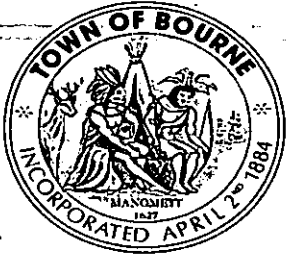


**2015  
Meeting Notices  
Selectmen**



# Board of Selectmen Meeting Notice AGENDA



## AMENDED

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 6, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Minutes: 12.09.14 – 12.16.14
4. Correspondence
5. Hailey Manduca – Girl Scout - Gold Award

6. Licenses/Appointments:

- a. ~~Library Trustee~~ - cancelled – rescheduled for January 13, 2015
- b. East Wind Lobster & Grill – Common Victualer License

7. Mr. William Nelson – Concerns regarding South Side Cape Flyer station..

8. Selectmen's Business

- a. Third Reading - Rules of Procedure/new committee appointees

9. Discussion on upcoming needs and budgetary impediments

10. Town Administrator's Report

11. Selectmen's Reports

12. Other business

13. Adjourn

2015 JAN 5 PM 10 52  
TOWN CLERK'S OFFICE  
BOURNE, MASS



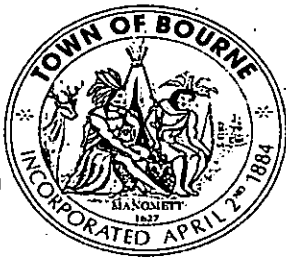
Future Agenda Items

Discussion of Events Committee

Long-Term Comprehensive Plan

Stormwater Review every 60 days...mid January 2015

Human Services Committee



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
January 6, 2015

Time

7:00 p.m.

Location

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

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  - b. East Wind Lobster & Grill – Common Victualer License
7. Mr. William Nelson – Concerns regarding South Side Cape Flyer station.
8. Selectmen's Business
  - a. Third Reading - Rules of Procedure/new committee appointees
9. Discussion on upcoming needs and budgetary impediments
10. Town Administrator's Report
11. Selectmen's Reports
12. Other business
13. Adjourn

2015 JAN 2 PM 11 45  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Future Agenda Items  
Discussion of Events Committee  
Long-Term Comprehensive Plan  
Stormwater Review every 60 days...mid January 2015  
Human Services Committee

**Board of Selectmen  
Minutes of January 6, 2015  
Bourne Community Building  
Bourne, MA 02532**

---

TA Guerino

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch of the Bourne Enterprise.

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:30 pm. He publicly thanked the public safety departments for their work, including the DNR.

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

**Public Comment – Non-Agenda Items**

None.

**Girl Scout Gold Award**

Mealy moved and seconded by Pickard to take Girl Scout Award out of order. Unanimous vote.

Chm. Meier recognized Miss Haley Manduca. Miss Manduca explained she and her family have a rare bone disease. She wrote a documentary about the disease to educate the families and the public.

Mealy presented the award to Miss Manduca on behalf of the board. Ellis suggested that Miss Manduca put her documentary on the public cable TV and extended the offer to assist her in the task.

**Minutes 12/9/14**

Pickard moved and seconded by Mealy to approve minutes of 12/9/14 as submitted. Vote 5-0.

Mealy moved and seconded by Ellis to approve minutes of 12/16/14 as submitted. Vote 4-0-1 (Pickard abstained).

### **Correspondence**

Mealy read correspondence into the record. Hard copies are available upon request in the Town Administrator's office.

### **Library Trustees**

Discussion postponed until late January, per Chm. Meier.

### **Licenses/Appointments**

#### **a. East Wind Lobster & Grille**

Pickard moved and seconded by Ellis to approve Common Victualer license for Change in Manager pending all business certificates and routing slip (BOH, Town Clerk and Sewer Commissioners). Unanimous vote.

### **Concerns Cape Flyer Station – William Nelson**

Mr. Nelson opposes the commuter rail and urges the board to postpone the project until we have community input. He is considering an appeal of the Conservation Commission's vote and feels there is a conflict of interest.

