Mr. Mullen said those permits will never be transferred to anyone other than a family member.

- Falmouth HM began discussions to change the Regulations allowing passing to family members to spouse only as some of the waiting list averaged 20 years.
- Barnstable's waiting list has gone up to 20 years and has a lottery to get on the waiting list.
- Chatham has 1,300 people on their waiting list, average permitting 100 moorings per year.
- Provincetown's waitlist is 20 years,
- Mattapoisett is 15 years.

Mr. Mullen cautioned the Board that the waiting list will become stagnant at best. Mr. Mullen read into record an email he received which summarizes the opposition of passing down to family members. To summarize the email, the Regulations should be looking at the waterways for ALL members of the Commonwealth, and it is the Town's duty to manage them in a way that is fair and equitable to ALL. If moorings allowed being transferable beyond upon death, there is no movement on the list. The writer is opposed to passing to family members as transferring a permit should not be an assignment of ownership, and that a mooring permit is not inherative property. The transfer process would have an affect of removing some moorings indefinite, which would not have public assess. In summary, if the Board needs to make a decision, you need to put in more time for implications and scenarios.

Ford – received most emails on the other side. If split and only transfer one permit, he feels this is fair and the list will go down. He made this motion after taking discussions from people into consideration. Mr. Mullen has to look at the big picture and seek the best interest.

Pickard – would like the transferring to surviving spouse language remain; but any mooring owner may transfer one permit and those with multiple permits (312 people), the rest of the permits go into the mix.

Sloniecki – issue with “waiting for Grandpa to die”. If a son or daughter wants a mooring, get on the list and buy a boat themselves. The outhaul list will help some, by decreasing the mooring list. Applicants are told how the system works. With regard to other issues, he cannot make a decision tonight and has taken into consideration Mr. Mullen's comments about giving

some thought before making a decision. Sloniecki will vote to approve the Waterway Regulations as is.

Chm. Pickard, for reiteration, the vote goes as follows:

Ford MOVED and SECONDED by Pickard to transfer one mooring to surviving immediate family members. VOTE 2-3 (Sloniecki, Meier, Baldwin).

Ford MOVED and SECONDED by Sloniecki that TA Guerino to come up with a new definition to what would constitute owning a commercial mooring and what amount of moorings are business (non-marine) and how many are Mooring Inspectors, and what happen if a business is out of business and if should be a limit to those type. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to amend Section 2.8.4 whereas applicant can decline assignment once without losing their place in the wait list. Failure to accept assignment, their name will be removed from the list. VOTE 5-0.

Sloniecki MOVED and SECONDED by Meier to approve Waterway Regulations as submitted dated 11/28/11 and amended tonight. VOTE 5-0.

Steve Mealy – suggested the Board take up Mr. Mulvey's comments and come up with a Board, including the SHC and members at large to discuss changes and their implications. Mr. Mealy volunteered to work on said group.

Selectmen's Business

a. Notice of RFP's at ISWM on 12/13 – Board Vote and possible authorization of Procurement Officer to move forward

On 12/13/11 meeting and possible vote for TA Guerino to move forward with RFP's. Mr. Barrett and Mr. Goddard will be present in the audience. Thanked members in the audience Mr. Andrews, Mr. Schofield, and other professional staff for their work.

b. Discussion of Selectmen's meeting materials through electronic tablets

TA Guerino forwarded information to the Board of the purchase of electronic tablets to get to the members of the Board. The approximate cost (total of 5, plus scanner) would be \$3,000-\$4,000. It would serve town several ways: decrease amount of correlating packets and staff doing multiple functions; getting minutes in a more expeditious way. Chm. Pickard asked if funds available from Selectmen's account, is it possible to pay for the IT for their assistance. TA Guerino said this is possible.

Sloniecki – asked for clarification. TA Guerino said it reduced time, mail, savings on amount of paper put out (there will be a hard copy for the record). Have documentation instantaneously and make things more efficient for staff, Selectmen and TA Guerino. Will have the ability to

scan to a machine. Chm. Pickard added Town emails out of personal computer and onto this tablet, which would be good for public record as it can be saved, new members can review previous drafts of old members.

TA Guerino said he doesn't need a vote to move forward. No Board objection. Sloniecki asked TA Guerino to look at the IT policy with regard to IT staff assistance in said electronic tablets.

Town Administrator Report

a. DPW Truck Driver Request

TA Guerino asking Board for the approval of the addition of DPW truck driver. Currently down two drivers. Have the funding to take care of while other person is out. When that person comes back, there would be a year-end transfer, but enough money to carry person for several months. Chm. Pickard asked why not put in budget for the next fiscal year budget. TA Guerino said DPW Director needs another full time driver.

Ford – why can't make temporary then go for funding in May. He also asked what does the HR Director say. TA Guerino says can make temporary and the HR Director is in favor of year-end transfer. Ford agrees there is a need for a person to fill in. Chm. Pickard said this is a newly created position, and is willing to approve position if it was a temporary position. TA Guerino said he doesn't need the Board approval for a temporary position.

Sloniecki asked about advertising position. TA Guerino said it would have to be re-advertised, as funding issue came to him. To re-advertise would be a 2-3 week period. Sloniecki asked why it isn't another in-house person. TA Guerino answered there is not enough time to train in-house person at this time.

Selectmen's Business

Sloniecki – A lot to discuss with regard to the moorings and came down to people wanting to pass on permit to immediate family, and just as many to keep to spouse only. He made the motion to approve Regulations as more time was needed and Tim Mullen needed to get regulations finalized. There are things the Board can do and hopes a committee set-up to look at other ways to do so. He is not against passing mooring down to the family, but the Board changed the outhauls and those are dramatic changes. Changing the moorings issue tonight would have been too significant. If there are changes proposed by DNR Director or Board member, Waterway Regulations can be amended. TA Guerino stated they have been changed in the past. He will always be against handing down other than spouse, but would like to review commercial, temporary mooring use, etc.; Sloniecki was a film guide to the Bourne Football team, excited for the kids and proud for the Town of Bourne. He recognized TA Guerino, and all people involved in making the football team a success.

Ford – proud of the Board of how they conducted their differences with regard to the moorings. He disagrees with Sloniecki. Both sides were heard, and reason to pass on is just as compassionate and is his reason he made the motion. He concurs with Steve Mealy's

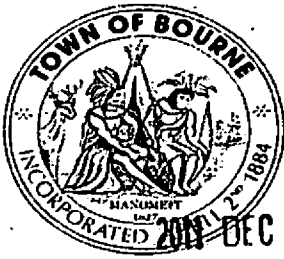
suggestion and form a group to come up with ways to change issues that were raised tonight. There was a good democracy shown tonight. He liked the temporary mooring use idea; He commended Sloniecki's involvement in the football team.

Meier – Holidays coming and asking for public assistance for families who are less fortunate. With regard to moorings, he felt there was too much information to digest to put to vote tonight.

Adjournment

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:40 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice



AGENDA
AMENDED

TOWN CLERK'S OFFICE
6:00 P.M. Executive Session - Personnel

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday December 13, 2011	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, they 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
 - a. Massachusetts Maritime Academy proposed liquor license application
 - b. Non-Agenda Items
4. Minutes: 12.6.11
5. Correspondence

6. Bourne School Committee – restatement of interest for Peebles – possible vote

7. Bond Anticipation Notes Signing

8. Vote on issuance of RFPs and to authorize the Town Administrator/Chief Procurement Officer, Tom Guerino, to do so with the help of ISWM staff and their consultant. RFPs to be issued in Jan. 2012.

9. CCRTA – Tom Cahir – Fixed Route service in Bourne

10. 7:30 Cape Cod Commissioners - County update

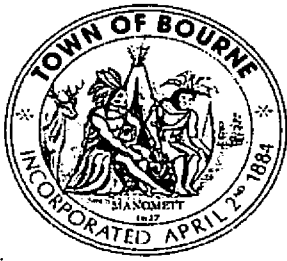
11. Licenses/Appointments
 - a. Graziella's Pizza, LLC – Transfer of Common Victualer License
 - b. Chen's Kitchen, LLC – Common Victualer License

12. Community Center Fees and Presentation Regarding Council Programs Commencing FY13

13. Town Administrator Report

14. Selectmen's business
 - a. Discussion and possible votes on amendments to Section 2.8.4, waiting list procedures & Section 2.2 application process of the Town of Bourne Waterway Rules and Regulations as voted on December 6, 2011.

15. Adjourn



Board of Selectmen Meeting Notice AGENDA



6:00 P.M. Executive Session - Personnel **2011 DEC. 9 PM 3 23**

Date
Tuesday
December 13, 2011

Time
7:00 p.m.

Location
TOWN CLERK'S OFFICE
BOURNE, MASS
Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

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15. Adjourn

Board of Selectmen
Minutes of December 13, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2012 JAN 5 PM 1 16

TOWN CLERK'S OFFICE
BOURNE, MASS

Town Administrator Tom Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

Ford MOVED and SECONDED by Meier to go into Executive Session at 6:00 pm to discuss personnel and then to reconvene in public session. Roll call: Sloniecki – yes, Ford – yes, Pickard – yes, Baldwin - yes.

List of documents:

- None

Meeting called to order
7:15 pm by Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)

a. MMA proposed liquor license application

Admiral Richard Gurnon putting Selectmen on notice. The MMA has acquired the Beachmore. People have expressed concerned about MMA still running events they booked. The MMA felt an obligation to continue said events in the conference center. Under MMA, they plan to hold about half of the events the Beachmore held; about 20 per year with 10 weddings per year. The MMA is looking to solicit an all- alcohol license.

b. Non-agenda Items

None.

Approval of Minutes

Sloniecki MOVED and SECONDED by Meier to approve Regular meeting minutes of 12/6/11 as amended. VOTE 5-0.

Correspondence

Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

Item B – Ford asked how this opening filled. TA Guerino to contact school for how positions will be filled. TA Guerino explained there are two different position openings. One is a School Department and the other is with the Student section. TA Guerino will discuss with Superintendent. The Student youth position has been posted. The other position will be posted on both the School website and in the local newspapers.

Item G – Meier inquired about the grant. Task Force re: Local Pollution coming to the Selectmen at a future meeting for further discussion. Mr. Mulvey said the Force appointed Tim Mullen/DNR to act on their behalf for preparing a draft RFP for a remediation form. Mr. Mullen along with Brendan Mullaney/Conservation Agent, DPW and Dr. Costa to meet, draft RFP, select engineering firm and draft a remediation form. Meier said this grant is very much needed.

Item E – Sloniecki MOVED and SECONDED by Meier that the Board of Selectmen waive the MA State Lottery Commission that Cape Cod Filling Station and Sagamore Deli & Package have applied for KENO license to indicate Selectmen's approval. VOTE 5-0.

Bourne School Committee – restatement of interest for Peebles – possible vote

Mr. O'Hara, Vice Chm. of the School Committee discussed the school's capital needs. He is here tonight seeking Selectmen approval in support of Restatement of Interest and to send on behalf of the School Committee said Statement to the School Building Authority on the interests to renovate Peebles Elementary School. This is required for the Town to accept monies from the School Building Authority. This is a different process from the past. This is the pre-process.

First, the Peebles School's ability to provide education is impacted by the facilities. The school is old and it shows. It is not ADA compliant, the library was converted to a classroom with no space for computers, the heating and electrical system date back to the 1950s are a few examples.

Second, the need for Title I area for academic interventions, and with a future all-day kindergarten, Peebles would not have adequate facilities.

Third, the Town is looking to move away with buildings that saddle it with higher energy costs.

The School Committee voted 6-0 in support of Statement of Interest. The Capital Outlay also voted to support.

Meier said he would support said Statement and requested Mary Jane Mastrangelo to discuss where the Peebles sits on the Capital Outlay's needs list.

Ms. Mastrangelo, Capital Outlay Committee, said the school was a priority slotted for 2016. The DPW, Police and Fire buildings are before the school due to the school's elonged process. The Capital Outlay Committee is in support of the Statement of Interest at this time. This is the first step for 270 eligibility review.

Meier – asked how much reimbursement goes to the school. Ms. Mastrangelo said the base reimbursement is 40% and can qualify for additional monies. The Bournedale School is used as a model for the Peebles which can get up to additional 5% reimbursement to have equity.

Chm. Pickard read into record the Required Form of Vote to Submit a Statement of Interest which was put into a vote:

Resolved: Having convened in an open meeting on December 13, 2011, the Board of Selectmen of the Town of Bourne, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated December 7, 2011 for the Peebles Elementary School located at 70 Trowbridge Road, Bourne, MA 02532 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Submitted Statements of Interest – Priority 7- the Peebles School was constructed in 1953, the building structure shows signs of failure along the HVAC, electrical and plumbing systems. Also, the lack of suitable educational space presents many challenges in delivering the best education possible for the students of Bourne; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

Selectman Meier made a MOTION, SECONDED by Selectman Sloniecki and unanimously voted to submit the Statement of Interest Form as read into the record by Chairman Pickard.

Mr. O'Hara told TA Guerino tonight's approved Selectmen minutes would need to be included in the application.

Mr. Marsh, Superintendent, added the School submitted 180 Statements of Interest this year. He further said this Statement is not a commitment, rather getting in the "pipeline" for a project.

Bond Anticipation Notes Signing

Note signing. On 12/8/11 the Town of Bourne sold \$5,121,000.00 in Bond Anticipation Notes. This note sale was for new authorizations for municipal purposes approved at the May 2011 Annual Town Meeting.

The Town received 9 competitive bids on the 12/8/11 sale and the notes were awarded to TD Securities. Bids offered were extremely favorable as well as close. The following is a summary of the results of the sale:

Bidder	Rate	Premium	NIC
TD Securities	1.25%	\$48,982.36	0.2908%
Eastern	1.50%	\$61,337.47	0.2989%
First Southwest	1.50%	\$56,972.66	0.3844%
Jefferies & Company	1.50%	\$56,946.00	0.3849%
Unibank	0.75%	\$ 0.00	0.75%
Cape Cod 5	0.75%	\$ 0.00	0.75%
Oppenheimer	1.25%	\$25,298.00	0.7546%
Century	0.90%	\$ 0.00	0.90%
JP Morgan	0.95%	\$ 0.00	0.95%

Authorization and use of proceeds included: Server update; Police Cruisers; Police Computers; Fire Breaker Vehicle; Fire Ambulance; School Technology; High School Energy Conversion; Removal of Underground Tanks; DPW Dump Truck; DPW Garage Repairs; Landfill Liner – Phase 4.

Meier MOVED and SECONDED by Sloniecki that the Board of Selectmen of the Town of Bourne, Massachusetts, certify that at a meeting of the board held 12/13/11, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$5,121,000 1.25 percent General Obligation Bond Anticipation Note (the "Note") of the Town dated 12/19/11 and payable 12/18/12, to TD Securities (USA) LLC at par and accrued interest plus a premium of \$48,982.36.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated 12/1/11, and a final Official Statement dated 12/8/11, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and delivery a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: the each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a

copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting that no deliberations or decision in connection with the sale of the Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended. VOTE 5-0. TA Guerino said the interest rate of 1.25% less premium, is due to the Town borrowing less than 1% due to the continuation of the Town's financial policies.

TA Guerino said signatures are requested tonight.

Vote on issuance of RFPs and to authorize the TA/Chief Procurement Officer, Tom Guerino, to do so with the help of ISWM staff and their consultant. RFPs to be issued in Jan. 2012.

Chm. Pickard said Dan Barrett and Phil Goddard are here tonight to bring forward some land lease options to generate some capital for the Town as well as the leachate option. This was approved at Town Meeting.

V. Chm. Ford said the leachate will be big savings to the Town.

Mr. Barrett, ISWM General Manager, explained one of the RFPs is a leachate evaporating equipment, which will off-set the Town's cost. TA Guerino added this will bring down the contracted services line item to \$1.2M for leachate.

Mr. Goddard, ISWM Environmental Manger, discussed the timeline of site leases. RFPs are wrapped to go out in January, 2012 and will go into national trade magazines (Biocycle magazine for example). There are many steps involved for both the Board of Health (BOH) and the Selectmen to do (all subject to the BOH; including presentations, requirements and modifications). Anticipating receipt of proposals by 3/29/12, which then goes into negotiation leases for up to 25 years. This will consummate the deal this summer and then a construction schedule for 2013 will be made.

Meier MOVED and SECONDED by Ford to direct Mr. Tom Guerino, in his capacities as Town Administrator and Chief Procurement Officer and in conjunction with staff from the Dept. of Integrated Solid Waste Management, to submit Requests for Proposals (RFPs) for 1.) Leasing land for innovative, alternative solid waste management technologies, 2.) Landfill gas utilization proposals and leasing land for those proposals, as authorized by the Fall Special Town Meeting and 3.) Landfill leachate management equipment, to the Central Register by 12/28/11. VOTE 5-0.

Cape Cod Regional Transit Authority (CCRTA) – Tom Cahir – Fixed Route service in Bourne
Mr. Cahir has been the CCRTA Administrator for the past two years and has worked hard to create a comprehensive transportation region from Provincetown to Bourne.

The CCRTA is looking to provide a fixed route bus service. They also do dial-a-ride from Bourne and Sandwich to take people to where they need to go. Fixed route runs on the hour.

Notice of Upper Cape Service. Bus routes to serve the Upper Cape transportation needs from Bourne to Falmouth. Beginning as early as 1/30/12, services will be operated on weekdays approximately every two hours. This is to improve transportation choices on the Upper Cape, reduce congestion and improve air quality. \$2 and \$1 for seniors and disabled. No local fiscal impact to the town. A grant will account for local match. Get Federal, State contract and local assessment from the 15 Cape towns. A grant will account for local assessment, then the town will determine if helpful to the Town of Bourne. At that time, it will be a percentage of net cost of service. In short term, no financial impact to the Town.

TA Guerino is in support of the CCRTA.

Sloniecki asked about where advertisements. Advertisement is on the website www.capecodrta.org, and on Facebook. Mr. Cahir said the CCRTA is prohibited by the State to provide school transportation, but if CCRTA go by the schools, they contemplated an early bus to schools at the Mid Cape Highway, Pope John Paul.

Cape Cod Commissioners – County update

Mr. William Doherty gave update on what the Cape Cod Commissioners do for citizens of the Town of Bourne. There were 101 programs in FY11, and provided \$529,898 in grants loans and savings. He highlighted some programs:

Cape Cod Commission

- The HOME Consortium made one down-payment/closing cost loan totaling \$8,959 to a low-income first-time homebuyer in Bourne
- The Commission made a \$4,000 Technical Assistance Program award to the Town of Bourne for a consultant to prepare and submit a Community Development Block Grant housing rehab funding application to the Mass. Dept. of Housing & Community Development
- Supported the Bourne Wastewater Committee's work on wastewater management and related activities

Cape Cod Cooperative Extension

- Bourne Conservation Dept. received a \$9,000 grant to continue implementing the wildfire protection and preparedness grant in the Bourne Town Forest, the Four Ponds Conservation Land and Bourne Water District Land.
- A total of 301 sharps containers were paid for and provided by Cape Cod Cooperative Extension to Bourne in 2010 for distribution to the general public.
- Provided soil test clinic

Children's Cove

- Conducted 4 Sexual Abuse Intervention Network interviews

Fire & Rescue Training Academy

- Hand lines Search and Rescue – 6 Firefighters

Department of Health & Environment

- Assisted Bourne by achieving Tier 2 Hazardous Chemical Emergency Reporting compliance for 19 facilities
- Tick and Lyme Program at the Bournedale Elementary school – 640 attendees

Bourne Development Office/Americorps Cape Cod

- Hazardous Waste Collections
- Beach grass planting
- Canal cleanup

Mary Pat Flynn said in the early spring looked at the governments in the county. Cape Cod legal women's voters and the Cape Cod Round Table. If meet needs of the town, have a town with a sustainable revenue stream and a county that can act before decisions. County governance at the State level. Wide range of suggestions how the governance of the Commission can be changed. Commission will have recommendations in early January 2012. Interested in making sure the county can be delivered. There will be a meeting at 6:30 pm tomorrow night.