Ellis agrees with Mr. Nelson and shares his concerns. Pickard explains he would not want to have a train platform in a residential neighborhood, even though it is only for three months of the year.

Zuern feels the project would be beneficial to the people on the south side of the canal.

Ellis suggested TA Guerino contact State Representatives for discussion. Chm. Meier requested TA Guerino to contact Representatives Hunt and Viera, or their designee, for the 2/3/15 meeting. He also requested of TA Guerino to include Mr. Cahir.

### **Selectmen's Business**

#### **a. Procedure for new committee appointees**

Pickard suggested having the proposed policy from the first and second readings and put into another document what Ms. Mary Jane Mastrangelo suggested to review and for the board to make a decision.

Zuern recommends when a 'Selectman, Sewer Commissioner or Administrator's committee requests a designee or representative' when the wording request a designee or representative.

On the second paragraph, when a Selectmen, Sewer Commissioner or Administrator's committee requests membership from another committee or board, the Selectmen, Sewer Commissioner's or Administrator's committee requests membership from another committee or board the Selectmen, Sewer Commissioner or Administrator's committee may appoint a member who submits a request to the boards of Selectmen, Sewer Commissioner's or Administrator's to fill a vacancy.

Mealy suggested Zuern and Ms. Mastrangelo work together for the board to look at a single change for discussion and vote. Ellis said as Selectmen we need to exercise our right to appoint members.

Mr. Mulvey suggested having two designees (one for backup). Mealy feels it is more important to address the validity of a designee versus having the Selectmen control of every board, committee.

Mealy moved and seconded by Pickard for Ms. Zuern to work with Ms. Mary Jane Mastrangelo on wording for the next reading. Vote 5-0.

Pickard moved and seconded by Mealy to continue to the 2/3/15 meeting. Vote 5-0.

**b. Discussion Budgetary Impediments**

Chm. Meier would like to include the School Committee for a Joint Meeting with Selectmen and the FinCom for the Town Administrator Budget Meeting.

TA Guerino said all the budgets have been through a first pass. He will look at where we are and will bring a number next week as to where we are. He doesn't feel tonight is the night for impediments. There will be some additional reductions in the next month and a half. Health insurance is going up. One of the concerns is what is the shortfall - \$331M shortfall or \$800M shortfall? There may be additional cuts; there is not a lot of room in the departmental budget. We are probably looking at personnel.

Pickard suggested making the cuts before the end of the fiscal year.

TA Guerino will bring up the 'back-up' issue in departments and will raise item in his Budget Message on 2/27/15.

**Town Administrator Report**

TA Guerino will reach out to the Board of Health with regard to the Plastic Bag Bylaw for discussion with the Selectmen.

On Tuesday 2/13/15 and Wednesday 2/14/15 the Center for Priority Based Budgeting. This is a good way to look at how to budget in limited times. The sessions will be held at the Bourne Middle School Library.

**Selectmen's Reports**

Ellis and Zuern attended a rally for Police in Dennis-Yarmouth High School. Both also attended another gathering in support of the Police at the Way Ho.

Mealy said the Main Street Steering Committee continues to work on the plans for the Buzzards Bay Park and will be appearing before the board for an overview and proposal. As far as the Special Town Meeting (STM), the issue is not whether the town should join the commuter rail

which is to be extended to Buzzards Bay – this is not an extension of community rail. This is a vote to allow the town explore commuter rail and place a ballot question in the Spring 2015 asking if commuter rail should come to Buzzards Bay. If we vote not to support, we cannot go forward with the question in the spring. If we vote to support, it will allow the town to undertake the discussion of commuter rail, and then we can start detailed discussions of what commuter rail means to Buzzards Bay and what changes would need to take place and what the impacts are. The Town Moderator has determined that the STM will be limited as to whether the commuter question should be placed on the ballot. He would like to request holding a public forum prior to the STM to listen to a presentation and the proper leader, the Transportation Advisory Committee - TA Guerino suggested a separate Selectmen discussion prior to STM. Mealy also discussed the Financial Planning Working Group (FPWG) discussion of the Priority Based Budgeting and the review of a visual budget. He briefly explained the visual budget for the town. The FPWG voted the town implement a Visual Budget.

Pickard, Meier and Mealy attended a Ribbon Cutting Ceremony that the Town of Falmouth has become a client for disposal of municipal solid waste at the Bourne landfill.

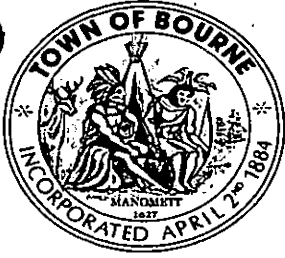
Zuern attended the police rally and recognized Ms. Josephine Balalakas, the organizer for the event at the Way Ho.

Chm. Meier commented about proposed parking garage for the proposed commuter rail. He wants the public to know that no decisions have been made.

#### **Adjourn**

Pickard moved and seconded Zuern by to adjourn. Meeting adjourned at 9:00 pm. Vote 5-0.

Respectfully submitted – Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



Date

Thursday  
January 8, 2015

Time

4:30 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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

4:30 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Signing of the Special Town Meeting Warrant
4. Adjourn

2015 JAN 6 PM 4 01  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# BOARD OF SELECTMEN

2015 JAN 9 AM 11 56

## Joint Session Board of Selectmen, Bourne School Committee and Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, January 13, 2015	6:15 p.m.	Bourne Middle School Library 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. Workshop with the Center for Priority Based Budgeting  
*Introduction – Chris Phalin*
3. Adjourn

# BOARD OF SELECTMEN

## Joint Session Board of Selectmen, Bourne School Committee and Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday, January 14, 2015	6:15 p.m.	Bourne Middle School Library 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. Workshop with the Center for Priority Based Budgeting  
*Introduction – Chris Phalin*
3. Next Steps
4. Adjourn

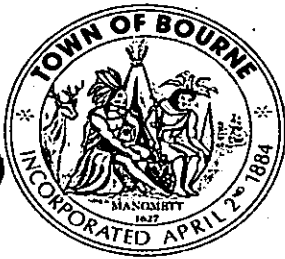
2015 JAN 12 PM 4 01  
TOWN CLERK'S OFFICE  
BOURNE, MASS

# BOARD OF SELECTMEN

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday, January 14, 2015	5:45 p.m.	Bourne Middle School Library 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. Review and Vote Special Town Meeting Articles
3. Adjourn

2015 JAN 12 PM 4 01  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
January 20, 2015

Time

6:30 p.m.

Location

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

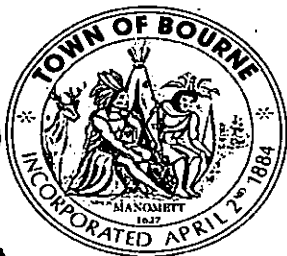
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All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:30 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Minutes
4. Correspondence
5. Public Comment
6. Joint Meeting with Transportation Advisory Committee
7. Licenses/Appointments:
  - a. Request Waiver for Catch A Cure For Lung Can at the Buzzards Bay Park on 6.7.15.
  - b. Joint Meeting with Library Trustees to fill vacancy.
  - c. 7:30 p.m. Hearing on Year Round All Alcoholic Beverages License for Stomping Grounds Grille
  - d. Class II Dealer's License Renewal – Douglas G. Fontana, d/b/a Auto Marine Industries
8. Town Administrator's Report
9. Selectmen's Business
  - a. Charter Review Committee
  - b. Local Comprehensive Planning Committee.
10. Fiscal Outlook for FY 2016 – Town Administrator and Finance Director
11. Discussion on upcoming needs and budgetary impediments
12. Other business
13. Adjourn

2015 JUN 15 PM 11 14  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



**Joint Meeting with Finance Committee,  
Moderator, Town Counsel, Board of Selectmen, Town Planner, Planning  
Board, Town Administrator, Finance Director, Town Clerk**

Date

Thursday  
January 22, 2015

Time

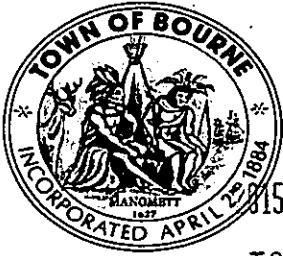
2:00 p.m.