Sheila R. Lyons explained the Commission can do on a regional level that the towns cannot do. There is a new restructure. If interested, very detailed minutes are posted on their website www.barnstablecounty.org.

TA Guerino said the County provides the annual Gatsby 45 Report which allows Bourne to be up date to future pension and liability costs. If the town did by itself, it would be a \$20,000-\$30,000 fee. The County provides to us \$4,000 per year and tremendous document and asset.

The Cape Cod Commission's County Report is on their website, linked from Bourne's town website. Cost savings just by using county for purchases. Information sharing. TA Guerino said to clone Elaine Davis great asset.

Bob Horne, Jr. mentioned the Children's Cove was one of the golf tournament's choices for a fundraiser. Impact was the ads heard and what is the status of the ads on the radio. Some public service announcements. Unfortunately, maintenance budget is cut after the budget cuts. Constant reminders assist in getting information out.

Licenses/Appointments

a. Graziella's Pizza, LLC – Transfer of Common Victualer License

Sloniecki MOVED and SECONDED by Meier to approve Graziella's Pizza request to transfer of common victualer license to Ms. Luzia Reardon. VOTE 5-0. *(No comments on routing slip).*

b. Chen's Kitchen, LLC – Common Victualer License

Ford MOVED and SECONDED by Sloniecki to approve Chen's Kitchen request of a common victualer license (previously located in the Sagamore Mall); open 7 days a week from 10:30 am – 11:00 pm per routing slip. VOTE 5-0. (Meier – BOH licensure and inspection prior to opening; FD automatic sprinkler system repaired and inspected [Meier requests ASAP]. Chen's Kitchen will open in about two weeks.

Community Center Fees

TA Guerino said first part is at the request of the Board relative to the initial fee presentation. He has brought back the proposal to the Board for hopefully approval this evening. Changes were made. There was a \$10 fee and \$15 respectfully for local non-profit groups that meet at the Community Center. This is the minimal fee determined by the Board and concurred by the Administrator, that there is no need for groups to be charged for meetings. Previous fee indicated as "free", everything else pretty much the same; reduced the gym fees. Dropped half-day and full-day to \$200, \$100. Groups doing fundraising or weekend work would be charged a fee that could be reviewed by the Selectmen and can be waived similar to parks and public lands. With Police and Fire the Selectmen didn't see any changes necessary, but there are areas of concern. TA Guerino incorporated Selectmen direction and instruction and ask Selectmen for questions and then to adopt.

Meier – suggested taking into consideration to the fields behind the Community Building. TA Guerino said this falls under the Recreation Department. Fees for building only. The Board can look at the other fees, but this is what the Board requested relative to the internal space of the building.

V. Chm. Ford – No police or fire stations changes. \$200 per month for on-going groups (Alcoholics Anonymous), \$35 fee for Sagamore outside groups – if you use town staff for PowerPoint, set a fee. Ford talked with TA Guerino about adding a janitor on duty so as to not charge the Swiss League on Saturdays. The Recreation Dept. and COA do programs with a janitor on duty and there shouldn't be a fee; only when have to open up building - and do on a time and a half basis. Recreation Dept. or the COA is not making any fee. To handle the kitchen, there is a fee and recommends there shouldn't be a fee if they are providing a service. TA Guerino said there is a need to go to a second piece. Ford said on the gym \$200, \$100 fees, these are recreational programs and would like to see offered free of charge. TA Guerino said all municipal buildings have a third custodian on a flexible schedule. Ford said when looking for tournaments, outside non-town sponsored leagues should pay a fee. He would like to see the Community building becoming a community building.

Chm. Pickard asked Mr. Noyes, Community Building Trustee, of exemptions set for profit/outside groups, and if there were any conflicts with recent groups that the Trustees voted that should not be using the building. Mr. Noyes said that is correct and are developing policies, but not vote has been taken. Mr. Noyes said it is not the Trustee's intension to say an outside group can't rent a room for an event or activity.

Chm. Pickard – asked if a fundraiser is appropriate for the Community Building. TA Guerino said as long as a fee is charged. TA Guerino further went on to say that there would not be a charge if Sen. Murray, or if any Representatives wanted to hold offices in this building.

V. Chm. Ford – Gym fees. Seniors should not be charged as it is when a janitor is on. TA Guerino added, nor a public non-service group. Ford asked about the fees for the kitchen. TA Guerino recommends he hear COA presentation before taking a vote.

Sloniecki MOVED and SECONDED by Ford for a five-minute recess. UNANIMOUS VOTE.

Town of Bourne Financial Review of the Council on Aging

TA Guerino introduced Mandy Speakman, Council on Aging Director and Linda Marzelli, Finance Director. Review is a result in discussions with TA Guerino, Ms. Marzelli and Ms. Speakman due to the concerns of the past year, year ½ and how to best run programs of the COA, funding mechanism, interaction between fundraising of the Friends and to be sure in compliance with all applicable statutes. Looked at how to best be able to provide a continuing level of high service to the senior community while being in compliance with and taking care of the programs to the building, the senior population and those who need more assistance. TA Guerino wants to commend both Ms. Marzelli and Ms. Speakman for efforts put into this presentation. When proposal presented, BOS will see the effort. V. Chm. Ford's questions will be answered.

TA Guerino turned over to Linda Marzelli.

The purpose of this review is to separate the accounting and operation of the COA programs from the Friends of Bourne Council on Aging, Inc. and to bring these activities under the direction and control of the COA.

Identify programs being affected, the current working staff, and the estimated revenues and costs in operating the programs in order to understand the complexities involved in the undertaking of the separation of the current operations and how it can be accomplished.

Highlights discussed. Staffing, budget for COA FY12, major concerns facing COA, supportive day program, café program, all other activities, COA revenues, accounting options, recommendations for the future.

Employees currently paid by the Town of Bourne. 5 full time and 3 part-time.

Employees paid by COA formula grant. 3 part-time. Total grant funding \$32,288.

Major concerns to address. How and when can the town separate COA programs currently operated by the Friends and bring them into the town's accounting system. How to estimate cost of revenues associated with those programs to be able to budget accurately for FY13. How

to establish accounting mechanisms to operate and review the revenue and expenses for those programs.

Supportive Day Program. Currently 2 part-time and 2 full-time employees. One full-time employee paid. Total revenues \$103,591. Profit for the year 2011 \$10,529 which is not unusual situation. Part of increase arose from a one-time bequeathment. Program provides services to average 20-25 clients in total. Half of the clients are from Elder services (need based) the fee received is \$35 per day for a 5-8 days month. The town would have to take over 2.5 employees currently being paid by the Friends.

Café. Currently provides meals to the Supportive Day program 5 days a week. Monday a full meal is provided and available to the general public. Cost for meal is \$7.95 if a member of the Friends. Profit and loss for Café shows average loss of approximately \$600/month. This loss based on prior meal schedule which had full meals available and open to the public three days. Changes to meal service operation has only been in effect since November therefore current profit and loss figures on new services are unavailable. If the café comes under the COA, the café operation would be required to follow procurement regulations.

Other COA Programs. All other program activities would be brought into the revolving fund. Program fees for classes would be deposited with the Town and the instructor would be paid for their services with a check processed through the town's warrant system.

COA Revenues. Grant funds – currently receives funding from the State under a Formula Grant. These funds awarded from the Executive Office of Elder Affairs. This is not guaranteed.
Donation/Gift funds. Consisted only of receipts from the Friends in the past. All donations from individuals were previously paid and deposited to the Friends. Effective 12/1/11 the COA will now deposit all donations made to the COA to the Town for credit to the COA donation account.

Accounting Options. Increase COA operating budget to include program costs; Create revolving funds under MGL C. 44 Section 53E ½. Donations and gifts cannot be credited to the revolving fund; Use Donation & Gift accounts. No appropriation is needed to spend money from the donation/gift account; Use Donation & Gift accounts.

Recommendations & Comments. What can be done now – currently no mechanism to make these changes during this fiscal year, no changes can be done; when do we make changes – at the ATM 5/2012 the town can vote the authorization of one or more revolving funds for the COA. Possibly one for the Supportive Day program and one for the other COA activity programs including the Cafe; Will programs currently offered change – it is not anticipated that there will be any change to the services currently being offered. The changes that will occur involve the accounting for the program operations; Will there be changes to the Town – town will have to offer benefits to the full-time employees currently being paid by the Friends under the Supportive Day program; What is needed to do before changes take place next year – set up procedures to review and monitor COA activities monthly; Final recommendations for how to

handle all changes today – no, but have begun process of identifying the changes that need to take place and how to accomplish in order to be able to continue offering all of the current programs and activities. This is a work in process and will continue to change and evolve moving forward in this fiscal year and in the future.

Chm. Pickard – page 19 Town offer benefits currently paid by the Friends under the Supportive Day program. They would become Town employees. Meier – what are positions classified as. TA Guerino said the Director – Unit B, Staff Assistant, Unit A. Descriptions reviewed by the Director COA, HR Director and figure placement pursuant to the placement of place and lanes will be done. Descriptions would be so unique that bumping is not an issue. Meier concerned and wanted to know that qualifications make them protected. TA Guerino said there will not be cross mingling of descriptions. Chm. Pickard – revolving fund should cover cost of salaries, and would include their benefits.

V. Chm. Ford – Bridging the Years would be basically a town-owned program. He asked where to go to pay dues for Friends. TA Guerino said it is anticipated that the Friends will be working through the support of where the program is. Folks come into the building and wanting to pay dues would not have to transfer and will provide space within the building in the support day section. Don't want to inconvenience people, but have to separate accounting functions. V. Chm. Ford would like to hear from Chm. of the Friends.

Sloniecki – is there a reason not to believe the Friends accounting received. Ms. Marzelli said there is no reason to not believe the Friends' accounting. Sloniecki asked where the profits go. Ms. Marzelli said keep track and would stay within the Friends. V. Chm. Ford said if seats aren't filled, can run in the negative. Also the \$35 the State pays to support someone. The State doesn't pay the full cost. The meal is a balanced diet and thinks the benefit is good. There won't be a profit every year. TA Guerino said the Supportive Day Program profit of \$10,000 was due to a lot of donations and not an annualized item. He took into account that the town over the years try to bring into realm to make accounting appropriate and bring into the town family of programs offered. Sloniecki asked what happens to the donations and gifts – Ms. Marzelli said can spend as what they want along the way, even if a revolving fund. Sloniecki asked about the \$32,000 grant money, and does the town have the means to fund – Ms. Marzelli said it is something the town will have to look at.

V. Chm. Ford – A gift account is through the town Financial Department. Food pantry is put into the 501c.

Ms. Speakman – formula grant not like many grants and is drying up. Based on \$7/elder. This year \$6.25/elder came out better than ever and her concern isn't drying up, it is if it is dropped and has to account for that. Donations to the COA – town donation gift account but doesn't take away a donation to the Friends.

TA Guerino found out that the Formula Grant money is distributed through the State and is not Federal passed money.

Chm. Pickard – ATM 2012 vote to a Revolving Account. Resident suggested everyone should vote against. What happens if we don't get and was told to vote against is counter-productive to the program.

Carol MacDonald, Friends. Concerned about donations go into Town Hall and not an area for the Friends. V. Chm. Ford gave example of revolving account. Café would be a town program, so not involved in this. Ms. MacDonald understands but feels the Friends have been left out and Ms. Speakman explained better to them. TA Guerino said if offering a pick up program, the town would pay the vendor, deposited into the town registry then issued a check through the Town Treasury. Issue was to make accounting system work and had very little to do with donations to the Friends. No money collected by Friends will enter into the Town Hall. Friends always welcome to participate to do things they do. Cannot have co-mingling of paid staff of friends telling Town Departments what to do and have to separate functions. Friends money is the Friends. Proposed policies by Trustees which aren't adopted yet, employee cannot be at the COA and through a legal agreement for Friends to occupy space in the building – TA Guerino doesn't anticipate a fee involved.

Chm. Pickard – Support Day is a Friends program but appears be a town program. So move out? TA Guerino said the Town can license pieces; some has to be further researched. Really focusing on account and programmatic function. Other pieces will fall into place when looking at implementation moving ahead. Friends have to be in circle on how to move ahead. Financial part was the Federal Laws and the Friends were not included.

V. Chm. Ford – collect dues and could present a newsletter under the Friends and be a reporting business. Ms. Speakman said the newsletter funding is provided by the Friends. V. Chm. Ford – how would it be paid for by a gift account. Ms. Marzelli said one of the items that needs to be worked out.

Chm. Pickard – why does town get involved with writing a check for contracted services person putting on yoga class and less work for town. If Friends have yoga in this building, collect money and pay person out. TA Guerino said vendor is paid directly. Ms. MacDonald wondered if some programs come under the COA. He asked Ms. Speakman what if a COA program. Ms. Speakman said issue comes with issues raised with need to define Friends and COA program. Preserving programs and services in place now. Concerns brought forward, this path is what would protect programs and services. Pickard – COA not receiving financial support from Friends, town take on 2 town employees with benefits, Friends take contributions and may or may not choose to fund programs in this building. Ms. Speakman said it will change budget. Ms. Marzelli said she is hoping not to put in Ms. Speakman's budget. Everything else will cover itself through the Café and revolving fund.

V. Chm. Ford – these programs don't always pay for themselves. Increase fees to pay person to provide it. More work the Friends can develop a program and fund it. Needs more work between COA and Friends. TA Guerino concurs. V. Chm. Ford recommends getting the

accounting function put together in legal format for the programs. He said the Friends can underwrite the COA. Friends and COA need to get together.

TA Guerino - tonight's presentation simulates all issues within the last 12-18 months, looking at fiscal accounting, sit down and work out the implementation the vision of what have to do. Chm. Pickard – large impact on the Friends and feels should have been involved by being invited to these meetings. TA Guerino concurs, but these meetings didn't get involved in the next step (day-to-day).

V. Chm. Ford – agrees with the Chm., and recognizes the work Ms. Marzelli did for this presentation.

Ms. MacDonald – Friends are viable group and willing to work with everyone.

TA Guerino said in every conversation with Ms. Speakman and Ms. Marzelli, there wasn't a negative word indicated as to the worth and value the Friends provides this community.

Mr. Noyes – Trustees say Friends do a great job. Never been any talk of moving the adult day care from the building. Never a mean word relative to the Friends.

TA Guerino recommendations

Programs served general public or subset (seniors) relative to the kitchen on a daily basis – no cost by the Friends or until determined, no fee relative to the meals. Adjustments need to be done to offset any costs and make internally for FY13 budget. Do not believe will need a RFT. Recommend move forward toward implementation as presented this evening.

V. Chm. Ford – in favor of appointing a p/t custodian position for utilization for recreation-sponsored programs.

Meier – clarification – COA meetings are followed by Friends meetings. Since they meet right after each other, the Friends shouldn't have to be charged for having meeting in a public building.

Sloniecki – asked about partial packet and requested the Fire Department be in the packet. TA Guerino will have for Selectmen at the next meeting.

V. Chm. Ford – asked about a vote. TA Guerino said a vote will be required next week as a comprehensive package. Sloniecki – added that the fee is just part of the policy.

Town Administrator Report

Ask to defer but said 1/3 of the way in the Departmental budgets according to schedule.

Selectmen's business

a. Discussion and possible votes on amendments to Section 2.8.4, waiting list procedures & Section 2.2 application process of the Town of Bourne Waterway Rules and Regulations as voted on 12/6/11

Sloniecki asked for clarification on why this is on the agenda. Chm. Pickard said it was brought to his attention by TA Guerino as there was confusion with regard to 2.8.4 where Selectmen took vote on how many times a person could decline a mooring before they resulted in their going to the bottom of the list. Mr. Mullen brought to TA Guerino's attention as well.

With regard to the 2.2 process, he had discussion with Mr. Baldwin after the meeting said the vote was confusing to him and had questions as to whether move one mooring to the surviving spouse or immediate family and if passed, would all others go to the spouse. Specifically to people who hold multiple permits (2 up to 6). He requested to be put back on the agenda.

Sloniecki – 2.8.4 asked the Board if they agree if person refused a location two times they would be placed at the bottom. TA Guerino clarified by saying if one is brought up on list once and refused, you would drop to the bottom to the list and motion needs to be clarified.

Ford – why give two picks. Come up on x list, not advantageous, put on y list.

Mr. Mulvey said reconsidering a previous action and wouldn't it require having a motion and voting to reconsider previous action. V. Chm. Ford said Town Counsel is talking about Town Meeting rules. The Selectmen is barred by Town Meeting and can bring up an item to re-vote. Mr. Mulvey said he researched and disagrees. Agenda was amended and lacked 48 hours as amended agenda posted noon time yesterday. The other item he found out, Board is not bound by any rules or procedure – only by own internal procedures. Seems this Board should be under Robert's rules for orderly procedure.

Meier – Selectmen are obligated by Robert's rules of order. Jim Mulvey said he was told Selectmen are not under Robert's rules. V. Chm. Ford said Mr. Mulvey is correct; Selectmen are not under same rules at Town Meeting. Selectmen can re-vote. Mr. Mulvey said have ability to amend agenda that circumvents entire intent of open meeting law.

Meier MOVED and SECONDED by Ford to reconsider Section 2.8.4 Waiting List Procedures and Section 2.2 Application Process of the Town of Bourne Waterway Rules and Regulations as voted on 12/6/11. VOTE 4-1 (Sloniecki).

Meier MOVED and SECONDED by Ford to amend Section 2.8.4 whereas applicant can decline assignment once without losing their place in the wait list. Failure to accept assignment, their name will be removed from the wait list. VOTE 4-1 (Sloniecki).

Meier – 2.2 Application Process - looking at two individuals. The Girouard family had both names on the mooring application and eventually one had to come off. Tim Mullen said all permits have been issued to an individual. Meier has issue with one individual and wanted to

know if HM has discretion to correct issue and he doesn't know history. Mr. Mullen said person was taken off the permit as permits have always been issued to individuals. Issue was made right with one individual. Person has mooring permit currently. Chm. Pickard said this is third issue – two sisters, two brothers and now this one. Mr. Mullen said moorings are permitted to an individual and corrected and brought into compliance.

Sloniecki said it was the other way around. Mr. Mullen said nothing was taken away. The issue was addressed and went from being in two names, given option who wanted to remain permit holder (Bruce). Sloniecki asked how many permit holders had multiple names and how many changes and how many affected by brother or sister. Mr. Mullen said about 2 names and the issues are being corrected.

V. Chm. Ford – asked why would someone want more than 2 moorings. Mr. Mullen did limit to 3 per individual, but the Board at the time chose to grandfather existing permit holders. Mr. Mullen said he let them know there is a maximum of 3. Chm. Pickard – did you tell him you have three and which one do you want to give up. Mr. Mullen said that is correct.

Stephen Mealy – trying to come up with means on changing and allowing a transfer. Looked at season tickets of a professional sports team. He read teams with waiting lists for tickets. As long as tickets can be transferred to family members, the waiting list will not move. Falmouth allows transfer of permits to more than just a spouse – 8-15 years wait list. If allow transfer of moorings to other than spouse, this will eventually lock up the waiting list. 77 moorings become free. This will not happen next year if you allow transferring of moorings. Eventually there will be no waiting list and asks for consideration. Barnstable has no waiting list at this point because of the lengthy time.

Diana Barth – asked if there are differences in fees after the first one. Mr. Mullen responded no.

Ford MOVED and SECONDED Meier to amend 2.2 Application Process in that one mooring permit is transferable to surviving immediate family member. Immediate family is defined in Section 15.0 Definitions. Upon transfer of this permit to the survivor, mooring permit holders who maintain multiple permits will relinquish additional permits to the Harbormaster.
VOTE 2-3 (Sloniecki, Baldwin and Meier).

TA Guerino said that under this one mooring transferring to other members; all others will be transferred to others. This allows keeping permits in perpetuity.

Mr. Agrillo is saying transferring is not going to work.