Location

Bourne Town Hall  
Lower Conference Room  
24 Perry Avenue  
Buzzards Bay

1. Review, Discussion and on Special Town Meeting Articles

2015 JAN 16 PM 4 01  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Selectmen Meeting Notice

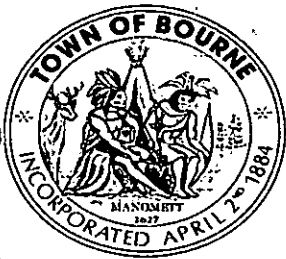


2015 JAN 26 AM 11 11  
TOWN CLERK'S OFFICE  
BOURNE, MASS **AMENDED**  
**AGENDA**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday January 26, 2015	6:15 p.m.	Bourne High School Auditorium Stage Area 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special and Annual Town Meeting each session until the conclusion.
3. Adjourn

**CANCELLED**



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
January 27, 2015

Time

6:45 p.m.

Location

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

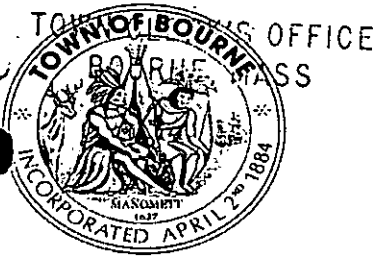
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All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:45 p.m. Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. 6:45 p.m. Joint Meeting with remaining Trustees of the Jonathan Bourne Public Library to fill a vacancy left by a resignation until the next annual town election.
4. Town Administrator's Budget Message
5. Selectmen's Business
6. Selectmen's Reports
7. Other business
8. Adjourn

2015 JAN 23 PM 9 05  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



**AMENDED**

Date

Tuesday  
January 27, 2015

Time

6:45 p.m.

Location

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

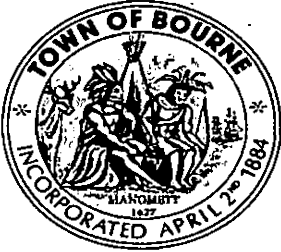
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6:45 p.m. Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. 6:45 p.m. Joint Meeting with remaining Trustees of the Jonathan Bourne Public Library to fill a vacancy left by a resignation until the next annual town election.
4. Town Administrator's Budget Message
5. Selectmen's Business
  - a. Determination to have the LCP to be appointed by the Board of Selectmen
6. Selectmen's Reports
7. Other business
8. Adjourn





# Board of Selectmen Meeting Notice AGENDA



2015 JAN 26 AM 11:02 AMENDED

Date  
Tuesday  
January 27, 2015

TOWN CLERK'S OFFICE  
BOURNE, Time  
6:45 p.m.

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

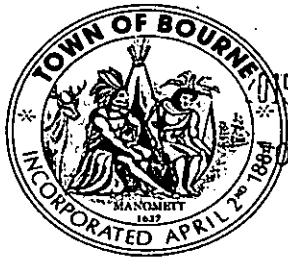
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6:45 p.m. Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. 6:45 p.m. Joint Meeting with remaining Trustees of the Jonathan Bourne Public Library to fill a vacancy left by a resignation until the next annual town election.
4. Town Administrator's Budget Message
5. Selectmen's Business
  - a. Determination to have the LCP to be appointed by the Board of Selectmen
6. Selectmen's Reports
7. Other business
8. Adjourn

**CANCELLED**



**Board of Selectmen  
Meeting Notice  
AGENDA**

JAN 26 AM 11 08  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**AMENDED**