Member of audience in support in transferring to direct family members.

Mr. Mullen – 566 permits out of 2,000 that will disappear if transfer permits. He added that he can rationalize the wife's position, but to take and make inheritance of public property in perpetuity.

Meier – Everyone has the right to enjoy and not just the selective few. At some point in the future, he suggests to discuss the changes.

Sloniecki – voted one way last week and will vote the same way. He is concerned about how this was put on the agenda. Section 2.2 was not on the agenda and was amended. Chm. Pickard sent email to members at 4:00 pm. Chm. Pickard said between Tuesday and Friday afternoon he was told the motion was confusing and he wanted to be put on the agenda. Sloniecki said he is concerned with how item was put on the agenda.

V. Chm. Ford – said it pays to be open minded. Procedure was done correctly and Chm. can put on the agenda. Procedurally it is correct.

Sloniecki – If members were confused shouldn't have voted.

Baldwin – nothing in discussion tonight suggests to him that he was confused. He did vote the way the motion was presented and would stick to original vote.

No further Selectmen discussion.

Ford MOVED and SECONDED by Meier to amend 2.8.4 Wait List Procedures an applicant may decline such an assignment once without losing their place on the Wait List; but failure to accept on the second assignment shall result in the applicant's name being removed from the Wait List. VOTE 5-0.

Chm. Pickard – TA Guerino will be coming to the Selectmen with a commercial mooring plan. People who have 10, 20 commercial permits operating under this current regulation, Chapter 91 Waterway license. TA Guerino asked for clarification. Chm. said have Selectmen meeting where commercial mooring plan as an agenda item prior to TA Guerino undertaking a study as it is not clear with regard to permits. Study to be done in the expeditious manner. TA Guerino doesn't believe whatever do, this will be completed in a manner that would intersect with the necessity with getting Waterway Regulations printed and posted to start billing process in January. TA Guerino said this will not take 2 weeks' time. Chm. Pickard said commercial moorings are unclear as written. TA Guerino concurs they need review but believe if doing a thorough job with the items Ford brought up, it will take more than a week to 10 day review.

V. Chm. Ford – can do now and attach amendment sheet later on. This is more than a 2-week process.

Don Tibbets – potential 77 mooring openings, it would determine useful as to why they become open. Suggested to send letters to people who gave up why for facts. Chm. Pickard said if Mr.

Tibbets is up to do the task, perhaps TA Guerino can offer a table to do research. Mr. Tibbets willing to do the research. Chm. Pickard suggested Mr. Tibbets check with TA Guerino as Mr. Mullen doesn't have the staff to accomplish the task. Mr. Tibbets to be in touch with TA Guerino.

Adjourn

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:30 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Board of Selectmen
Minutes of December 13, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2012 JAN 4 PM 2 32

TOWN CLERK'S OFFICE
BOURNE, MASS

Town Administrator Tom Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

Ford MOVED and SECONDED by Meier to go into Executive Session at 6:00 pm to discuss personnel and then to reconvene in public session. Roll call: Sloniecki – yes, Ford – yes, Pickard – yes, Baldwin - yes.

List of documents:

- None

Meeting called to order
7:15 pm by Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)

a. MMA proposed liquor license application

Admiral Richard Gurnon putting Selectmen on notice. The MMA has acquired the Beachmore. People have expressed concerned about MMA still running events they booked. The MMA felt an obligation to continue said events in the conference center. Under MMA, they plan to hold about half of the events the Beachmore held; about 20 per year with 10 weddings per year. The MMA is looking to solicit an all- alcohol license.

b. Non-agenda Items

None.

Approval of Minutes

Sloniecki MOVED and SECONDED by Meier to approve Regular meeting minutes of 12/6/11 as amended. VOTE 5-0.

Correspondence

Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

Item B – Ford asked how this opening filled. TA Guerino to contact school for how positions will be filled. TA Guerino explained there are two different position openings. One is a School Department and the other is with the Student section. TA Guerino will discuss with Superintendent. The Student youth position has been posted. The other position will be posted on both the School website and in the local newspapers.

Item G – Meier inquired about the grant. Task Force re: Local Pollution coming to the Selectmen at a future meeting for further discussion. Mr. Mulvey said the Force appointed Tim Mullen/DNR to act on their behalf for preparing a draft RFP for a remediation form. Mr. Mullen along with Brendan Mullaney/Conservation Agent, DPW and Dr. Costa to meet, draft RFP, select engineering firm and draft a remediation form. Meier said this grant is very much needed.

Item E – Sloniecki MOVED and SECONDED by Meier that the Board of Selectmen waive the MA State Lottery Commission that Cape Cod Filling Station and Sagamore Deli & Package have applied for KENO license to indicate Selectmen's approval. VOTE 5-0.

Bourne School Committee – restatement of interest for Peebles – possible vote

Mr. O'Hara, Chm. of the School Committee discussed the school's capital needs. He is here tonight seeking Selectmen approval in support of Restatement of Interest and to send on behalf of the School Committee said Statement to the School Building Authority on the interests to renovate Peebles Elementary School. This is required for the Town to accept monies from the School Building Authority. This is a different process from the past. This is the pre-process.

First, the Peebles School's ability to provide education is impacted by the facilities. The school is old and it shows. It is not ADA compliant, the library was converted to a classroom with no space for computers, the heating and electrical system date back to the 1950s are a few examples.

Second, the need for Title I area for academic interventions, and with a future all-day kindergarten, Peebles would not have adequate facilities.

Third, the Town is looking to move away with buildings that saddle it with higher energy costs.

The School Committee voted 6-0 in support of Statement of Interest. The Capital Outlay also voted to support.

Meier said he would support said Statement and requested Mary Jane Mastrangelo to discuss where the Peebles sits on the Capital Outlay's needs list.

Ms. Mastrangelo, Capital Outlay Committee, said the school was a priority slotted for 2016. The DPW, Police and Fire buildings are before the school due to the school's elonged process. The Capital Outlay Committee is in support of the Statement of Interest at this time. This is the first step for 270 eligibility review.

Meier – asked how much reimbursement goes to the school. Ms. Mastrangelo said the base reimbursement is 40% and can qualify for additional monies. The Bournedale School is used as a model for the Peebles which can get up to additional 5% reimbursement to have equity.

Chm. Pickard read into record the Required Form of Vote to Submit a Statement of Interest which was put into a vote:

Meier MOVED and SECONDED by Sloniecki Resolved: Having convened in an open meeting on 12/13/11, the Board of Selectmen of the Town of Bourne, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated 12/7/11 for the Peebles Elementary School located at 70 Trowbridge Road, Bourne, MA 02532 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Submitted Statement of Interest – Priority 7 – the Peebles School was constructed in 1953, the building structure shows signs of failure along the HVAC, electrical and plumbing systems. Also, the lack of suitable educational space presents many challenges in delivering the best education possible for the students of Bourne; and hereby further specifically acknowledges that by submitting this Statement of Interest or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

Mr. O'Hara told TA Guerino tonight's approved Selectmen minutes would need to be included in the application.

Mr. Marsh, Superintendent, added the School submitted 180 Statements of Interest this year. He further said this Statement is not a commitment, rather getting in the "pipeline" for a project.

Bond Anticipation Notes Signing

Note signing. On 12/8/11 the Town of Bourne sold \$5,121,000.00 in Bond Anticipation Notes. This note sale was for new authorizations for municipal purposes approved at the May 2011 Annual Town Meeting.

The Town received 9 competitive bids on the 12/8/11 sale and the notes were awarded to TD Securities. Bids offered were extremely favorable as well as close. The following is a summary of the results of the sale:

Bidder	Rate	Premium	NIC
TD Securities	1.25%	\$48,982.36	0.2908%
Eastern	1.50%	\$61,337.47	0.2989%
First Southwest	1.50%	\$56,972.66	0.3844%
Jefferies & Company	1.50%	\$56,946.00	0.3849%

Unibank	0.75%	\$ 0.00	0.75%
Cape Cod 5	0.75%	\$ 0.00	0.75%
Oppenheimer	1.25%	\$25,298.00	0.7546%
Century	0.90%	\$ 0.00	0.90%
JP Morgan	0.95%	\$ 0.00	0.95%

Authorization and use of proceeds included: Server update; Police Cruisers; Police Computers; Fire Breaker Vehicle; Fire Ambulance; School Technology; High School Energy Conversion; Removal of Underground Tanks; DPW Dump Truck; DPW Garage Repairs; Landfill Liner – Phase 4.

Meier MOVED and SECONDED by Sloniecki that the Board of Selectmen of the Town of Bourne, Massachusetts, certify that at a meeting of the board held 12/13/11, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$5,121,000 1.25 percent General Obligation Bond Anticipation Note (the "Note") of the Town dated 12/19/11 and payable 12/18/12, to TD Securities (USA) LLC at par and accrued interest plus a premium of \$48,982.36.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated 12/1/11, and a final Official Statement dated 12/8/11, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and delivery a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: the each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting that no deliberations or decision in connection with the sale of the Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended. VOTE 5-0.

TA Guerino said the interest rate of 1.25% less premium, is due to the Town borrowing less than 1% due to the continuation of the Town's financial policies.

TA Guerino said signatures are requested tonight.

Vote on issuance of RFPs and to authorize the TA/Chief Procurement Officer, Tom Guerino, to do so with the help of ISWM staff and their consultant. RFPs to be issued in Jan. 2012. Chm. Pickard said Dan Barrett and Phil Goddard are here tonight to bring forward some land lease options to generate some capital for the Town as well as the leachate option. This was approved at Town Meeting.

V. Chm. Ford said the leachate will be big savings to the Town.

Mr. Barrett, ISWM General Manager, explained one of the RFPs is a leachate evaporating equipment, which will off-set the Town's cost. TA Guerino added this will bring down the contracted services line item to \$1.2M for leachate.

Mr. Goddard, ISWM Environmental Manger, discussed the timeline of site leases. RFPs are wrapped to go out in January, 2012 and will go into national trade magazines (Biocycle magazine for example). There are many steps involved for both the Board of Health (BOH) and the Selectmen to do (all subject to the BOH; including presentations, requirements and modifications). Anticipating receipt of proposals by 3/29/12, which then goes into negotiation leases for up to 25 years. This will consummate the deal this summer and then a construction schedule for 2013 will be made.

Meier MOVED and SECONDED by Ford to direct Mr. Tom Guerino, in his capacities as Town Administrator and Chief Procurement Officer and in conjunction with staff from the Dept. of Integrated Solid Waste Management, to submit Requests for Proposals (RFPs) for 1.) Leasing land for innovative, alternative solid waste management technologies, 2.) Landfill gas utilization proposals and leasing land for those proposals, as authorized by the Fall Special Town Meeting and 3.) Landfill leachate management equipment, to the Central Register by 12/28/11.
VOTE 5-0.

Cape Cod Regional Transit Authority (CCRTA) – Tom Cahir – Fixed Route service in Bourne
Mr. Cahir has been the CCRTA Administrator for the past two years and has worked hard to create a comprehensive transportation region from Provincetown to Bourne.

The CCRTA is looking to provide a fixed route bus service. They also do dial-a-ride from Bourne and Sandwich to take people to where they need to go. Fixed route runs on the hour.

Notice of Upper Cape Service. Bus routes to serve the Upper Cape transportation needs from Bourne to Falmouth. Beginning as early as 1/30/12, services will be operated on weekdays approximately every two hours. This is to improve transportation choices on the Upper Cape, reduce congestion and improve air quality. \$2 and \$1 for seniors and disabled. No local fiscal

impact to the town. A grant will account for local match. Get Federal, State contract and local assessment from the 15 Cape towns. A grant will account for local assessment, then the town will determine if helpful to the Town of Bourne. At that time, it will be a percentage of net cost of service. In short term, no financial impact to the Town.

TA Guerino is in support of the CCRTA.

Sloniecki asked about where advertisements. Advertisement is on the website www.capecodrta.org, and on Facebook. Mr. Cahir said the CCRTA is prohibited by the State to provide school transportation, but if CCRTA go by the schools, they contemplated an early bus to schools at the Mid Cape Highway, Pope John Paul.

Cape Cod Commissioners – County update

Mr. William Doherty gave update on what the Cape Cod Commissioners do for citizens of the Town of Bourne. There were 101 programs in FY11, and provided \$529,898 in grants loans and savings. He highlighted some programs:

Cape Cod Commission

- The HOME Consortium made one down-payment/closing cost loan totaling \$8,959 to a low-income first-time homebuyer in Bourne
- The Commission made a \$4,000 Technical Assistance Program award to the Town of Bourne for a consultant to prepare and submit a Community Development Block Grant housing rehab funding application to the Mass. Dept. of Housing & Community Development
- Supported the Bourne Wastewater Committee's work on wastewater management and related activities

Cape Cod Cooperative Extension

- Bourne Conservation Dept. received a \$9,000 grant to continue implementing the wildfire protection and preparedness grant in the Bourne Town Forest, the Four Ponds Conservation Land and Bourne Water District Land.
- A total of 301 sharps containers were paid for and provided by Cape Cod Cooperative Extension to Bourne in 2010 for distribution to the general public.
- Provided soil test clinic

Children's Cove

- Conducted 4 Sexual Abuse Intervention Network interviews

Fire & Rescue Training Academy

- Hand lines Search and Rescue – 6 Firefighters

Department of Health & Environment

- Assisted Bourne by achieving Tier 2 Hazardous Chemical Emergency Reporting compliance for 19 facilities
- Tick and Lyme Program at the Bournedale Elementary school – 640 attendees

Bourne Development Office/Americorps Cape Cod

- Hazardous Waste Collections
- Beach grass planting
- Canal cleanup

Mary Pat Flynn said in the early spring looked at the governments in the county. Cape Cod legal women's voters and the Cape Cod Round Table. If meet needs of the town, have a town with a sustainable revenue stream and a county that can act before decisions. County governance at the State level. Wide range of suggestions how the governance of the Commission can be changed. Commission will have recommendations in early January 2012. Interested in making sure the county can be delivered. There will be a meeting at 6:30 pm tomorrow night.

Sheila R. Lyons explained the Commission can do on a regional level that the towns cannot do. There is a new restructure. If interested, very detailed minutes are posted on their website www.barnstablecounty.org.

TA Guerino said the County provides the annual Gatsby 45 Report which allows Bourne to be up date to future pension and liability costs. If the town did by itself, it would be a \$20,000-\$30,000 fee. The County provides to us \$4,000 per year and tremendous document and asset.

The Cape Cod Commission's County Report is on their website, linked from Bourne's town website. Cost savings just by using county for purchases. Information sharing. TA Guerino said to clone Elaine Davis great asset.

Bob Horne, Jr. mentioned the Children's Cove was one of the golf-tournament's choices for a fundraiser. Impact was the ads heard and what is the status of the ads on the radio. Some public service announcements. Unfortunately, maintenance budget is cut after the budget cuts. Constant reminders assist in getting information out.

Licenses/Appointments

a. Graziella's Pizza, LLC – Transfer of Common Victualer License

Sloniecki MOVED and SECONDED by Meier to approve Graziella's Pizza request to transfer of common victualer license to Ms. Luzia Reardon. VOTE 5-0. *(No comments on routing slip)*.

b. Chen's Kitchen, LLC – Common Victualer License

Ford MOVED and SECONDED by Sloniecki to approve Chen's Kitchen request of a common victualer license (previously located in the Sagamore Mall); open 7 days a week from 10:30 am – 11:00 pm per routing slip. VOTE 5-0. *(Meier – BOH licensure and inspection prior to opening; FD automatic sprinkler system repaired and inspected [Meier requests ASAP]. Chen's Kitchen will open in about two weeks.*

Community Center Fees

TA Guerino said first part is at the request of the Board relative to the initial fee presentation. He has brought back the proposal to the Board for hopefully approval this evening. Changes were made. There was a \$10 fee and \$15 respectfully for local non-profit groups that meet at the Community Center. This is the minimal fee determined by the Board and concurred by the Administrator, that there is no need for groups to be charged for meetings. Previous fee indicated as "free", everything else pretty much the same; reduced the gym fees. Dropped half-day and full-day to \$200, \$100. Groups doing fundraising or weekend work would be charged a fee that could be reviewed by the Selectmen and can be waived similar to parks and public lands. With Police and Fire the Selectmen didn't see any changes necessary, but there are areas of concern. TA Guerino incorporated Selectmen direction and instruction and ask Selectmen for questions and then to adopt.

Meier – suggested taking into consideration to the fields behind the Community Building. TA Guerino said this falls under the Recreation Department. Fees for building only. The Board can look at the other fees, but this is what the Board requested relative to the internal space of the building.

V. Chm. Ford – No police or fire stations changes. \$200 per month for on-going groups (Alcoholics Anonymous), \$35 fee for Sagamore outside groups – if you use town staff for PowerPoint, set a fee. Ford talked with TA Guerino about adding a janitor on duty so as to not charge the Swiss League on Saturdays. The Recreation Dept. and COA do programs with a janitor on duty and there shouldn't be a fee; only when have to open up building - and do on a time and a half basis. Recreation Dept. or the COA is not making any fee. To handle the kitchen, there is a fee and recommends there shouldn't be a fee if they are providing a service. TA Guerino said there is a need to go to a second piece. Ford said on the gym \$200, \$100 fees, these are recreational programs and would like to see offered free of charge. TA Guerino said all municipal buildings have a third custodian on a flexible schedule. Ford said when looking for tournaments, outside non-town sponsored leagues should pay a fee. He would like to see the Community building becoming a community building.

Chm. Pickard asked Mr. Noyes, Community Building Trustee, of exemptions set for profit/outside groups, and if there were any conflicts with recent groups that the Trustees voted that should not be using the building. Mr. Noyes said that is correct and are developing policies, but not vote has been taken. Mr. Noyes said it is not the Trustee's intension to say an outside group can't rent a room for an event or activity.

Chm. Pickard – asked if a fundraiser is appropriate for the Community Building. TA Guerino said as long as a fee is charged. TA Guerino further went on to say that there would not be a charge if Sen. Murray, or if any Representatives wanted to hold offices in this building.

V. Chm. Ford – Gym fees. Seniors should not be charged as it is when a janitor is on. TA Guerino added, nor a public non-service group. Ford asked about the fees for the kitchen. TA Guerino recommends he hear COA presentation before taking a vote.

Sloniecki MOVED and SECONDED by Ford for a five-minute recess. UNANIMOUS VOTE.

Town of Bourne Financial Review of the Council on Aging

TA Guerino introduced Mandy Speakman, Council on Aging Director and Linda Marzelli, Finance Director. Review is a result in discussions with TA Guerino, Ms. Marzelli and Ms. Speakman due to the concerns of the past year, year ½ and how to best run programs of the COA, funding mechanism, interaction between fundraising of the Friends and to be sure in compliance with all applicable statutes. Looked at how to best be able to provide a continuing level of high service to the senior community while being in compliance with and taking care of the programs to the building, the senior population and those who need more assistance. TA Guerino wants to commend both Ms. Marzelli and Ms. Speakman for efforts put into this presentation. When proposal presented, BOS will see the effort. V. Chm. Ford's questions will be answered.

TA Guerino turned over to Linda Marzelli.

The purpose of this review is to separate the accounting and operation of the COA programs from the Friends of Bourne Council on Aging, Inc. and to bring these activities under the direction and control of the COA.

Identify programs being affected, the current working staff, and the estimated revenues and costs in operating the programs in order to understand the complexities involved in the undertaking of the separation of the current operations and how it can be accomplished.

Highlights discussed. Staffing, budget for COA FY12, major concerns facing COA, supportive day program, café program, all other activities, COA revenues, accounting options, recommendations for the future.

Employees currently paid by the Town of Bourne. 5 full time and 3 part-time.

Employees paid by COA formula grant. 3 part-time. Total grant funding \$32,288.

Major concerns to address. How and when can the town separate COA programs currently operated by the Friends and bring them into the town's accounting system. How to estimate cost of revenues associated with those programs to be able to budget accurately for FY13. How to establish accounting mechanisms to operate and review the revenue and expenses for those programs.