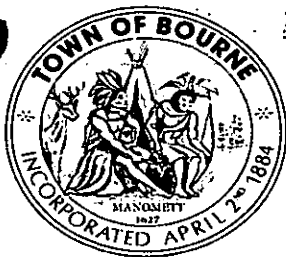
<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday January 28, 2015	6:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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6:30 p.m. Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Town Administrator's Budget Message
4. Selectmen's Business
  - a. Determination to have the LCP to be appointed by the Board of Selectmen
5. Other business
  - a. Storm update
6. Adjourn



2015 JAN 26 PM 7:08

TOWN CLERK'S OFFICE  
BOURNE, MASS

# Board of Selectmen Meeting Notice AGENDA



## EXECUTIVE SESSION Contracts & Personal

Date

Thursday  
January 29, 2015

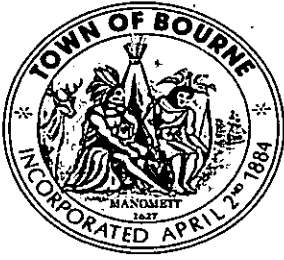
Time

6:30 p.m.

Location

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

Call Meeting to order and vote to go into Executive Session and not return to Open Session



## Board of Selectmen

2015 JAN 26 Meeting Notice

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



Date

Tuesday  
January 29, 2015

Time

6:30 p.m.

Location

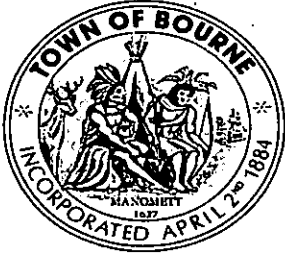
Bourne Veterans' Memorial  
Community Center  
239 Main Street, Buzzards Bay

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All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:30 p.m. Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Town Administrator's Budget Message
4. Selectmen's Business
  - a. Determination to have the LCP to be appointed by the Board of Selectmen
5. Other business
  - a. Storm update
6. Adjourn



2015 JAN 26

## Board of Selectmen

### Meeting Notice

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



Date

Tuesday  
January 29, 2015

Time

6:30 p.m.

Location

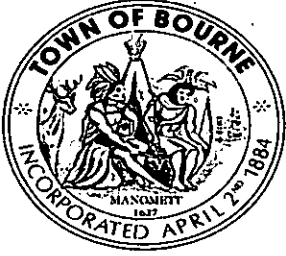
Bourne Veterans' Memorial  
Community Center  
239 Main Street, Buzzards Bay

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6:30 p.m. Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Town Administrator's Budget Message
4. Selectmen's Business
  - a. Determination to have the LCP to be appointed by the Board of Selectmen
5. Other business
  - a. Storm update
6. Adjourn



# Board of Selectmen Meeting Notice AGENDA



## EXECUTIVE SESSION Contracts & Personal

Date  
Thursday  
January 29, 2015

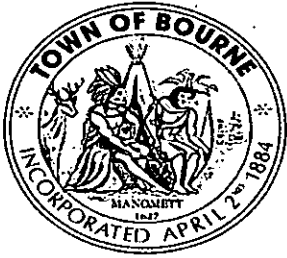
Time  
6:30 p.m.

Location  
Bourne Veterans' Memorial  
Community Center  
200 Main Street, Buzzards Bay

Call Meeting to order and vote to go into Executive Session and not return to Open Session

**CANCELLED**

2015 JAN 29 AM 9 28  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice



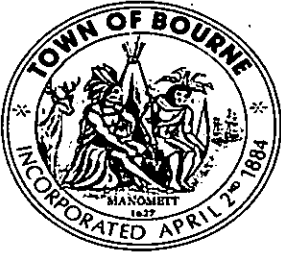
AMENDED

## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday February 2, 2015	6:15 p.m.	Bourne High School Auditorium Stage Area 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special Town Meeting each session until the conclusion.
3. Designation of Public Safety Official in accordance with Chapter 487 of the Acts of 2014 relative to recess and continue a town meeting.
4. Adjourn

2015 JAN 29 PM 4 03  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice



AMENDED

## AGENDA

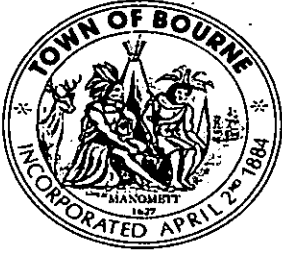
<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday February 2, 2015	6:15 p.m.	Bourne High School Auditorium Stage Area 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special Town Meeting each session until the conclusion.
3. Designation of Public Safety Official in accordance with Chapter 487 of the Acts of 2014 relative to recess and continue a town meeting.
4. Adjourn

CANCELLED

2015 FEB 2 AM 10 49  
TOWN CLERK'S OFFICE  
BOURNE, MASS





# Board of Selectmen Meeting Notice AGENDA



## Joint Meeting with Finance Committee and School Committee

Date  
Monday  
February 2, 2015

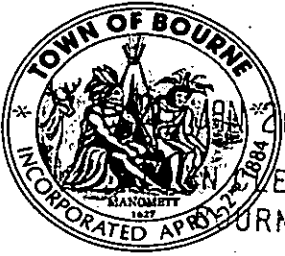
Time  
7:00 p.m.

Location  
Bourne High School Auditorium  
Stage Area  
75 Waterhouse Road  
Bourne

1. Review, Discussion and on Special Town Meeting Articles

**CANCELLED**

2015 FEB 2 AM 10 49  
TOWN CLERK'S OFFICE  
BOURNE, MASS



4:46 PM 4 06  
CLERK'S OFFICE  
BOURNE, MASS

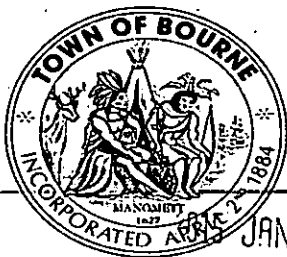
# Board of Selectmen Meeting Notice



## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday February 2, 2015	6:15 p.m.	Bourne High School Auditorium Stage Area 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special Town Meeting each session until the conclusion.
3. Adjourn



# Board of Selectmen Meeting Notice AGENDA



JAN 29 AM 10 26  
**Joint Meeting with Finance Committee and  
School Committee**  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Monday  
February 2, 2015

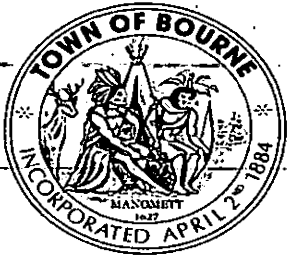
Time

7:00 p.m.

Location

Bourne High School Auditorium  
Stage Area  
75 Waterhouse Road  
Bourne

1. Review, Discussion and on Special Town Meeting Articles



## Board of Selectmen Meeting Notice



2015 JAN 29 AM 10 26

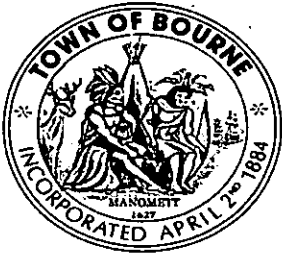
TOWN CLERK'S OFFICE

BOURNE, MASS

### AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday February 2, 2015	6:15 p.m.	Bourne High School Auditorium Stage Area 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special Town Meeting each session until the conclusion.
3. Adjourn



# Board of Selectmen Meeting Notice **AGENDA** **AMENDED**



## **EXECUTIVE SESSION** **6:30 PM - 7:00 PM – Contract & Personal Matter** **Joint Meeting with Finance Committee**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday February 4, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

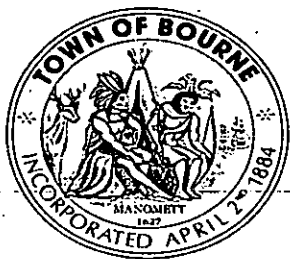
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All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Appointment of Charles Noyes as the Public Safety Representative assigned to write the letter to the Massachusetts Attorney General on the reason for the postponement of the Special Town Meeting.
4. Town Administrator's Budget Message
5. Signing of Final Order of Assessment of Betterments for Sanderling Drive, Whimbrel Drive & Pintail Circle.
6. Selectmen's Business
  - a. Determination to have the LCP appointed by the Board of Selectmen
7. Town Administrator's Report
8. Selectmen's Reports
9. Other business
10. Adjourn