Supportive Day Program. Currently 2 part-time and 2 full-time employees. One full-time employee paid. Total revenues \$103,591. Profit for the year 2011 \$10,529 which is not

unusual situation. Part of increase arose from a one-time bequeathment. Program provides services to average 20-25 clients in total. Half of the clients are from Elder services (need based) the fee received is \$35 per day for a 5-8 days month. The town would have to take over 2.5 employees currently being paid by the Friends.

Café. Currently provides meals to the Supportive Day program 5 days a week. Monday a full meal is provided and available to the general public. Cost for meal is \$7.95 if a member of the Friends. Profit and loss for Café shows average loss of approximately \$600/month. This loss based on prior meal schedule which had full meals available and open to the public three days. Changes to meal service operation has only been in effect since November therefore current profit and loss figures on new services are unavailable. If the café comes under the COA, the café operation would be required to follow procurement regulations.

Other COA Programs. All other program activities would be brought into the revolving fund. Program fees for classes would be deposited with the Town and the instructor would be paid for their services with a check processed through the town's warrant system.

COA Revenues. Grant funds – currently receives funding from the State under a Formula Grant. These funds awarded from the Executive Office of Elder Affairs. This is not guaranteed.

Donation/Gift funds. Consisted only of receipts from the Friends in the past. All donations from individuals were previously paid and deposited to the Friends. Effective 12/1/11 the COA will now deposit all donations made to the COA to the Town for credit to the COA donation account.

Accounting Options. Increase COA operating budget to include program costs; Create revolving funds under MGL C. 44 Section 53E ½. Donations and gifts cannot be credited to the revolving fund; Use Donation & Gift accounts. No appropriation is needed to spend money from the donation/gift account; Use Donation & Gift accounts.

Recommendations & Comments. What can be done now – currently no mechanism to make these changes during this fiscal year, no changes can be done; when do we make changes – at the ATM 5/2012 the town can vote the authorization of one or more revolving funds for the COA. Possibly one for the Supportive Day program and one for the other COA activity programs including the Cafe; Will programs currently offered change – it is not anticipated that there will be any change to the services currently being offered. The changes that will occur involve the accounting for the program operations; Will there be changes to the Town – town will have to offer benefits to the full-time employees currently being paid by the Friends under the Supportive Day program; What is needed to do before changes take place next year – set up procedures to review and monitor COA activities monthly; Final recommendations for how to handle all changes today – no, but have begun process of identifying the changes that need to take place and how to accomplish in order to be able to continue offering all of the current programs and activities. This is a work in process and will continue to change and evolve moving forward in this fiscal year and in the future.

Chm. Pickard – page 19 Town offer benefits currently paid by the Friends under the Supportive Day program. They would become Town employees. Meier – what are positions classified as. TA Guerino said the Director – Unit B, Staff Assistant, Unit A. Descriptions reviewed by the Director COA, HR Director and figure placement pursuant to the placement of place and lanes will be done. Descriptions would be so unique that bumping is not an issue. Meier concerned and wanted to know that qualifications make them protected. TA Guerino said there will not be cross mingling of descriptions. Chm. Pickard – revolving fund should cover cost of salaries, and would include their benefits.

V. Chm. Ford – Bridging the Years would be basically a town-owned program. He asked where to go to pay dues for Friends. TA Guerino said it is anticipated that the Friends will be working through the support of where the program is. Folks come into the building and wanting to pay dues would not have to transfer and will provide space within the building in the support day section. Don't want to inconvenience people, but have to separate accounting functions. V. Chm. Ford would like to hear from Chm. of the Friends.

Sloniecki – is there a reason not to believe the Friends accounting received. Ms. Marzelli said there is no reason to not believe the Friends' accounting. Sloniecki asked where the profits go. Ms. Marzelli said keep track and would stay within the Friends. V. Chm. Ford said if seats aren't filled, can run in the negative. Also the \$35 the State pays to support someone. The State doesn't pay the full cost. The meal is a balanced diet and thinks the benefit is good. There won't be a profit every year. TA Guerino said the Supportive Day Program profit of \$10,000 was due to a lot of donations and not an annualized item. He took into account that the town over the years try to bring into realm to make accounting appropriate and bring into the town family of programs offered. Sloniecki asked what happens to the donations and gifts – Ms. Marzelli said can spend as what they want along the way, even if a revolving fund. Sloniecki asked about the \$32,000 grant money, and does the town have the means to fund – Ms. Marzelli said it is something the town will have to look at.

V. Chm. Ford – A gift account is through the town Financial Department. Food pantry is put into the 501c.

Ms. Speakman – formula grant not like many grants and is drying up. Based on \$7/elder. This year \$6.25/elder came out better than ever and her concern isn't drying up, it is if it is dropped and has to account for that. Donations to the COA – town donation gift account but doesn't take away a donation to the Friends.

TA Guerino found out that the Formula Grant money is distributed through the State and is not Federal passed money.

Chm. Pickard – ATM 2012 vote to a Revolving Account. Resident suggested everyone should vote against. What happens if we don't get and was told to vote against is counter-productive to the program.

Carol MacDonald, Friends. Concerned about donations go into Town Hall and not an area for the Friends. V. Chm. Ford gave example of revolving account. Café would be a town program, so not involved in this. Ms. MacDonald understands but feels the Friends have been left out and Ms. Speakman explained better to them. TA Guerino said if offering a pick up program, the town would pay the vendor, deposited into the town registry then issued a check through the Town Treasury. Issue was to make accounting system work and had very little to do with donations to the Friends. No money collected by Friends will enter into the Town Hall. Friends always welcome to participate to do things they do. Cannot have co-mingling of paid staff of friends telling Town Departments what to do and have to separate functions. Friends money is the Friends. Proposed policies by Trustees which aren't adopted yet, employee cannot be at the COA and through a legal agreement for Friends to occupy space in the building – TA Guerino doesn't anticipate a fee involved.

Chm. Pickard – Support Day is a Friends program but appears be a town program. So move out? TA Guerino said the Town can license pieces; some has to be further researched. Really focusing on account and programmatic function. Other pieces will fall into place when looking at implementation moving ahead. Friends have to be in circle on how to move ahead. Financial part was the Federal Laws and the Friends were not included.

V. Chm. Ford – collect dues and could present a newsletter under the Friends and be a reporting business. Ms. Speakman said the newsletter funding is provided by the Friends. V. Chm. Ford – how would it be paid for by a gift account. Ms. Marzelli said one of the items that needs to be worked out.

Chm. Pickard – why does town get involved with writing a check for contracted services person putting on yoga class and less work for town. If Friends have yoga in this building, collect money and pay person out. TA Guerino said vendor is paid directly. Ms. MacDonald wondered if some programs come under the COA. He asked Ms. Speakman what if a COA program. Ms. Speakman said issue comes with issues raised with need to define Friends and COA program. Preserving programs and services in place now. Concerns brought forward, this path is what would protect programs and services. Pickard – COA not receiving financial support from Friends, town take on 2 town employees with benefits, Friends take contributions and may or may not choose to fund programs in this building. Ms. Speakman said it will change budget. Ms. Marzelli said she is hoping not to put in Ms. Speakman's budget. Everything else will cover itself through the Café and revolving fund.

V. Chm. Ford – these programs don't always pay for themselves. Increase fees to pay person to provide it. More work the Friends can develop a program and fund it. Needs more work between COA and Friends. TA Guerino concurs. V. Chm. Ford recommends getting the accounting function put together in legal format for the programs. He said the Friends can underwrite the COA. Friends and COA need to get together.

TA Guerino - tonight's presentation simulates all issues within the last 12-18 months, looking at fiscal accounting, sit down and work out the implementation the vision of what have to do.

Chm. Pickard – large impact on the Friends and feels should have been involved by being invited to these meetings. TA Guerino concurs, but these meetings didn't get involved in the next step (day-to-day).

V. Chm. Ford – agrees with the Chm., and recognizes the work Ms. Marzelli did for this presentation.

Ms. MacDonald – Friends are viable group and willing to work with everyone.

TA Guerino said in every conversation with Ms. Speakman and Ms. Marzelli, there wasn't a negative word indicated as to the worth and value the Friends provides this community.

Mr. Noyes – Trustees say Friends do a great job. Never been any talk of moving the adult day care from the building. Never a mean word relative to the Friends.

TA Guerino recommendations

Programs served general public or subset (seniors) relative to the kitchen on a daily basis – no cost by the Friends or until determined, no fee relative to the meals. Adjustments need to be done to offset any costs and make internally for FY13 budget. Do not believe will need a RFT. Recommend move forward toward implementation as presented this evening.

V. Chm. Ford – in favor of appointing a p/t custodian position for utilization for recreation-sponsored programs.

Meier – clarification – COA meetings are followed by Friends meetings. Since they meet right after each other, the Friends shouldn't have to be charged for having meeting in a public building.

Sloniecki – asked about partial packet and requested the Fire Department be in the packet. TA Guerino will have for Selectmen at the next meeting.

V. Chm. Ford – asked about a vote. TA Guerino said a vote will be required next week as a comprehensive package. Sloniecki – added that the fee is just part of the policy.

Town Administrator Report

Ask to defer but said 1/3 of the way in the Departmental budgets according to schedule.

Selectmen's business

- a. **Discussion and possible votes on amendments to Section 2.8.4, waiting list procedures & Section 2.2 application process of the Town of Bourne Waterway Rules and Regulations as voted on 12/6/11**

Sloniecki asked for clarification on why this is on the agenda. Chm. Pickard said it was brought to his attention by TA Guerino as there was confusion with regard to 2.8.4 where Selectmen

took vote on how many times a person could decline a mooring before they resulted in their going to the bottom of the list. Mr. Mullen brought to TA Guérino's attention as well.

With regard to the 2.2 process, he had discussion with Mr. Baldwin after the meeting said the vote was confusing to him and had questions as to whether move one mooring to the surviving spouse or immediate family and if passed, would all others go to the spouse. Specifically to people who hold multiple permits (2 up to 6). He requested to be put back on the agenda.

Sloniecki – 2.8.4 asked the Board if they agree if person refused a location two times they would be placed at the bottom. TA Guerino clarified by saying if one is brought up on list once and refused, you would drop to the bottom to the list and motion needs to be clarified.

Ford – why give two picks. Come up on x list, not advantageous, put on y list.

Mr. Mulvey said reconsidering a previous action and wouldn't it require having a motion and voting to reconsider previous action. V. Chm. Ford said Town Counsel is talking about Town Meeting rules. The Selectmen is barred by Town Meeting and can bring up an item to re-vote. Mr. Mulvey said he researched and disagrees. Agenda was amended and lacked 48 hours as amended agenda posted noon time yesterday. The other item he found out, Board is not bound by any rules or procedure – only by own internal procedures. Seems this Board should be under Robert's rules for orderly procedure.

Meier – Selectmen are obligated by Robert's rules of order. Jim Mulvey said he was told Selectmen are not under Robert's rules. V. Chm. Ford said Mr. Mulvey is correct; Selectmen are not under same rules at Town Meeting. Selectmen can re-vote. Mr. Mulvey said have ability to amend agenda that circumvents entire intent of open meeting law.

Meier MOVED and SECONDED by Ford to reconsider Section 2.8.4 Waiting List Procedures and Section 2.2 Application Process of the Town of Bourne Waterway Rules and Regulations as voted on 12/6/11. VOTE 4-1 (Sloniecki).

Meier MOVED and SECONDED by Ford to amend Section 2.8.4 whereas applicant can decline assignment once without losing their place in the wait list. Failure to accept assignment, their name will be removed from the wait list. VOTE 4-1 (Sloniecki).

Meier – 2.2 Application Process - looking at two individuals. The Girouard family had both names on the mooring application and eventually one had to come off. Tim Mullen said all permits have been issued to an individual. Meier has issue with one individual and wanted to know if HM has discretion to correct issue and he doesn't know history. Mr. Mullen said person was taken off the permit as permits have always been issued to individuals. Issue was made right with one individual. Person has mooring permit currently. Chm. Pickard said this is third issue – two sisters, two brothers and now this one. Mr. Mullen said moorings are permitted to an individual and corrected and brought into compliance.

Sloniecki said it was the other way around. Mr. Mullen said nothing was taken away. The issue was addressed and went from being in two names, given option who wanted to remain permit holder (Bruce). Sloniecki asked how many permit holders had multiple names and how many changes and how many affected by brother or sister. Mr. Mullen said about 2 names and the issues are being corrected.

V. Chm. Ford – asked why would someone want more than 2 moorings. Mr. Mullen did limit to 3 per individual, but the Board at the time chose to grandfather existing permit holders. Mr. Mullen said he let them know there is a maximum of 3. Chm. Pickard – did you tell him you have three and which one do you want to give up. Mr. Mullen said that is correct.

Stephen Mealy – trying to come up with means on changing and allowing a transfer. Looked at season tickets of a professional sports team. He read teams with waiting lists for tickets. As long as tickets can be transferred to family members, the waiting list will not move. Falmouth allows transfer of permits to more than just a spouse – 8-15 years wait list. If allow transfer of moorings to other than spouse, this will eventually lock up the waiting list. 77 moorings become free. This will not happen next year if you allow transferring of moorings. Eventually there will be no waiting list and asks for consideration. Barnstable has no waiting list at this point because of the lengthy time.

Diana Barth – asked if there are differences in fees after the first one. Mr. Mullen responded no.

Ford MOVED and SECONDED Meier to amend 2.2 Application Process in that one mooring permit is transferable to surviving immediate family member. Immediate family is defined in Section 15.0 Definitions. Upon transfer of this permit to the survivor, mooring permit holders who maintain multiple permits will relinquish additional permits to the Harbormaster. VOTE 2-3 (Sloniecki, Baldwin and Meier).

TA Guerino said that under this one mooring transferring to other members; all others will be transferred to others. This allows keeping permits in perpetuity.

Mr. Agrillo is saying transferring is not going to work.

Member of audience in support in transferring to direct family members.

Mr. Mullen – 566 permits out of 2,000 that will disappear if transfer permits. He added that he can rationalize the wife's position, but to take and make inheritance of public property in perpetuity.

Meier – Everyone has the right to enjoy and not just the selective few. At some point in the future, he suggests to discuss the changes.

Sloniecki – voted one way last week and will vote the same way. He is concerned about how this was put on the agenda. Section 2.2 was not on the agenda and was amended. Chm. Pickard sent email to members at 4:00 pm. Chm. Pickard said between Tuesday and Friday afternoon he was told the motion was confusing and he wanted to be put on the agenda. Sloniecki said he is concerned with how item was put on the agenda.

V. Chm. Ford – said it pays to be open minded. Procedure was done correctly and Chm. can put on the agenda. Procedurally it is correct.

Sloniecki – If members were confused shouldn't have voted.

Baldwin – nothing in discussion tonight suggests to him that he was confused. He did vote the way the motion was presented and would stick to original vote.

No further Selectmen discussion.

Ford MOVED and SECONDED by Meier to amend 2.8.4 Wait List Procedures an applicant may decline such an assignment once without losing their place on the Wait List; but failure to accept on the second assignment shall result in the applicant's name being removed from the Wait List. VOTE 5-0.

Chm. Pickard – TA Guerino will be coming to the Selectmen with a commercial mooring plan. People who have 10, 20 commercial permits operating under this current regulation, Chapter 91 Waterway license. TA Guerino asked for clarification. Chm. said have Selectmen meeting where commercial mooring plan as an agenda item prior to TA Guerino undertaking a study as it is not clear with regard to permits. Study to be done in the expeditious manner. TA Guerino doesn't believe whatever do, this will be completed in a manner that would intersect with the necessity with getting Waterway Regulations printed and posted to start billing process in January. TA Guerino said this will not take 2 weeks' time. Chm. Pickard said commercial moorings are unclear as written. TA Guerino concurs they need review but believe if doing a thorough job with the items Ford brought up, it will take more than a week to 10 day review.

V. Chm. Ford – can do now and attach amendment sheet later on. This is more than a 2-week process.

Don Tibbets – potential 77 mooring openings, it would determine useful as to why they become open. Suggested to send letters to people who gave up why for facts. Chm. Pickard said if Mr. Tibbets is up to do the task, perhaps TA Guerino can offer a table to do research. Mr. Tibbets willing to do the research. Chm. Pickard suggested Mr. Tibbets check with TA Guerino as Mr. Mullen doesn't have the staff to accomplish the task. Mr. Tibbets to be in touch with TA Guerino.

Adjourn

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:30 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

Board of Selectmen
Minutes of December 13, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532

2012 JAN 5 PM 1 16

TOWN CLERK'S OFFICE
BOURNE, MASS

Town Administrator Tom Guerino

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

Ford MOVED and SECONDED by Meier to go into Executive Session at 6:00 pm to discuss personnel and then to reconvene in public session. Roll call: Sloniecki – yes, Ford – yes, Pickard – yes, Baldwin - yes.

List of documents:

- None

Meeting called to order
7:15 pm by Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)

a. MMA proposed liquor license application

Admiral Richard Gurnon putting Selectmen on notice. The MMA has acquired the Beachmore. People have expressed concerned about MMA still running events they booked. The MMA felt an obligation to continue said events in the conference center. Under MMA, they plan to hold about half of the events the Beachmore held; about 20 per year with 10 weddings per year. The MMA is looking to solicit an all- alcohol license.

b. Non-agenda Items

None.

Approval of Minutes

Sloniecki MOVED and SECONDED by Meier to approve Regular meeting minutes of 12/6/11 as amended. VOTE 5-0.

Correspondence

Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

A True Copy,

Attest:


Town Clerk

Item B – Ford asked how this opening filled. TA Guerino to contact school for how positions will be filled. TA Guerino explained there are two different position openings. One is a School Department and the other is with the Student section. TA Guerino will discuss with Superintendent. The Student youth position has been posted. The other position will be posted on both the School website and in the local newspapers.

Item G – Meier inquired about the grant. Task Force re: Local Pollution coming to the Selectmen at a future meeting for further discussion. Mr. Mulvey said the Force appointed Tim Mullen/DNR to act on their behalf for preparing a draft RFP for a remediation form. Mr. Mullen along with Brendan Mullaney/Conservation Agent, DPW and Dr. Costa to meet, draft RFP, select engineering firm and draft a remediation form. Meier said this grant is very much needed.

Item E – Sloniecki MOVED and SECONDED by Meier that the Board of Selectmen waive the MA State Lottery Commission that Cape Cod Filling Station and Sagamore Deli & Package have applied for KENO license to indicate Selectmen's approval. VOTE 5-0.

Bourne School Committee – restatement of interest for Peebles – possible vote

Mr. O'Hara, Vice Chm. of the School Committee discussed the school's capital needs. He is here tonight seeking Selectmen approval in support of Restatement of Interest and to send on behalf of the School Committee said Statement to the School Building Authority on the interests to renovate Peebles Elementary School. This is required for the Town to accept monies from the School Building Authority. This is a different process from the past. This is the pre-process.

First, the Peebles School's ability to provide education is impacted by the facilities. The school is old and it shows. It is not ADA compliant, the library was converted to a classroom with no space for computers, the heating and electrical system date back to the 1950s are a few examples.

Second, the need for Title I area for academic interventions, and with a future all-day kindergarten, Peebles would not have adequate facilities.

Third, the Town is looking to move away with buildings that saddle it with higher energy costs.

The School Committee voted 6-0 in support of Statement of Interest. The Capital Outlay also voted to support.

Meier said he would support said Statement and requested Mary Jane Mastrangelo to discuss where the Peebles sits on the Capital Outlay's needs list.

Ms. Mastrangelo, Capital Outlay Committee, said the school was a priority slotted for 2016. The DPW, Police and Fire buildings are before the school due to the school's elonged process. The Capital Outlay Committee is in support of the Statement of Interest at this time. This is the first step for 270 eligibility review.