2015 FEB 2 AM 10 H9  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



## EXECUTIVE SESSION

6:30 PM - 7:00 PM – Contract & Personal Matter

### Joint Meeting with Finance Committee

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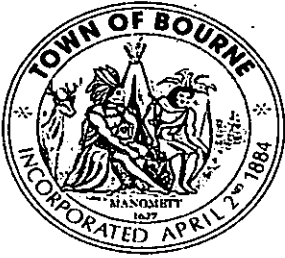
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8. Other business
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2015 JAN 29 AM 11 54  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



## EXECUTIVE SESSION

6:30 PM - 7:00 PM – Contract & Personal Matter

### Joint Meeting with Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
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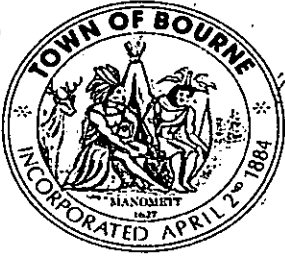
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7. Selectmen's Reports
8. Other business
9. Adjourn

2015 JAN 29 PM 4 03  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Selectmen

### Meeting Notice

### AGENDA

2015 FEB 6 PM 2:18  
TOWN CLERK'S OFFICE  
BOURNE, MASS



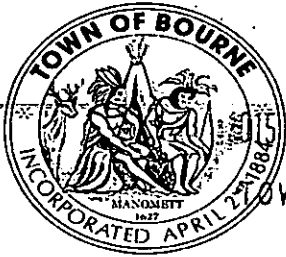
#### 5:30 Executive Session: Ongoing Litigation and Personnel

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 10, 2015	5:30 p.m.	Bourne High School Conference Room Across from Library 75 Waterhouse Road Bourne

1. In session for Special Town Meeting and related business
2. Adjourn





# Board of Selectmen

## Meeting Notice

### AGENDA

FEB 6 PM 6:30  
TOWN CLERK'S OFFICE  
BOURNE, MASS



### 5:30 Executive Session: Ongoing Litigation and Personnel

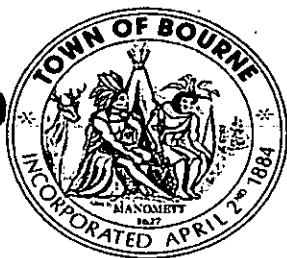
<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday February 11, 2015	6:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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6:30 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Minutes: 1/8/15
4. Correspondence:
  
5. Signing of Final Order of Assessment of Betterments for Sanderling Drive, Whimbrel Drive & Pintail Circle.
  
6. Adoption of Rules and Procedures as amended
  
7. Tom Cahir – Cape Flyer
  
8. Town Administrator's Report
  - a. Budget discussion with Selectmen (30 Minutes)
  
9. Selectmen's Reports
  
10. Other business
  
11. Adjourn



# Board of Selectmen Meeting Notice



## AMENDED AGENDA

### 5:30 Executive Session: Ongoing Litigation and Negotiations with Non-Union Personnel

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday February 11, 2015	6:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

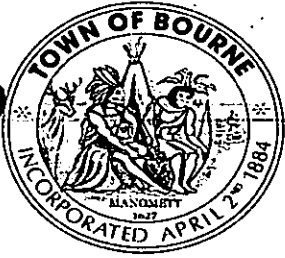
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#### 6:30 p.m. (Items 1-4) Call to order

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6. Adoption of Rules and Procedures as amended
  
7. Tom Cahir – Cape Flyer
  
8. Town Administrator's Report
  - a. Budget discussion with Selectmen (30 Minutes)
  
9. Selectmen's Reports
  
10. Other business
  
11. Adjourn

2015 FEB 10 AM 11 30  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen

## Meeting Notice

2015 FEB 11 PM 2:03

## AGENDA

TOWN CLERK'S OFFICE  
BOURNE, MASSACHUSETTS



Date

Wednesday  
February 11, 2015

Time

6:30 p.m.