Meier – asked how much reimbursement goes to the school. Ms. Mastrangelo said the base reimbursement is 40% and can qualify for additional monies. The Bournedale School is used as a model for the Peebles which can get up to additional 5% reimbursement to have equity.

Chm. Pickard read into record the Required Form of Vote to Submit a Statement of Interest which was put into a vote:

Resolved: Having convened in an open meeting on December 13, 2011, the Board of Selectmen of the Town of Bourne, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated December 7, 2011 for the Peebles Elementary School located at 70 Trowbridge Road, Bourne, MA 02532 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Submitted Statements of Interest – Priority 7- the Peebles School was constructed in 1953, the building structure shows signs of failure along the HVAC, electrical and plumbing systems. Also, the lack of suitable educational space presents many challenges in delivering the best education possible for the students of Bourne; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

Selectman Meier made a MOTION, SECONDED by Selectman Sloniecki and unanimously voted to submit the Statement of Interest Form as read into the record by Chairman Pickard.

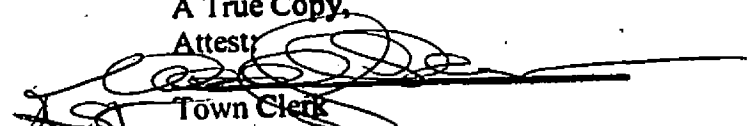
Mr. O'Hara told TA Guerino tonight's approved Selectmen minutes would need to be included in the application.

Mr. Marsh, Superintendent, added the School submitted 180 Statements of Interest this year. He further said this Statement is not a commitment, rather getting in the "pipeline" for a project.

Bond Anticipation Notes Signing

Note signing. On 12/8/11 the Town of Bourne sold \$5,121,000.00 in Bond Anticipation Notes. This note sale was for new authorizations for municipal purposes approved at the May 2011 Annual Town Meeting.

The Town received 9 competitive bids on the 12/8/11 sale and the notes were awarded to TD Securities. Bids offered were extremely favorable as well as close. The following is a summary of the results of the sale:

A True Copy,
Attest:

Town Clerk

Bidder	Rate	Premium	NIC
TD Securities	1.25%	\$48,982.36	0.2908%
Eastern	1.50%	\$61,337.47	0.2989%
First Southwest	1.50%	\$56,972.66	0.3844%
Jefferies & Company	1.50%	\$56,946.00	0.3849%
Unibank	0.75%	\$ 0.00	0.75%
Cape Cod 5	0.75%	\$ 0.00	0.75%
Oppenheimer	1.25%	\$25,298.00	0.7546%
Century	0.90%	\$ 0.00	0.90%
JP Morgan	0.95%	\$ 0.00	0.95%

Authorization and use of proceeds included: Server update; Police Cruisers; Police Computers; Fire Breaker Vehicle; Fire Ambulance; School Technology; High School Energy Conversion; Removal of Underground Tanks; DPW Dump Truck; DPW Garage Repairs; Landfill Liner – Phase 4.

Meier MOVED and SECONDED by Sloniecki that the Board of Selectmen of the Town of Bourne, Massachusetts, certify that at a meeting of the board held 12/13/11, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$5,121,000 1.25 percent General Obligation Bond Anticipation Note (the "Note") of the Town dated 12/19/11 and payable 12/18/12, to TD Securities (USA) LLC at par and accrued interest plus a premium of \$48,982.36.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated 12/1/11, and a final Official Statement dated 12/8/11, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and delivery a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: the each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a

copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting that no deliberations or decision in connection with the sale of the Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended. VOTE 5-0. TA Guerino said the interest rate of 1.25% less premium, is due to the Town borrowing less than 1% due to the continuation of the Town's financial policies.

TA Guerino said signatures are requested tonight.

Vote on issuance of RFPs and to authorize the TA/Chief Procurement Officer, Tom Guerino, to do so with the help of ISWM staff and their consultant. RFPs to be issued in Jan. 2012. Chm. Pickard said Dan Barrett and Phil Goddard are here tonight to bring forward some land lease options to generate some capital for the Town as well as the leachate option. This was approved at Town Meeting.

V. Chm. Ford said the leachate will be big savings to the Town.

Mr. Barrett, ISWM General Manager, explained one of the RFPs is a leachate evaporating equipment, which will off-set the Town's cost. TA Guerino added this will bring down the contracted services line item to \$1.2M for leachate.

Mr. Goddard, ISWM Environmental Manger, discussed the timeline of site leases. RFPs are wrapped to go out in January, 2012 and will go into national trade magazines (Biocycle magazine for example). There are many steps involved for both the Board of Health (BOH) and the Selectmen to do (all subject to the BOH; including presentations, requirements and modifications). Anticipating receipt of proposals by 3/29/12, which then goes into negotiation leases for up to 25 years. This will consummate the deal this summer and then a construction schedule for 2013 will be made.

Meier MOVED and SECONDED by Ford to direct Mr. Tom Guerino, in his capacities as Town Administrator and Chief Procurement Officer and in conjunction with staff from the Dept. of Integrated Solid Waste Management, to submit Requests for Proposals (RFPs) for 1.) Leasing land for innovative, alternative solid waste management technologies, 2.) Landfill gas utilization proposals and leasing land for those proposals, as authorized by the Fall Special Town Meeting and 3.) Landfill leachate management equipment, to the Central Register by 12/28/11. VOTE 5-0.

Cape Cod Regional Transit Authority (CCRTA) – Tom Cahir – Fixed Route service in Bourne Mr. Cahir has been the CCRTA Administrator for the past two years and has worked hard to create a comprehensive transportation region from Provincetown to Bourne.

The CCRTA is looking to provide a fixed route bus service. They also do dial-a-ride from Bourne and Sandwich to take people to where they need to go. Fixed route runs on the hour.

Notice of Upper Cape Service. Bus routes to serve the Upper Cape transportation needs from Bourne to Falmouth. Beginning as early as 1/30/12, services will be operated on weekdays approximately every two hours. This is to improve transportation choices on the Upper Cape, reduce congestion and improve air quality. \$2 and \$1 for seniors and disabled. No local fiscal impact to the town. A grant will account for local match. Get Federal, State contract and local assessment from the 15 Cape towns. A grant will account for local assessment, then the town will determine if helpful to the Town of Bourne. At that time, it will be a percentage of net cost of service. In short term, no financial impact to the Town.

TA Guerino is in support of the CCRTA.

Sloniecki asked about where advertisements. Advertisement is on the website www.capecodrta.org, and on Facebook. Mr. Cahir said the CCRTA is prohibited by the State to provide school transportation, but if CCRTA go by the schools, they contemplated an early bus to schools at the Mid Cape Highway, Pope John Paul.

Cape Cod Commissioners – County update

Mr. William Doherty gave update on what the Cape Cod Commissioners do for citizens of the Town of Bourne. There were 101 programs in FY11, and provided \$529,898 in grants loans and savings. He highlighted some programs:

Cape Cod Commission

- The HOME Consortium made one down-payment/closing cost loan totaling \$8,959 to a low-income first-time homebuyer in Bourne
- The Commission made a \$4,000 Technical Assistance Program award to the Town of Bourne for a consultant to prepare and submit a Community Development Block Grant housing rehab funding application to the Mass. Dept. of Housing & Community Development
- Supported the Bourne Wastewater Committee's work on wastewater management and related activities

Cape Cod Cooperative Extension

- Bourne Conservation Dept. received a \$9,000 grant to continue implementing the wildfire protection and preparedness grant in the Bourne Town Forest, the Four Ponds Conservation Land and Bourne Water District Land.
- A total of 301 sharps containers were paid for and provided by Cape Cod Cooperative Extension to Bourne in 2010 for distribution to the general public.
- Provided soil test clinic

Children's Cove

- Conducted 4 Sexual Abuse Intervention Network interviews

Fire & Rescue Training Academy

- Hand lines Search and Rescue – 6 Firefighters

Department of Health & Environment

- Assisted Bourne by achieving Tier 2 Hazardous Chemical Emergency Reporting compliance for 19 facilities
- Tick and Lyme Program at the Bournedale Elementary school – 640 attendees

Bourne Development Office/Americorps Cape Cod

- Hazardous Waste Collections
- Beach grass planting
- Canal cleanup

Mary Pat Flynn said in the early spring looked at the governments in the county. Cape Cod legal women's voters and the Cape Cod Round Table. If meet needs of the town, have a town with a sustainable revenue stream and a county that can act before decisions. County governance at the State level. Wide range of suggestions how the governance of the Commission can be changed. Commission will have recommendations in early January 2012. Interested in making sure the county can be delivered. There will be a meeting at 6:30 pm tomorrow night.

Sheila R. Lyons explained the Commission can do on a regional level that the towns cannot do. There is a new restructure. If interested, very detailed minutes are posted on their website www.barnstablecounty.org.

TA Guerino said the County provides the annual Gatsby 45 Report which allows Bourne to be up date to future pension and liability costs. If the town did by itself, it would be a \$20,000-\$30,000 fee. The County provides to us \$4,000 per year and tremendous document and asset.

The Cape Cod Commission's County Report is on their website, linked from Bourne's town website. Cost savings just by using county for purchases. Information sharing. TA Guerino said to clone Elaine Davis great asset.

Bob Horne, Jr. mentioned the Children's Cove was one of the golf tournament's choices for a fundraiser. Impact was the ads heard and what is the status of the ads on the radio. Some public service announcements. Unfortunately, maintenance budget is cut after the budget cuts. Constant reminders assist in getting information out.

Licenses/Appointments

- a. Graziella's Pizza, LLC – Transfer of Common Victualer License

Sloniecki MOVED and SECONDED by Meier to approve Graziella's Pizza request to transfer of common victualer license to Ms. Luzia Reardon. VOTE 5-0. *(No comments on routing slip).*

b. Chen's Kitchen, LLC – Common Victualer License

Ford MOVED and SECONDED by Sloniecki to approve Chen's Kitchen request of a common victualer license (previously located in the Sagamore Mall); open 7 days a week from 10:30 am – 11:00 pm per routing slip. VOTE 5-0. (Meier – BOH licensure and inspection prior to opening; FD automatic sprinkler system repaired and inspected [Meier requests ASAP]. Chen's Kitchen will open in about two weeks.

Community Center Fees

TA Guerino said first part is at the request of the Board relative to the initial fee presentation. He has brought back the proposal to the Board for hopefully approval this evening. Changes were made. There was a \$10 fee and \$15 respectfully for local non-profit groups that meet at the Community Center. This is the minimal fee determined by the Board and concurred by the Administrator, that there is no need for groups to be charged for meetings. Previous fee indicated as "free", everything else pretty much the same; reduced the gym fees. Dropped half-day and full-day to \$200, \$100. Groups doing fundraising or weekend work would be charged a fee that could be reviewed by the Selectmen and can be waived similar to parks and public lands. With Police and Fire the Selectmen didn't see any changes necessary, but there are areas of concern. TA Guerino incorporated Selectmen direction and instruction and ask Selectmen for questions and then to adopt.

Meier – suggested taking into consideration to the fields behind the Community Building. TA Guerino said this falls under the Recreation Department. Fees for building only. The Board can look at the other fees, but this is what the Board requested relative to the internal space of the building.

V. Chm. Ford – No police or fire stations changes. \$200 per month for on-going groups (Alcoholics Anonymous), \$35 fee for Sagamore outside groups – if you use town staff for PowerPoint, set a fee. Ford talked with TA Guerino about adding a janitor on duty so as to not charge the Swiss League on Saturdays. The Recreation Dept. and COA do programs with a janitor on duty and there shouldn't be a fee; only when have to open up building - and do on a time and a half basis. Recreation Dept. or the COA is not making any fee. To handle the kitchen, there is a fee and recommends there shouldn't be a fee if they are providing a service. TA Guerino said there is a need to go to a second piece. Ford said on the gym \$200, \$100 fees, these are recreational programs and would like to see offered free of charge. TA Guerino said all municipal buildings have a third custodian on a flexible schedule. Ford said when looking for tournaments, outside non-town sponsored leagues should pay a fee. He would like to see the Community building becoming a community building.

Chm. Pickard asked Mr. Noyes, Community Building Trustee, of exemptions set for profit/outside groups, and if there were any conflicts with recent groups that the Trustees voted that should not be using the building. Mr. Noyes said that is correct and are developing policies, but not vote has been taken. Mr. Noyes said it is not the Trustee's intension to say an outside group can't rent a room for an event or activity.

Chm. Pickard – asked if a fundraiser is appropriate for the Community Building. TA Guerino said as long as a fee is charged. TA Guerino further went on to say that there would not be a charge if Sen. Murray, or if any Representatives wanted to hold offices in this building.

V. Chm. Ford – Gym fees. Seniors should not be charged as it is when a janitor is on. TA Guerino added, nor a public non-service group. Ford asked about the fees for the kitchen. TA Guerino recommends he hear COA presentation before taking a vote.

Sloniecki MOVED and SECONDED by Ford for a five-minute recess. UNANIMOUS VOTE.

Town of Bourne Financial Review of the Council on Aging

TA Guerino introduced Mandy Speakman, Council on Aging Director and Linda Marzelli, Finance Director. Review is a result in discussions with TA Guerino, Ms. Marzelli and Ms. Speakman due to the concerns of the past year, year ½ and how to best run programs of the COA, funding mechanism, interaction between fundraising of the Friends and to be sure in compliance with all applicable statutes. Looked at how to best be able to provide a continuing level of high service to the senior community while being in compliance with and taking care of the programs to the building, the senior population and those who need more assistance. TA Guerino wants to commend both Ms. Marzelli and Ms. Speakman for efforts put into this presentation. When proposal presented, BOS will see the effort. V. Chm. Ford's questions will be answered.

TA Guerino turned over to Linda Marzelli.

The purpose of this review is to separate the accounting and operation of the COA programs from the Friends of Bourne Council on Aging, Inc. and to bring these activities under the direction and control of the COA.

Identify programs being affected, the current working staff, and the estimated revenues and costs in operating the programs in order to understand the complexities involved in the undertaking of the separation of the current operations and how it can be accomplished.

Highlights discussed. Staffing, budget for COA FY12, major concerns facing COA, supportive day program, café program, all other activities, COA revenues, accounting options, recommendations for the future.

Employees currently paid by the Town of Bourne. 5 full time and 3 part-time.

Employees paid by COA formula grant. 3 part-time. Total grant funding \$32,288.

Major concerns to address. How and when can the town separate COA programs currently operated by the Friends and bring them into the town's accounting system. How to estimate cost of revenues associated with those programs to be able to budget accurately for FY13. How

to establish accounting mechanisms to operate and review the revenue and expenses for those programs.

Supportive Day Program. Currently 2 part-time and 2 full-time employees. One full-time employee paid. Total revenues \$103,591. Profit for the year 2011 \$10,529 which is not unusual situation. Part of increase arose from a one-time bequeathment. Program provides services to average 20-25 clients in total. Half of the clients are from Elder services (need based) the fee received is \$35 per day for a 5-8 days month. The town would have to take over 2.5 employees currently being paid by the Friends.

Café. Currently provides meals to the Supportive Day program 5 days a week. Monday a full meal is provided and available to the general public. Cost for meal is \$7.95 if a member of the Friends. Profit and loss for Café shows average loss of approximately \$600/month. This loss based on prior meal schedule which had full meals available and open to the public three days. Changes to meal service operation has only been in effect since November therefore current profit and loss figures on new services are unavailable. If the café comes under the COA, the café operation would be required to follow procurement regulations.

Other COA Programs. All other program activities would be brought into the revolving fund. Program fees for classes would be deposited with the Town and the instructor would be paid for their services with a check processed through the town's warrant system.

COA Revenues. Grant funds – currently receives funding from the State under a Formula Grant. These funds awarded from the Executive Office of Elder Affairs. This is not guaranteed.

Donation/Gift funds. Consisted only of receipts from the Friends in the past. All donations from individuals were previously paid and deposited to the Friends. Effective 12/1/11 the COA will now deposit all donations made to the COA to the Town for credit to the COA donation account.

Accounting Options. Increase COA operating budget to include program costs; Create revolving funds under MGL C. 44 Section 53E ½. Donations and gifts cannot be credited to the revolving fund; Use Donation & Gift accounts. No appropriation is needed to spend money from the donation/gift account; Use Donation & Gift accounts.

Recommendations & Comments. What can be done now – currently no mechanism to make these changes during this fiscal year, no changes can be done; when do we make changes – at the ATM 5/2012 the town can vote the authorization of one or more revolving funds for the COA. Possibly one for the Supportive Day program and one for the other COA activity programs including the Cafe; Will programs currently offered change – it is not anticipated that there will be any change to the services currently being offered. The changes that will occur involve the accounting for the program operations; Will there be changes to the Town – town will have to offer benefits to the full-time employees currently being paid by the Friends under the Supportive Day program; What is needed to do before changes take place next year – set up procedures to review and monitor COA activities monthly; Final recommendations for how to

handle all changes today – no, but have begun process of identifying the changes that need to take place and how to accomplish in order to be able to continue offering all of the current programs and activities. This is a work in process and will continue to change and evolve moving forward in this fiscal year and in the future.

Chm. Pickard – page 19 Town offer benefits currently paid by the Friends under the Supportive Day program. They would become Town employees. Meier – what are positions classified as. TA Guerino said the Director – Unit B, Staff Assistant, Unit A. Descriptions reviewed by the Director COA, HR Director and figure placement pursuant to the placement of place and lanes will be done. Descriptions would be so unique that bumping is not an issue. Meier concerned and wanted to know that qualifications make them protected. TA Guerino said there will not be cross mingling of descriptions. Chm. Pickard – revolving fund should cover cost of salaries, and would include their benefits.

V. Chm. Ford – Bridging the Years would be basically a town-owned program. He asked where to go to pay dues for Friends. TA Guerino said it is anticipated that the Friends will be working through the support of where the program is. Folks come into the building and wanting to pay dues would not have to transfer and will provide space within the building in the support day section. Don't want to inconvenience people, but have to separate accounting functions. V. Chm. Ford would like to hear from Chm. of the Friends.

Sloniecki – is there a reason not to believe the Friends accounting received. Ms. Marzelli said there is no reason to not believe the Friends' accounting. Sloniecki asked where the profits go. Ms. Marzelli said keep track and would stay within the Friends. V. Chm. Ford said if seats aren't filled, can run in the negative. Also the \$35 the State pays to support someone. The State doesn't pay the full cost. The meal is a balanced diet and thinks the benefit is good. There won't be a profit every year. TA Guerino said the Supportive Day Program profit of \$10,000 was due to a lot of donations and not an annualized item. He took into account that the town over the years try to bring into realm to make accounting appropriate and bring into the town family of programs offered. Sloniecki asked what happens to the donations and gifts – Ms. Marzelli said can spend as what they want along the way, even if a revolving fund. Sloniecki asked about the \$32,000 grant money, and does the town have the means to fund – Ms. Marzelli said it is something the town will have to look at.

V. Chm. Ford – A gift account is through the town Financial Department. Food pantry is put into the 501c.

Ms. Speakman – formula grant not like many grants and is drying up. Based on \$7/elder. This year \$6.25/elder came out better than ever and her concern isn't drying up, it is if it is dropped and has to account for that. Donations to the COA – town donation gift account but doesn't take away a donation to the Friends.

TA Guerino found out that the Formula Grant money is distributed through the State and is not Federal passed money.

Chm. Pickard – ATM 2012 vote to a Revolving Account. Resident suggested everyone should vote against. What happens if we don't get and was told to vote against is counter-productive to the program.

Carol MacDonald, Friends. Concerned about donations go into Town Hall and not an area for the Friends. V. Chm. Ford gave example of revolving account. Café would be a town program, so not involved in this. Ms. MacDonald understands but feels the Friends have been left out and Ms. Speakman explained better to them. TA Guerino said if offering a pick up program, the town would pay the vendor, deposited into the town registry then issued a check through the Town Treasury. Issue was to make accounting system work and had very little to do with donations to the Friends. No money collected by Friends will enter into the Town Hall. Friends always welcome to participate to do things they do. Cannot have co-mingling of paid staff of friends telling Town Departments what to do and have to separate functions. Friends money is the Friends. Proposed policies by Trustees which aren't adopted yet, employee cannot be at the COA and through a legal agreement for Friends to occupy space in the building – TA Guerino doesn't anticipate a fee involved.

Chm. Pickard – Support Day is a Friends program but appears be a town program. So move out? TA Guerino said the Town can license pieces; some has to be further researched. Really focusing on account and programmatic function. Other pieces will fall into place when looking at implementation moving ahead. Friends have to be in circle on how to move ahead. Financial part was the Federal Laws and the Friends were not included.

V. Chm. Ford – collect dues and could present a newsletter under the Friends and be a reporting business. Ms. Speakman said the newsletter funding is provided by the Friends. V. Chm. Ford – how would it be paid for by a gift account. Ms. Marzelli said one of the items that needs to be worked out.

Chm. Pickard – why does town get involved with writing a check for contracted services person putting on yoga class and less work for town: If Friends have yoga in this building, collect money and pay person out. TA Guerino said vendor is paid directly. Ms. MacDonald wondered if some programs come under the COA. He asked Ms. Speakman what if a COA program. Ms. Speakman said issue comes with issues raised with need to define Friends and COA program. Preserving programs and services in place now. Concerns brought forward, this path is what would protect programs and services. Pickard – COA not receiving financial support from Friends, town take on 2 town employees with benefits, Friends take contributions and may or may not choose to fund programs in this building. Ms. Speakman said it will change budget. Ms. Marzelli said she is hoping not to put in Ms. Speakman's budget. Everything else will cover itself through the Café and revolving fund.

V. Chm. Ford – these programs don't always pay for themselves. Increase fees to pay person to provide it. More work the Friends can develop a program and fund it. Needs more work between COA and Friends. TA Guerino concurs. V. Chm. Ford recommends getting the

accounting function put together in legal format for the programs. He said the Friends can underwrite the COA. Friends and COA need to get together.

TA Guerino - tonight's presentation simulates all issues within the last 12-18 months, looking at fiscal accounting, sit down and work out the implementation the vision of what have to do. Chm. Pickard – large impact on the Friends and feels should have been involved by being invited to these meetings. TA Guerino concurs, but these meetings didn't get involved in the next step (day-to-day).

V. Chm. Ford – agrees with the Chm., and recognizes the work Ms. Marzelli did for this presentation.

Ms. MacDonald – Friends are viable group and willing to work with everyone.

TA Guerino said in every conversation with Ms. Speakman and Ms. Marzelli, there wasn't a negative word indicated as to the worth and value the Friends provides this community.

Mr. Noyes – Trustees say Friends do a great job. Never been any talk of moving the adult day care from the building. Never a mean word relative to the Friends.

TA Guerino recommendations

Programs served general public or subset (seniors) relative to the kitchen on a daily basis – no cost by the Friends or until determined, no fee relative to the meals. Adjustments need to be done to offset any costs and make internally for FY13 budget. Do not believe will need a RFT. Recommend move forward toward implementation as presented this evening.

V. Chm. Ford – in favor of appointing a p/t custodian position for utilization for recreation-sponsored programs.

Meier – clarification – COA meetings are followed by Friends meetings. Since they meet right after each other, the Friends shouldn't have to be charged for having meeting in a public building.

Sloniecki – asked about partial packet and requested the Fire Department be in the packet. TA Guerino will have for Selectmen at the next meeting.

V. Chm. Ford – asked about a vote. TA Guerino said a vote will be required next week as a comprehensive package. Sloniecki – added that the fee is just part of the policy.

Town Administrator Report

Ask to defer but said 1/3 of the way in the Departmental budgets according to schedule.

Selectmen's business

a. **Discussion and possible votes on amendments to Section 2.8.4, waiting list procedures & Section 2.2 application process of the Town of Bourne Waterway Rules and Regulations as voted on 12/6/11**

Sloniecki asked for clarification on why this is on the agenda. Chm. Pickard said it was brought to his attention by TA Guerino as there was confusion with regard to 2.8.4 where Selectmen took vote on how many times a person could decline a mooring before they resulted in their going to the bottom of the list. Mr. Mullen brought to TA Guerino's attention as well.

With regard to the 2.2 process, he had discussion with Mr. Baldwin after the meeting said the vote was confusing to him and had questions as to whether move one mooring to the surviving spouse or immediate family and if passed, would all others go to the spouse. Specifically to people who hold multiple permits (2 up to 6). He requested to be put back on the agenda.

Sloniecki – 2.8.4 asked the Board if they agree if person refused a location two times they would be placed at the bottom. TA Guerino clarified by saying if one is brought up on list once and refused, you would drop to the bottom to the list and motion needs to be clarified.

Ford – why give two picks. Come up on x list, not advantageous, put on y list.

Mr. Mulvey said reconsidering a previous action and wouldn't it require having a motion and voting to reconsider previous action. V. Chm. Ford said Town Counsel is talking about Town Meeting rules. The Selectmen is barred by Town Meeting and can bring up an item to re-vote. Mr. Mulvey said he researched and disagrees. Agenda was amended and lacked 48 hours as amended agenda posted noon time yesterday. The other item he found out, Board is not bound by any rules or procedure – only by own internal procedures. Seems this Board should be under Robert's rules for orderly procedure.

Meier – Selectmen are obligated by Robert's rules of order. Jim Mulvey said he was told Selectmen are not under Robert's rules. V. Chm. Ford said Mr. Mulvey is correct; Selectmen are not under same rules at Town Meeting. Selectmen can re-vote. Mr. Mulvey said have ability to amend agenda that circumvents entire intent of open meeting law.

Meier MOVED and SECONDED by Ford to reconsider Section 2.8.4 Waiting List Procedures and Section 2.2 Application Process of the Town of Bourne Waterway Rules and Regulations as voted on 12/6/11. VOTE 4-1 (Sloniecki).

Meier MOVED and SECONDED by Ford to amend Section 2.8.4 whereas applicant can decline assignment once without losing their place in the wait list. Failure to accept assignment, their name will be removed from the wait list. VOTE 4-1 (Sloniecki).

Meier – 2.2 Application Process - looking at two individuals. The Girouard family had both names on the mooring application and eventually one had to come off. Tim Mullen said all permits have been issued to an individual. Meier has issue with one individual and wanted to

know if HM has discretion to correct issue and he doesn't know history. Mr. Mullen said person was taken off the permit as permits have always been issued to individuals. Issue was made right with one individual. Person has mooring permit currently. Chm. Pickard said this is third issue – two sisters, two brothers and now this one. Mr. Mullen said moorings are permitted to an individual and corrected and brought into compliance.

Sloniecki said it was the other way around. Mr. Mullen said nothing was taken away. The issue was addressed and went from being in two names, given option who wanted to remain permit holder (Bruce). Sloniecki asked how many permit holders had multiple names and how many changes and how many affected by brother or sister. Mr. Mullen said about 2 names and the issues are being corrected.

V. Chm. Ford – asked why would someone want more than 2 moorings. Mr. Mullen did limit to 3 per individual, but the Board at the time chose to grandfather existing permit holders. Mr. Mullen said he let them know there is a maximum of 3. Chm. Pickard – did you tell him you have three and which one do you want to give up. Mr. Mullen said that is correct.

Stephen Mealy – trying to come up with means on changing and allowing a transfer. Looked at season tickets of a professional sports team. He read teams with waiting lists for tickets. As long as tickets can be transferred to family members, the waiting list will not move. Falmouth allows transfer of permits to more than just a spouse – 8-15 years wait list. If allow transfer of moorings to other than spouse, this will eventually lock up the waiting list. 77 moorings become free. This will not happen next year if you allow transferring of moorings. Eventually there will be no waiting list and asks for consideration. Barnstable has no waiting list at this point because of the lengthy time.

Diana Barth – asked if there are differences in fees after the first one. Mr. Mullen responded no.

Ford MOVED and SECONDED Meier to amend 2.2 Application Process in that one mooring permit is transferable to surviving immediate family member. Immediate family is defined in Section 15.0 Definitions. Upon transfer of this permit to the survivor, mooring permit holders who maintain multiple permits will relinquish additional permits to the Harbormaster.
VOTE 2-3 (Sloniecki, Baldwin and Meier).

TA Guerino said that under this one mooring transferring to other members; all others will be transferred to others. This allows keeping permits in perpetuity.

Mr. Agrillo is saying transferring is not going to work.

Member of audience in support in transferring to direct family members.

Mr. Mullen – 566 permits out of 2,000 that will disappear if transfer permits. He added that he can rationalize the wife's position, but to take and make inheritance of public property in perpetuity.

Meier – Everyone has the right to enjoy and not just the selective few. At some point in the future, he suggests to discuss the changes.

Sloniecki – voted one way last week and will vote the same way. He is concerned about how this was put on the agenda. Section 2.2 was not on the agenda and was amended. Chm. Pickard sent email to members at 4:00 pm. Chm. Pickard said between Tuesday and Friday afternoon he was told the motion was confusing and he wanted to be put on the agenda. Sloniecki said he is concerned with how item was put on the agenda.

V. Chm. Ford – said it pays to be open minded. Procedure was done correctly and Chm. can put on the agenda. Procedurally it is correct.

Sloniecki – If members were confused shouldn't have voted. -

Baldwin – nothing in discussion tonight suggests to him that he was confused. He did vote the way the motion was presented and would stick to original vote.

No further Selectmen discussion.

Ford MOVED and SECONDED by Meier to amend 2.8.4 Wait List Procedures an applicant may decline such an assignment once without losing their place on the Wait List; but failure to accept on the second assignment shall result in the applicant's name being removed from the Wait List. VOTE 5-0.

Chm. Pickard – TA Guerino will be coming to the Selectmen with a commercial mooring plan. People who have 10, 20 commercial permits operating under this current regulation, Chapter 91 Waterway license. TA Guerino asked for clarification. Chm. said have Selectmen meeting where commercial mooring plan as an agenda item prior to TA Guerino undertaking a study as it is not clear with regard to permits. Study to be done in the expeditious manner. TA Guerino doesn't believe whatever do, this will be completed in a manner that would intersect with the necessity with getting Waterway Regulations printed and posted to start billing process in January. TA Guerino said this will not take 2 weeks' time. Chm. Pickard said commercial moorings are unclear as written. TA Guerino concurs they need review but believe if doing a thorough job with the items Ford brought up, it will take more than a week to 10 day review.

V. Chm. Ford – can do now and attach amendment sheet later on. This is more than a 2-week process.

Don Tibbets – potential 77 mooring openings, it would determine useful as to why they become open. Suggested to send letters to people who gave up why for facts. Chm. Pickard said if Mr.

Tibbets is up to do the task, perhaps TA Guerino can offer a table to do research. Mr. Tibbets willing to do the research. Chm. Pickard suggested Mr. Tibbets check with TA Guerino as Mr. Mullen doesn't have the staff to accomplish the task. Mr. Tibbets to be in touch with TA Guerino.

Adjourn

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:30 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.

**Board of Selectmen
Minutes of December 13, 2011
Bourne Veteran's Building
Buzzards Bay MA 02532**

2011 DEC 28 PM 3 47

Town Administrator Tom Guerino

TOWN CLERK'S OFFICE
BOURNE, MASS

Don Pickard, Chairman
John Ford, Vice Chairman
Jamie Sloniecki
Earl Baldwin
Peter Meier

Ford MOVED and SECONDED by Meier to go into Executive Session at 6:00 pm to discuss personnel and then to reconvene in public session. Roll call: Sloniecki – yes, Ford – yes, Pickard – yes, Baldwin - yes.

List of documents:

- None

Meeting called to order
7:15 pm by Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)

a. MMA proposed liquor license application

Admiral Richard Gurnon putting Selectmen on notice. The MMA has acquired the Beachmore. People have expressed concerned about MMA still running events they booked. The MMA felt an obligation to continue said events in the conference center. Under MMA, they plan to hold about half of the events the Beachmore held; about 20 per year with 10 weddings per year. The MMA is looking to solicit an all- alcohol license.

b. Non-agenda Items

None.

Approval of Minutes

Sloniecki MOVED and SECONDED by Meier to approve Regular meeting minutes of 12/6/11 as amended. VOTE 5-0.

Correspondence

Selectmen Meier read documents into record. Documents are available at the Town Administrator's office.

Item B – Ford asked how this opening filled. TA Guerino to contact school for how positions will be filled. TA Guerino explained there are two different position openings. One is a School Department and the other is with the Student section. TA Guerino will discuss with Superintendent. The Student youth position has been posted. The other position will be posted on both the School website and in the local newspapers.

Item G – Meier inquired about the grant. Task Force re: Local Pollution coming to the Selectmen at a future meeting for further discussion. Mr. Mulvey said the Force appointed Tim Mullen/DNR to act on their behalf for preparing a draft RFP for a remediation form. Mr. Mullen along with Brendan Mullaney/Conservation Agent, DPW and Dr. Costa to meet, draft RFP, select engineering firm and draft a remediation form. Meier said this grant is very much needed.

Item E – Sloniecki MOVED and SECONDED by Meier that the Board of Selectmen waive the MA State Lottery Commission that Cape Cod Filling Station and Sagamore Deli & Package have applied for KENO license to indicate Selectmen's approval. VOTE 5-0.

Bourne School Committee – restatement of interest for Peebles – possible vote

Mr. O'Hara, Chm. of the School Committee discussed the school's capital needs. He is here tonight seeking Selectmen approval in support of Restatement of Interest and to send on behalf of the School Committee said Statement to the School Building Authority on the interests to renovate Peebles Elementary School. This is required for the Town to accept monies from the School Building Authority. This is a different process from the past. This is the pre-process.

First, the Peebles School's ability to provide education is impacted by the facilities. The school is old and it shows. It is not ADA compliant, the library was converted to a classroom with no space for computers, the heating and electrical system date back to the 1950s are a few examples.

Second, the need for Title I area for academic interventions, and with a future all-day kindergarten, Peebles would not have adequate facilities.

Third, the Town is looking to move away with buildings that saddle it with higher energy costs.

The School Committee voted 6-0 in support of Statement of Interest. The Capital Outlay also voted to support.

Meier said he would support said Statement and requested Mary Jane Mastrangelo to discuss where the Peebles sits on the Capital Outlay's needs list.

Ms. Mastrangelo, Capital Outlay Committee, said the school was a priority slotted for 2016. The DPW, Police and Fire buildings are before the school due to the school's elonged process. The Capital Outlay Committee is in support of the Statement of Interest at this time. This is the first step for 270 eligibility review.

Meier – asked how much reimbursement goes to the school. Ms. Mastrangelo said the base reimbursement is 40% and can qualify for additional monies. The Bournedale School is used as a model for the Peebles which can get up to additional 5% reimbursement to have equity.

Chm. Pickard read into record the Required Form of Vote to Submit a Statement of Interest which was put into a vote:

Meier MOVED and SECONDED by Sloniecki Resolved: Having convened in an open meeting on 12/13/11, the Board of Selectmen of the Town of Bourne, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated 12/7/11 for the Peebles Elementary School located at 70 Trowbridge Road, Bourne, MA 02532 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Submitted Statement of Interest – Priority 7 – the Peebles School was constructed in 1953, the building structure shows signs of failure along the HVAC, electrical and plumbing systems. Also, the lack of suitable educational space presents many challenges in delivering the best education possible for the students of Bourne; and hereby further specifically acknowledges that by submitting this Statement of Interest or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

Mr. O'Hara told TA Guerino tonight's approved Selectmen minutes would need to be included in the application.

Mr. Marsh, Superintendent, added the School submitted 180 Statements of Interest this year. He further said this Statement is not a commitment, rather getting in the "pipeline" for a project.

Bond Anticipation Notes Signing

Note signing. On 12/8/11 the Town of Bourne sold \$5,121,000.00 in Bond Anticipation Notes. This note sale was for new authorizations for municipal purposes approved at the May 2011 Annual Town Meeting.

The Town received 9 competitive bids on the 12/8/11 sale and the notes were awarded to TD Securities. Bids offered were extremely favorable as well as close. The following is a summary of the results of the sale:

Bidder	Rate	Premium	NIC
TD Securities	1.25%	\$48,982.36	0.2908%
Eastern	1.50%	\$61,337.47	0.2989%
First Southwest	1.50%	\$56,972.66	0.3844%
Jefferies & Company	1.50%	\$56,946.00	0.3849%

Unibank	0.75%	\$ 0.00	0.75%
Cape Cod 5	0.75%	\$ 0.00	0.75%
Oppenheimer	1.25%	\$25,298.00	0.7546%
Century	0.90%	\$ 0.00	0.90%
JP Morgan	0.95%	\$ 0.00	0.95%

Authorization and use of proceeds included: Server update; Police Cruisers; Police Computers; Fire Breaker Vehicle; Fire Ambulance; School Technology; High School Energy Conversion; Removal of Underground Tanks; DPW Dump Truck; DPW Garage Repairs; Landfill Liner – Phase 4.

Meier MOVED and SECONDED by Sloniecki that the Board of Selectmen of the Town of Bourne, Massachusetts, certify that at a meeting of the board held 12/13/11, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$5,121,000 1.25 percent General Obligation Bond Anticipation Note (the "Note") of the Town dated 12/19/11 and payable 12/18/12, to TD Securities (USA) LLC at par and accrued interest plus a premium of \$48,982.36.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated 12/1/11, and a final Official Statement dated 12/8/11, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and delivery a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: the each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting that no deliberations or decision in connection with the sale of the Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended. VOTE 5-0.

TA Guerino said the interest rate of 1.25% less premium, is due to the Town borrowing less than 1% due to the continuation of the Town's financial policies.

TA Guerino said signatures are requested tonight.

Vote on issuance of RFPs and to authorize the TA/Chief Procurement Officer, Tom Guerino, to do so with the help of ISWM staff and their consultant. RFPs to be issued in Jan. 2012.

Chm. Pickard said Dan Barrett and Phil Goddard are here tonight to bring forward some land lease options to generate some capital for the Town as well as the leachate option. This was approved at Town Meeting.

V. Chm. Ford said the leachate will be big savings to the Town.

Mr. Barrett, ISWM General Manager, explained one of the RFPs is a leachate evaporating equipment, which will off-set the Town's cost. TA Guerino added this will bring down the contracted services line item to \$1.2M for leachate.

Mr. Goddard, ISWM Environmental Manger, discussed the timeline of site leases. RFPs are wrapped to go out in January, 2012 and will go into national trade magazines (Biocycle magazine for example). There are many steps involved for both the Board of Health (BOH) and the Selectmen to do (all subject to the BOH; including presentations, requirements and modifications). Anticipating receipt of proposals by 3/29/12, which then goes into negotiation leases for up to 25 years. This will consummate the deal this summer and then a construction schedule for 2013 will be made.

Meier MOVED and SECONDED by Ford to direct Mr. Tom Guerino, in his capacities as Town Administrator and Chief Procurement Officer and in conjunction with staff from the Dept. of Integrated Solid Waste Management, to submit Requests for Proposals (RFPs) for 1.) Leasing land for innovative, alternative solid waste management technologies, 2.) Landfill gas utilization proposals and leasing land for those proposals, as authorized by the Fall Special Town Meeting and 3.) Landfill leachate management equipment, to the Central Register by 12/28/11.
VOTE 5-0.

Cape Cod Regional Transit Authority (CCRTA) – Tom Cahir – Fixed Route service in Bourne

Mr. Cahir has been the CCRTA Administrator for the past two years and has worked hard to create a comprehensive transportation region from Provincetown to Bourne.

The CCRTA is looking to provide a fixed route bus service. They also do dial-a-ride from Bourne and Sandwich to take people to where they need to go. Fixed route runs on the hour.

Notice of Upper Cape Service. Bus routes to serve the Upper Cape transportation needs from Bourne to Falmouth. Beginning as early as 1/30/12, services will be operated on weekdays approximately every two hours. This is to improve transportation choices on the Upper Cape, reduce congestion and improve air quality. \$2 and \$1 for seniors and disabled. No local fiscal

impact to the town. A grant will account for local match. Get Federal, State contract and local assessment from the 15 Cape towns. A grant will account for local assessment, then the town will determine if helpful to the Town of Bourne. At that time, it will be a percentage of net cost of service. In short term, no financial impact to the Town.

TA Guerino is in support of the CCRTA.

Sloniecki asked about where advertisements. Advertisement is on the website www.capecodrta.org, and on Facebook. Mr. Cahir said the CCRTA is prohibited by the State to provide school transportation, but if CCRTA go by the schools, they contemplated an early bus to schools at the Mid Cape Highway, Pope John Paul.

Cape Cod Commissioners – County update

Mr. William Doherty gave update on what the Cape Cod Commissioners do for citizens of the Town of Bourne. There were 101 programs in FY11, and provided \$529,898 in grants loans and savings. He highlighted some programs:

Cape Cod Commission

- The HOME Consortium made one down-payment/closing cost loan totaling \$8,959 to a low-income first-time homebuyer in Bourne
- The Commission made a \$4,000 Technical Assistance Program award to the Town of Bourne for a consultant to prepare and submit a Community Development Block Grant housing rehab funding application to the Mass. Dept. of Housing & Community Development
- Supported the Bourne Wastewater Committee's work on wastewater management and related activities

Cape Cod Cooperative Extension

- Bourne Conservation Dept. received a \$9,000 grant to continue implementing the wildfire protection and preparedness grant in the Bourne Town Forest, the Four Ponds Conservation Land and Bourne Water District Land.
- A total of 301 sharps containers were paid for and provided by Cape Cod Cooperative Extension to Bourne in 2010 for distribution to the general public.
- Provided soil test clinic

Children's Cove

- Conducted 4 Sexual Abuse Intervention Network interviews

Fire & Rescue Training Academy

- Hand lines Search and Rescue – 6 Firefighters

Department of Health & Environment

- Assisted Bourne by achieving Tier 2 Hazardous Chemical Emergency Reporting compliance for 19 facilities
- Tick and Lyme Program at the Bournedale Elementary school – 640 attendees

Bourne Development Office/Americorps Cape Cod

- Hazardous Waste Collections
- Beach grass planting
- Canal cleanup

Mary Pat Flynn said in the early spring looked at the governments in the county. Cape Cod legal women's voters and the Cape Cod Round Table. If meet needs of the town, have a town with a sustainable revenue stream and a county that can act before decisions. County governance at the State level. Wide range of suggestions how the governance of the Commission can be changed. Commission will have recommendations in early January 2012. Interested in making sure the county can be delivered. There will be a meeting at 6:30 pm tomorrow night.

Sheila R. Lyons explained the Commission can do on a regional level that the towns cannot do. There is a new restructure. If interested, very detailed minutes are posted on their website www.barnstablecounty.org.

TA Guerino said the County provides the annual Gatsby 45 Report which allows Bourne to be up date to future pension and liability costs. If the town did by itself, it would be a \$20,000-\$30,000 fee. The County provides to us \$4,000 per year and tremendous document and asset.

The Cape Cod Commission's County Report is on their website, linked from Bourne's town website. Cost savings just by using county for purchases. Information sharing. TA Guerino said to clone Elaine Davis great asset.

Bob Horne, Jr. mentioned the Children's Cove was one of the golf tournament's choices for a fundraiser. Impact was the ads heard and what is the status of the ads on the radio. Some public service announcements. Unfortunately, maintenance budget is cut after the budget cuts. Constant reminders assist in getting information out.

Licenses/Appointments

a. Graziella's Pizza, LLC – Transfer of Common Victualer License

Sloniecki MOVED and SECONDED by Meier to approve Graziella's Pizza request to transfer of common victualer license to Ms. Luzia Reardon. VOTE 5-0. *(No comments on routing slip).*

b. Chen's Kitchen, LLC – Common Victualer License

Ford MOVED and SECONDED by Sloniecki to approve Chen's Kitchen request of a common victualer license (previously located in the Sagamore Mall); open 7 days a week from 10:30 am – 11:00 pm per routing slip. VOTE 5-0. *(Meier – BOH licensure and inspection prior to opening; FD automatic sprinkler system repaired and inspected [Meier requests ASAP]. Chen's Kitchen will open in about two weeks.*

Community Center Fees

TA Guerino said first part is at the request of the Board relative to the initial fee presentation. He has brought back the proposal to the Board for hopefully approval this evening. Changes were made. There was a \$10 fee and \$15 respectfully for local non-profit groups that meet at the Community Center. This is the minimal fee determined by the Board and concurred by the Administrator, that there is no need for groups to be charged for meetings. Previous fee indicated as "free", everything else pretty much the same; reduced the gym fees. Dropped half-day and full-day to \$200, \$100. Groups doing fundraising or weekend work would be charged a fee that could be reviewed by the Selectmen and can be waived similar to parks and public lands. With Police and Fire the Selectmen didn't see any changes necessary, but there are areas of concern. TA Guerino incorporated Selectmen direction and instruction and ask Selectmen for questions and then to adopt.

Meier – suggested taking into consideration to the fields behind the Community Building. TA Guerino said this falls under the Recreation Department. Fees for building only. The Board can look at the other fees, but this is what the Board requested relative to the internal space of the building.

V. Chm. Ford – No police or fire stations changes. \$200 per month for on-going groups (Alcoholics Anonymous), \$35 fee for Sagamore outside groups – if you use town staff for PowerPoint, set a fee. Ford talked with TA Guerino about adding a janitor on duty so as to not charge the Swiss League on Saturdays. The Recreation Dept. and COA do programs with a janitor on duty and there shouldn't be a fee; only when have to open up building - and do on a time and a half basis. Recreation Dept. or the COA is not making any fee. To handle the kitchen, there is a fee and recommends there shouldn't be a fee if they are providing a service. TA Guerino said there is a need to go to a second piece. Ford said on the gym \$200, \$100 fees, these are recreational programs and would like to see offered free of charge. TA Guerino said all municipal buildings have a third custodian on a flexible schedule. Ford said when looking for tournaments, outside non-town sponsored leagues should pay a fee. He would like to see the Community building becoming a community building.

Chm. Pickard asked Mr. Noyes, Community Building Trustee, of exemptions set for profit/outside groups, and if there were any conflicts with recent groups that the Trustees voted that should not be using the building. Mr. Noyes said that is correct and are developing policies, but not vote has been taken. Mr. Noyes said it is not the Trustee's intension to say an outside group can't rent a room for an event or activity.

Chm. Pickard – asked if a fundraiser is appropriate for the Community Building. TA Guerino said as long as a fee is charged. TA Guerino further went on to say that there would not be a charge if Sen. Murray, or if any Representatives wanted to hold offices in this building.

V. Chm. Ford – Gym fees. Seniors should not be charged as it is when a janitor is on. TA Guerino added, nor a public non-service group. Ford asked about the fees for the kitchen. TA Guerino recommends he hear COA presentation before taking a vote.

Sloniecki MOVED and SECONDED by Ford for a five-minute recess. UNANIMOUS VOTE.

Town of Bourne Financial Review of the Council on Aging

TA Guerino introduced Mandy Speakman, Council on Aging Director and Linda Marzelli, Finance Director. Review is a result in discussions with TA Guerino, Ms. Marzelli and Ms. Speakman due t the concerns of the past year, year ½ and how to best run programs of the COA, funding mechanism, interaction between fundraising of the Friends and to be sure in compliance with all applicable statutes. Looked at how to best be able to provide a continuing level of high service to the senior community while being in compliance with and taking care of the programs to the building, the senior population and those who need more assistance. TA Guerino wants to commend both Ms. Marzelli and Ms. Speakman for efforts put into this presentation. When proposal presented, BOS will see the effort. V. Chm. Ford's questions will be answered.

TA Guerino turned over to Linda Marzelli.

The purpose of this review is to separate the accounting and operation of the COA programs from the Friends of Bourne Council on Aging, Inc. and to bring these activities under the direction and control of the COA.

Identify programs being affected, the current working staff, and the estimated revenues and costs in operating the programs in order to understand the complexities involved in the undertaking of the separation of the current operations and how it can be accomplished.

Highlights discussed. Staffing, budget for COA FY12, major concerns facing COA, supportive day program, café program, all other activities, COA revenues, accounting options, recommendations for the future.

Employees currently paid by the Town of Bourne. 5 full time and 3 part-time.

Employees paid by COA formula grant. 3 part-time. Total grant funding \$32,288.

Major concerns to address. How and when can the town separate COA programs currently operated by the Friends and brings them into the town's accounting system. How to estimate cost of revenues associated with those programs to be able to budget accurately for FY13. How to establish accounting mechanisms to operate and review the revenue and expenses for those programs.

Supportive Day Program. Currently 2 part-time and 2 full-time employees. One full-time employee paid. Total revenues \$103,591. Profit for the year 2011 \$10,529 which is not

unusual situation. Part of increase arose from a one-time bequeathment. Program provides services to average 20-25 clients in total. Half of the clients are from Elder services (need based) the fee received is \$35 per day for a 5-8 days month. The town would have to take over 2.5 employees currently being paid by the Friends.

Café. Currently provides meals to the Supportive Day program 5 days a week. Monday a full meal is provided and available to the general public. Cost for meal is \$7.95 if a member of the Friends. Profit and loss for Café shows average loss of approximately \$600/month. This loss based on prior meal schedule which had full meals available and open to the public three days. Changes to meal service operation has only been in effect since November therefore current profit and loss figures on new services are unavailable. If the café comes under the COA, the café operation would be required to follow procurement regulations.

Other COA Programs. All other program activities would be brought into the revolving fund. Program fees for classes would be deposited with the Town and the instructor would be paid for their services with a check processed through the town's warrant system.

COA Revenues. Grant funds – currently receives funding from the State under a Formula Grant. These funds awarded from the Executive Office of Elder Affairs. This is not guaranteed.

Donation/Gift funds. Consisted only of receipts from the Friends in the past. All donations from individuals were previously paid and deposited to the Friends. Effective 12/1/11 the COA will now deposit all donations made to the COA to the Town for credit to the COA donation account.

Accounting Options. Increase COA operating budget to include program costs; Create revolving funds under MGL C. 44 Section 53E ½. Donations and gifts cannot be credited to the revolving fund; Use Donation & Gift accounts. No appropriation is needed to spend money from the donation/gift account; Use Donation & Gift accounts.

Recommendations & Comments. What can be done now – currently no mechanism to make these changes during this fiscal year, no changes can be done; when do we make changes – at the ATM 5/2012 the town can vote the authorization of one or more revolving funds for the COA. Possibly one for the Supportive Day program and one for the other COA activity programs including the Cafe; Will programs currently offered change – it is not anticipated that there will be any change to the services currently being offered. The changes that will occur involve the accounting for the program operations; Will there be changes to the Town – town will have to offer benefits to the full-time employees currently being paid by the Friends under the Supportive Day program; What is needed to do before changes take place next year – set up procedures to review and monitor COA activities monthly; Final recommendations for how to handle all changes today – no, but have begun process of identifying the changes that need to take place and how to accomplish in order to be able to continue offering all of the current programs and activities. This is a work in process and will continue to change and evolve moving forward in this fiscal year and in the future.

Chm. Pickard – page 19 Town offer benefits currently paid by the Friends under the Supportive Day program. They would become Town employees. Meier – what are positions classified as. TA Guerino said the Director – Unit B, Staff Assistant, Unit A. Descriptions reviewed by the Director COA, HR Director and figure placement pursuant to the placement of place and lanes will be done. Descriptions would be so unique that bumping is not an issue. Meier concerned and wanted to know that qualifications make them protected. TA Guerino said there will not be cross mingling of descriptions. Chm. Pickard – revolving fund should cover cost of salaries, and would include their benefits.

V. Chm. Ford – Bridging the Years would be basically a town-owned program. He asked where to go to pay dues for Friends. TA Guerino said it is anticipated that the Friends will be working through the support of where the program is. Folks come into the building and wanting to pay dues would not have to transfer and will provide space within the building in the support day section. Don't want to inconvenience people, but have to separate accounting functions. V. Chm. Ford would like to hear from Chm. of the Friends.

Sloniecki – is there a reason not to believe the Friends accounting received. Ms. Marzelli said there is no reason to not believe the Friends' accounting. Sloniecki asked where the profits go. Ms. Marzelli said keep track and would stay within the Friends. V. Chm. Ford said if seats aren't filled, can run in the negative. Also the \$35 the State pays to support someone. The State doesn't pay the full cost. The meal is a balanced diet and thinks the benefit is good. There won't be a profit every year. TA Guerino said the Supportive Day Program profit of \$10,000 was due to a lot of donations and not an annualized item. He took into account that the town over the years try to bring into realm to make accounting appropriate and bring into the town family of programs offered. Sloniecki asked what happens to the donations and gifts – Ms. Marzelli said can spend as what they want along the way, even if a revolving fund. Sloniecki asked about the \$32,000 grant money, and does the town have the means to fund – Ms. Marzelli said it is something the town will have to look at.

V. Chm. Ford – A gift account is through the town Financial Department. Food pantry is put into the 501c.

Ms. Speakman – formula grant not like many grants and is drying up. Based on \$7/elder. This year \$6.25/elder came out better than ever and her concern isn't drying up, it is if it is dropped and has to account for that. Donations to the COA – town donation gift account but doesn't take away a donation to the Friends.

TA Guerino found out that the Formula Grant money is distributed through the State and is not Federal passed money.

Chm. Pickard – ATM 2012 vote to a Revolving Account. Resident suggested everyone should vote against. What happens if we don't get and was told to vote against is counter-productive to the program.

Carol MacDonald, Friends. Concerned about donations go into Town Hall and not an area for the Friends. V. Chm. Ford gave example of revolving account. Café would be a town program, so not involved in this. Ms. MacDonald understands but feels the Friends have been left out and Ms. Speakman explained better to them. TA Guerino said if offering a pick up program, the town would pay the vendor, deposited into the town registry then issued a check through the Town Treasury. Issue was to make accounting system work and had very little to do with donations to the Friends. No money collected by Friends will enter into the Town Hall. Friends always welcome to participate to do things they do. Cannot have co-mingling of paid staff of friends telling Town Departments what to do and have to separate functions. Friends money is the Friends. Proposed policies by Trustees which aren't adopted yet, employee cannot be at the COA and through a legal agreement for Friends to occupy space in the building – TA Guerino doesn't anticipate a fee involved.

Chm. Pickard – Support Day is a Friends program but appears be a town program. So move out? TA Guerino said the Town can license pieces; some has to be further researched. Really focusing on account and programmatic function. Other pieces will fall into place when looking at implementation moving ahead. Friends have to be in circle on how to move ahead. Financial part was the Federal Laws and the Friends were not included.

V. Chm. Ford – collect dues and could present a newsletter under the Friends and be a reporting business. Ms. Speakman said the newsletter funding is provided by the Friends. V. Chm. Ford – how would it be paid for by a gift account. Ms. Marzelli said one of the items that needs to be worked out.

Chm. Pickard – why does town get involved with writing a check for contracted services person putting on yoga class and less work for town. If Friends have yoga in this building, collect money and pay person out. TA Guerino said vendor is paid directly. Ms. MacDonald wondered if some programs come under the COA. He asked Ms. Speakman what if a COA program. Ms. Speakman said issue comes with issues raised with need to define Friends and COA program. Preserving programs and services in place now. Concerns brought forward, this path is what would protect programs and services. Pickard – COA not receiving financial support from Friends, town take on 2 town employees with benefits, Friends take contributions and may or may not choose to fund programs in this building. Ms. Speakman said it will change budget. Ms. Marzelli said she is hoping not to put in Ms. Speakman's budget. Everything else will cover itself through the Café and revolving fund.

V. Chm. Ford – these programs don't always pay for themselves. Increase fees to pay person to provide it. More work the Friends can develop a program and fund it. Needs more work between COA and Friends. TA Guerino concurs. V. Chm. Ford recommends getting the accounting function put together in legal format for the programs. He said the Friends can underwrite the COA. Friends and COA need to get together.

TA Guerino - tonight's presentation simulates all issues within the last 12-18 months, looking at fiscal accounting, sit down and work out the implementation the vision of what have to do.

Chm. Pickard – large impact on the Friends and feels should have been involved by being invited to these meetings. TA Guerino concurs, but these meetings didn't get involved in the next step (day-to-day).

V. Chm. Ford – agrees with the Chm., and recognizes the work Ms. Marzelli did for this presentation.

Ms. MacDonald – Friends are viable group and willing to work with everyone.

TA Guerino said in every conversation with Ms. Speakman and Ms. Marzelli, there wasn't a negative word indicated as to the worth and value the Friends provides this community.

Mr. Noyes – Trustees say Friends do a great job. Never been any talk of moving the adult day care from the building. Never a mean word relative to the Friends.

TA Guerino recommendations

Programs served general public or subset (seniors) relative to the kitchen on a daily basis – no cost by the Friends or until determined, no fee relative to the meals. Adjustments need to be done to offset any costs and make internally for FY13 budget. Do not believe will need a RFT. Recommend move forward toward implementation as presented this evening.

V. Chm. Ford – in favor of appointing a p/t custodian position for utilization for recreation-sponsored programs.

Meier – clarification – COA meetings are followed by Friends meetings. Since they meet right after each other, the Friends shouldn't have to be charged for having meeting in a public building.

Sloniecki – asked about partial packet and requested the Fire Department be in the packet. TA Guerino will have for Selectmen at the next meeting.

V. Chm. Ford – asked about a vote. TA Guerino said a vote will be required next week as a comprehensive package. Sloniecki – added that the fee is just part of the policy.

Town Administrator Report

Ask to defer but said 1/3 of the way in the Departmental budgets according to schedule.

Selectmen's business

- a. **Discussion and possible votes on amendments to Section 2.8.4, waiting list procedures & Section 2.2 application process of the Town of Bourne Waterway Rules and Regulations as voted on 12/6/11**

Sloniecki asked for clarification on why this is on the agenda. Chm. Pickard said it was brought to his attention by TA Guerino as there was confusion with regard to 2.8.4 where Selectmen

took vote on how many times a person could decline a mooring before they resulted in their going to the bottom of the list. Mr. Mullen brought to TA Guerino's attention as well.

With regard to the 2.2 process, he had discussion with Mr. Baldwin after the meeting said the vote was confusing to him and had questions as to whether move one mooring to the surviving spouse or immediate family and if passed, would all others go to the spouse. Specifically to people who hold multiple permits (2 up to 6). He requested to be put back on the agenda.

Sloniecki – 2.8.4 asked the Board if they agree if person refused a location two times they would be placed at the bottom. TA Guerino clarified by saying if one is brought up on list once and refused, you would drop to the bottom to the list and motion needs to be clarified.

Ford – why give two picks. Come up on x list, not advantageous, put on y list.

Mr. Mulvey said reconsidering a previous action and wouldn't it require having a motion and voting to reconsider previous action. V. Chm. Ford said Town Counsel is talking about Town Meeting rules. The Selectmen is barred by Town Meeting and can bring up an item to re-vote. Mr. Mulvey said he researched and disagrees. Agenda was amended and lacked 48 hours as amended agenda posted noon time yesterday. The other item he found out, Board is not bound by any rules or procedure – only by own internal procedures. Seems this Board should be under Atty. Troy's rules for orderly procedure.

Meier – Selectmen are obligated by Atty. Troy's rules of order. Jim Mulvey said he was told Selectmen are not under Atty. Troy's rules. V. Chm. Ford said Mr. Mulvey is correct; Selectmen are not under same rules at Town Meeting. Selectmen can re-vote. Mr. Mulvey said have ability to amend agenda that circumvents entire intent of open meeting law.

Meier MOVED and SECONDED by Ford to reconsider Section 2.8.4 Waiting List Procedures and Section 2.2 Application Process of the Town of Bourne Waterway Rules and Regulations as voted on 12/6/11. VOTE 4-1 (Sloniecki).

Meier MOVED and SECONDED by Ford to amend Section 2.8.4 whereas applicant can decline assignment once without losing their place in the wait list. Failure to accept assignment, their name will be removed from the wait list. VOTE 4-1 (Sloniecki).

Meier – 2.2 Application Process - looking at two individuals. The Gerard family had both names on the mooring application and eventually one had to come off. Tim Mullen said all permits have been issued to an individual. Meier has issue with one individual and wanted to know if HM has discretion to correct issue and he doesn't know history. Mr. Mullen said person was taken off the permit as permits have always been issued to individuals. Issue was made right with one individual. Person has mooring permit currently. Chm. Pickard said this is third issue – two sisters, two brothers and now this one. Mr. Mullen said moorings are permitted to an individual and corrected and brought into compliance.

Sloniecki said it was the other way around. Mr. Mullen said nothing was taken away. The issue was addressed and went from being in two names, given option who wanted to remain permit holder (Bruce). Sloniecki asked how many permit holders had multiple names and how many changes and how many affected by brother or sister. Mr. Mullen said about 2 names and the issues are being corrected.

V. Chm. Ford – asked why would someone want more than 2 moorings. Mr. Mullen did limit to 3 per individual, but the Board at the time chose to grandfather existing permit holders. Mr. Mullen said he let them know there is a maximum of 3. Chm. Pickard – did you tell him you have three and which one do you want to give up. Mr. Mullen said that is correct.

Stephen Mealy – trying to come up with means on changing and allowing a transfer. Looked at season tickets of a professional sports team. He read teams with waiting lists for tickets. As long as tickets can be transferred to family members, the waiting list will not move. Falmouth allows transfer of permits to more than just a spouse – 8-15 years wait list. If allow transfer of moorings to other than spouse, this will eventually lock up the waiting list. 77 moorings become free. This will not happen next year if you allow transferring of moorings. Eventually there will be no waiting list and asks for consideration. Barnstable has no waiting list at this point because of the lengthy time.

Diana Barth – asked if there are differences in fees after the first one. Mr. Mullen responded no.

Ford MOVED and SECONDED Meier to amend 2.2 Application Process in that one mooring permit is transferable to surviving immediate family member. Immediate family is defined in Section 15.0 Definitions. Upon transfer of this permit to the survivor, mooring permit holders who maintain multiple permits will relinquish additional permits to the Harbormaster.

VOTE 5-0.

TA Guerino said that under this one mooring transferring to other members; all others will be transferred to others. This allows keeping permits in perpetuity.

Mr. Agrillo is saying transferring is not going to work.

Member of audience in support in transferring to direct family members.

Mr. Mullen – 566 permits out of 2,000 that will disappear if transfer permits. He added that he can rationalize the wife's position, but to take and make inheritance of public property in perpetuity.

Meier – Everyone has the right to enjoy and not just the selective few. At some point in the future, he suggests to discuss the changes.

Sloniecki – voted one way last week and will vote the same way. He is concerned about how this was put on the agenda. Section 2.2 was not on the agenda and was amended. Chm. Pickard sent email to members at 4:00 pm. Chm. Pickard said between Tuesday and Friday afternoon he was told the motion was confusing and he wanted to be put on the agenda. Sloniecki said he is concerned with how item was put on the agenda.

V. Chm. Ford – said it pays to be open minded. Procedure was done correctly and Chm. can put on the agenda. Procedurally it is correct.

Sloniecki – If members were confused shouldn't have voted.

Baldwin – nothing in discussion tonight suggests to him that he was confused. He did vote the way the motion was presented and would stick to original vote.

No further Selectmen discussion.

Ford MOVED and SECONDED by Meier to amend 2.8.4 Wait List Procedures an applicant may decline such an assignment once without losing their place on the Wait List; but failure to accept on the second assignment shall result in the applicant's name being removed from the Wait List. VOTE 2-3 (Sloniecki, Baldwin, Pickard).

Chm. Pickard – TA Guerino will be coming to the Selectmen with a commercial mooring plan. People who have 10, 20 commercial permits operating under this current regulation, Chapter 91 Waterway license. TA Guerino asked for clarification. Chm. said have Selectmen meeting where commercial mooring plan as an agenda item prior to TA Guerino undertaking a study as it is not clear with regard to permits. Study to be done in the expeditious manner. TA Guerino doesn't believe whatever do, this will be completed in a manner that would intersect with the necessity with getting Waterway Regulations printed and posted to start billing process in January. TA Guerino said this will not take 2 weeks' time. Chm. Pickard said commercial moorings are unclear as written. TA Guerino concurs they need review but believe if doing a thorough job with the items Ford brought up, it will take more than a week to 10 day review.

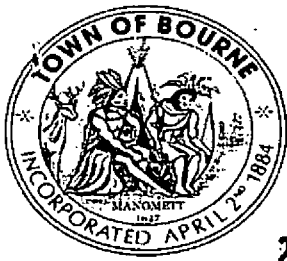
V. Chm. Ford – can do now and attach amendment sheet later on. This is more than a 2-week process.

Don Tibbets – potential 77 mooring openings, it would determine useful as to why they become open. Suggested to send letters to people who gave up why for facts. Chm. Pickard said if Mr. Tibbets is up to do the task, perhaps TA Guerino can offer a table to do research. Mr. Tibbets willing to do the research. Chm. Pickard suggested Mr. Tibbets check with TA Guerino as Mr. Mullen doesn't have the staff to accomplish the task. Mr. Tibbets to be in touch with TA Guerino.

Adjourn

Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:30 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



2011 DEC 16 PM 3 52

TOWN CLERK'S OFFICE

Date

Tuesday
December 20, 2011

BOURNE, MA

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, they need to acknowledge such at this time

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. Minutes : December 12, 2011

5. Discussion regarding Bourne Waterways Regulations relative to Commercial Moorings.

Discussion and possible vote on a freeze of commercial mooring permits or other action as may be determined by the Board regarding commercial moorings or the waterways regulations.

Sign Bourne Waterways Rules and Regulations as approved at the December 6 and December 13, 2011 Selectmen's Meeting.

6. Final reading of the Town Fuel efficiency policy amendment to the Town Vehicle use policy.
7. Adoption of municipal facilities use and fee schedule
8. Licenses/Appointments
 - a. Approve 2012 License Renewals – Common Victualer – Amusement – Innholder/Lodging – Auto Dealers – Junkyard – Taxi – Public Livery
9. Town Administrator Report
10. Selectmen's business

11. Adjourn

Board of Selectmen
Minutes of December 20, 2011 2012 MAR 9 AM 11 10
Bourne Veteran's Building
Buzzards Bay MA 02532 TOWN CLERK'S OFFICE
BOURNE, MASS

Town Administrator Tom Guerino

Don Pickard, Chairman
John Ford, Vice Chairman (excused)
Jamie Sloniecki
Earl Baldwin
Peter Meier

List of documents:

- None

Meeting called to order
7:05 pm by Chm. Pickard.

Moment of Silence/Salute the Flag

Public comment (non-agenda items)
No public comment at this time.

Approval of Minutes

Meier MOVED and SECONDED by Sloniecki to approve Regular meeting minutes of 12/13/11 as amended and amended minutes be sent to Selectmen by e-mail. VOTE 4-0.

Correspondence

No correspondence this week, but one letter will be addressed under Selectmen's Business.

Discussion regarding Bourne Waterway Regulations relative to Commercial Moorings

Chm. Pickard explained over the last several meetings the Board had discussions of mooring wait lists, moorings and out hauls and as part of the membership of this Board's review, a number of members had questions relevant to commercial moorings. Presently 651 commercial moorings have been issued by the DNR Office for moorings in Bourne. Upon review of the Waterways Regulations, the first time commercial permits are addressed is in Section 2.3 when it comes to fees. It strikes Chm. Pickard as including more wording and direction for commercial mooring permits.

Sloniecki explained his request for a freeze on commercial moorings as it seemed to him most Board members were confused as to how many people own commercial moorings, including businesses. This freeze was suggested to give the Board, Shore & Harbor Committee (SHC) and the DNR time to address. Recently the Board voted to keep moorings handed down to

surviving spouses only. Sloniecki recommended discussion with Tim Mullen as far as the budget is concerned; and also suggests the Board table any action on existing new moorings until Mr. Mullen comes back before the Board with regard to commercial moorings. He added to also discuss in the late summer/early fall for the 2013 regulations.

Meier agrees with Sloniecki. He attended the last SHC meeting. One statement was made "why we exist". Waterways Regulations should be given to the SHC for any changes. One change will be a commercial mooring definition. He would like to give credit for work done; hear what the SHC has to say and what recommendations would be. Mr. Mullen with the SHC can bring information to the Board.

Chm. Pickard agrees something needs to get done. Moorings Regulations as written are subject to the same restrictions as a non-commercial permit; it is transferrable to only a surviving spouse; he doesn't believe they can lease a permit under the existing permit process. While he agrees to freeze and take no drastic action, the Board will need to do so when TA Guerino discusses the budget. Chm. Pickard suggests having proposed commercial definitions in by April 15, 2012. Mr. Mullen said it gives enough time to discuss with the SHC and is reasonable. Chm. Pickard said there is a need for clarification on the commercial moorings section. If the Board is agreeable, he suggests move to direct TA Guerino in asking Mr. Mullen to review commercial mooring study and procedures.

Sloniecki MOVED and SECONDED by Baldwin to put a freeze on all new commercial moorings. *(TA Guerino asked Sloniecki for clarification of "new" – mooring permits that haven't been put on the books yet).* VOTE 4-0.

Discussion and possible vote on a freeze of commercial mooring permits or other actions as may be determined by the Board regarding commercial moorings or the Waterway Regulations.

Chm. Pickard asked the last time the SHC reviewed moorings by mooring area. Mr. Mullen said the SHC does look at it. He added his Department reviews each cove with Cove Masters at different times of year. As far as sitting down and putting all numbers on paper with the SHC, it hasn't been down for a few years. Chm. Pickard asked if this should be done annually. Mr. Mullen said it can be done.

Chm. Pickard asked if the Board can require an annual summary in December to be provided to TA Guerino, including a total of moorings, ones on a waitlist and recommended changes by Mr. Mullen and the SHC. Mr. Mullen does provide this information to the Board. Chm. Pickard asked if the SHC evaluates information. Mr. Mullen works directly with the Cove Masters as they have a better scope of what is available for space. Some of the larger areas (public access areas) were not able to put in as many as what the moratorium calling for; some less popular areas have over what the moratorium has stated.

In light of non-commercial permits on a wait list for many years, Chm. Pickard asked Mr. Mullen if he recognizes people have been on wait lists since 2002 and if it would be reasonable to

suggest coves be studied to see how many more permits can be fit into areas. Mr. Mullen said it is somewhat of a grid. If strictly a grid, fit less boats in the water. Some can be added if the cove is not exactly on the grid. TA Guerino added coves are on a GPS currently. Chm. Pickard asked if this is something the SHC can look at to increase moorings as a whole. Mr. Mullen said they could, but it would be more effective doing by cove vs. town wide. Chm. Pickard asked if permit issues were increased is the SHC working with Cove Masters relative to adding more moorings. Mr. Mullen said the SHC is already doing this, but on an individual basis and believes the SHC would be happy to help.

Mr. Joe Agrillo wondering what warrants a person to be able to commercial mooring. His interpretation is a business with a boatyard derives livelihood from the water and using boats are the people who are entitled to commercial mooring permits. He heard moorings are rented out to people who have nothing to do with the water. Chm. Pickard said there is no definition of a commercial mooring and Mr. Mullen will firm up by 4/15/12.

TA Guerino asked out of the 650 plus commercial moorings, how many of the boatyards, marinas, etc. are Chapter 91 are approved or licensed. Mr. Mullen responded all marinas, but license also covers slips not only moorings. Mr. Mullen said slips are also included in the mooring number. Meier said number is misleading. Mr. Mullen said a good portion of the moorings are slips.

TA Guerino discussed the commercial moratorium, and recommended the Board move forward with the Waterways Regulations relative to this. How many commercial moorings have been granted in the last five (5) years. Mr. Mullen answered 3 and there are only a couple of people on the waiting list. At this time, Sloniecki re-stated he is looking for research before voting.

Chm. Pickard asked if any public comment.

Steve Balentine, pointed out there is no difference between commercial and residential waitlists. He has been waiting for 10 years for a commercial mooring for a 45' vessel. Mr. Balentine asked how freeze affects the waitlist. Sloniecki said hopefully a name stays where it is at and has not lost spot on the wait list. Mr. Mullen said the first person on the list may not be the first person on the list as it depends on some factors. The size of vessel and the size of the mooring are some examples.

TA Guerino asked if Mr. Balentine comes to the top of the list and needs a commercial mooring and now that there is a freeze, does that freeze the whole list or does #5 on the list now become #1; Mr. Balentine is #2. Is that person going to move above him. Mr. Mullen recommends he retains his position on the list and wouldn't drop him further down on the list. Mr. Mullen doesn't anticipate something like this lasting longer than April. Mr. Mullen would not issue the permits - commercial and non-commercial, but make offers in February/March. Sloniecki asked through TA Guerino that Mr. Mullen inform the Board in a meeting in April. Mr. Mullen concurs.

Sign Bourne Waterway Rules and Regulations as approved at the 12/6/11 and 12/13/11 Selectmen's meeting.

TA Guerino explained the outhauls were changed, and the Waterways Regulations relative to the Board's previous vote.

Final reading of the Town Fuel efficiency policy amendment to the Town Vehicle use policy

TA Guerino said the Board has gone through two readings, following appropriate protocol. He asked if the Board is willing to amend Vehicle Policy to include fuel efficient vehicle piece. Due diligence has been done on the policy.

Meier MOVED and SECONDED by Sloniecki that the Board adopts the Town Fuel efficiency policy amendment to the Town Vehicle use policy. VOTE4-0.

Adoption of municipal facilities use and fee schedule

TA Guerino clarified "free" with regard to the Community Building and said the \$25 fee (in blue section) for profit recognize. Groups such as VNA, for example, provide a service to the town and would not be charged a fee. However, if a Board of Directors (BOD) meeting is held, there would be a fee charge.

Also, discussion relative to the 501c3 is free. With regard to gymnasium fees; Saturdays are not charged to the town. Some tournaments and fundraising events are subject to fees for weekday and weekend use. TA Guerino believes this encapsulates the concerns of Mr. Ford and concurred by the Board at the last meeting.

Other pieces, for clarification, at the last meeting, all pages relative to the other buildings is a complete, albeit a work in progress. This is a good place to start and TA Guerino incorporated as many concerns as possible addressed by the Board and asks the Board to adopt the policy.

Sloniecki commented on conclusion of fee structure, with regard to the SWISH league. He encourages the BOD to decrease what portion the parents pay for their children to play the sport with this fee structure. His second comment is with regard to AAU basketball; will there be a fee to those teams or to the organization that brings to tournament. TA Guerino said AAU is not necessary an all local non-profits; is a travel team and he would interpret as a charged group, not a free group as it is not town sponsored.

Meier echoes what Sloniecki said and hopes the BOD do consider a reduction in rates to save families money. TA Guerino said the Revolving Fund for the Community Building without collection of fees will be reduced substantially, but will keep an eye on it and fund may need adjustments.

Chm. Pickard said if the town has a number of commitments to funds specific things this year, still not "out of the woods" and needs to understand this when go to budget.

Sloniecki MOVED and SECONDED by Meier to approve Town of Bourne Facilities/Buildings Use Policies budget with appropriate attached fees as presented by TA Guerino. VOTE 4-0.

Licenses/Appointments

**a. Approve 2012 License Renewals – Common Victualer – Amusement –
Innholder/Lodging – Auto Dealers – Junkyard – Taxi – Public Livery**

Sloniecki MOVED and SECONDED by Meier to approve Common Victualer licenses for American Lobster Mart; Beachmoor at MMA; Beach Plum Bakery; Clammy's Pantry; Corner Café; The Daily Brew; Dunkin Donuts (24 Meeting House Lane); Dunkin Donuts (278 Main Street); Dunkin Donuts (174 Clay Pond Road); Dunkin Donuts (688 MacArthur Blvd.); Dunkin Donuts (343 Scenic Highway); 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; McDonald's Corp. (15 Meetinghouse Lane); McDonald's (370 MacArthur Blvd.); Monument Beach Pizza; Mr. G's Pizza & Ice Cream LLC; Nick's Pizza; Pocasset Deli; Prime Time House of Pizza; Sam's Snack Bar; Skiane's Ice Cream; Starbucks Coffee; Subway (282 Main Street); and Subway Sandwiches (626 MacArthur Blvd.) as presented and using stamp for signatures. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meier to approve Lodging license for Noah's Ark as presented. VOTE 4-0.

Sloniecki MOVED and SECONDED by Baldwin to approve Weekday Amusement licenses as presented for: Knights of Columbus; and the Beachmoor at MMA. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meier to approve Sunday Amusement license for the Beachmoor at MMA as presented. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meier to approve Auto Dealers – Class I licenses for: Atlantic Subaru; Battles Buick GMC; Bobcat of Boston/South; Cape Cod Harley-Davidson/GZ Riders, Inc.; Falmouth Toyota Scion; New England RV & Marine, Inc.; and Nissan of Bourne as presented. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meier to approve Auto Dealers – Class II licenses for: Auto Marina Industries; 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 as submitted pending Auto Marine Industries' issuance of bond. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meier to approve Auto Dealers – Class III – Junk Yard license for Knowlton's Garage, Inc. as submitted. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meier to approve Tax licenses for Bourne Taxi (2 licenses) as submitted. VOTE 4-0.

Sloniecki MOVED and SECONDED by Meier to approve Public Livery licenses for: Any Occasion Limousine (3 licenses); Fantasy Limousine (3 licenses); Green Shuttle of Cape Cod (4 licenses); and Road Runner as submitted. VOTE 4-0.

Town Administrator Report

Wishes the Board and the Bourne citizens a Merry Christmas and Holiday Season moving toward the end of the year.

Selectmen's business

Sloniecki recognized the DPW for the Holiday lights set up and included Mr. Schofield and the Cape Light Compact in obtaining the lights. Landfill stickers on sale now and the public will be expected to buy a landfill sticker for \$30. Resident stickers are also on sale. SHS basketball is playing their first home game this week. Wishes fellow Board members and citizens a Merry Christmas.

Meier wanted to recognize today being the first day of Hanukkah. 1/5/12 ceremony for the BHS football team for their Super Bowl run. Commitments from Congressmen and State Representatives have been received and encourage people to attend. He was made aware that town employees with health insurance changes and asked if this will be on a future agenda item. TA Guerino said there will be a meeting of the Board and Treasurer in early January, but cannot commit to the date and more specific topics. This will be in Executive Session.

Baldwin wished everyone Happy Holidays.

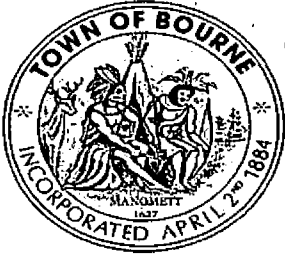
Chm. Pickard acknowledged receipt of a Cataumet Civic Association and read into record. Letter discussed the Cataumet Christmas tree lighting and thanked the work of the DPW during the storm. Chm. Pickard said important to acknowledge the DPW and how valuable they are to other entities. TA Guerino will put a copy of letter in the DPW folders DPW. Chm. Pickard wishes everyone Happy Holidays.

Town Hall closes at noon on Friday, 12/23/11.

Adjourn


Sloniecki MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 8:00 pm.
UNANIMOUS VOTE.

Respectfully submitted,
Lisa Groezinger, sec.



Board of Selectmen Meeting Notice AGENDA



Emergency 
EXECUTIVE SESSION – Labor Negotiations

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday December 21, 2011	5:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street Buzzards Bay, MA 02532

1. Open meeting in public session
2. Executive Session regarding Fire Labor negotiations
3. Adjourn

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