Location

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

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6:30 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Minutes: 1/8/15
4. Correspondence:
5. Signing of Final Order of Assessment of Betterments for Sanderling Drive, Whimbrel Drive & Pintail Circle.
6. Adoption of Rules and Procedures as amended
7. Tom Cahir – Cape Flyer
8. Town Administrator's Report
  - a. Budget discussion with Selectmen (30 Minutes)
9. Selectmen's Reports
10. Other business
11. Adjourn

2015 APR 16 AM 11 09

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of Wednesday, February 11, 2015  
Bourne Veterans' Memorial Community Center  
Bourne, MA 02532**

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TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time

Michael Rausch Bourne Enterprise  
Ryan Barber Cape Cod Times

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**Documents**

**Meeting Called to Order**

Chm. Meier called the Executive Session meeting to order at 6:30 pm.

Peter Meier wanted to acknowledge the Bourne police officer, Jared MacDonald that was injured in the line of duty. He has a long recovery. The town has come together as one big close knit community. People are offering various services to the MacDonald family. The Bourne Police Dept. and the Bourne Fire Department were at their finest. We need to give our public safety employees recognition for the great job they do.

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

**Public Comment - Non-Agenda Items**

None requested.

**3) Minutes: 1/8/15.**

**Voted** Don Pickard moved and seconded by Linda Zuern to approve the minutes from January 8, 2015 as presented. Vote 5-0.

#### 4) Correspondence

Stephen Mealy brought the committee up to date on the correspondence. The board received a letter from Attorney General Healy for Emergency Manager Charles Noyes on declaration of recess for the Bourne Special Town Meeting. It was a press release provided to us about the officer that was ambushed while responding to a vehicle fire. We received a letter from the Marine Fisheries indicating open and closed areas for taking shellfish. The DEP has provided a permit approval authorization for a major modification to Phase 4 Stage 2 area of the Bourne Landfill. It involves an extension of a horizontal gas collection system. We have received the December 2014 Cape Light Compact activity. We got a letter from the DEP abutter notification for work that is suggested to be undertaking at 66 Arlington Drive, Buzzards Bay, to construct and maintain a pier ramp and floats. We have received a letter from William Nelson asking for consideration regarding the Mass DOT railroad project proposed under the Bourne Bridge. We have received a summary of the committee appointments that is made by the Selectmen, the Town Administrator, and the Town Moderator.

Peter Meier stated that we also received another letter from Mr. Nelson, stamped in today.

Don Pickard – Relevant the first letter by Mr. Nelson, wonder if we might forward that to our delegation representatives from the area. Not sure if Mr. Nelson has done that.

#### 5) Signing of Final Order of Assessment of Betterments for Sanderling Drive, Whimbrel Drive & Pintail Circle.

Tom Guerino – A couple years back at a Town Meeting the town authorized a betterment to be had at Whimbrel, Pintail, and Sanderling roads. They were private roads that were in terrible shape. The town was not responsible to fix them. We did allow a betterment for the residence there. The road was paved. The contract was bid through the town although the betterment will be paid by the residence. The town needs to sign the order of assessment so those folks can start paying on the betterment.

**Voted:** Don Pickard moved and seconded by Stephen Mealy that we, the Board of Selectmen of the Town of Bourne, by our execution of this document at an open public meeting of the Board of Selectmen on February 11, 2015 hereby order and assess betterments in the amount of \$460,853.00, pursuant to the authority of the Bourne Town Meeting under Article 29 of the 2013 Annual Town Meeting, and pursuant to authority set forth in Massachusetts General Laws, Chapter 80, and pursuant to the authority in Section 3.1.28 of the Town of Bourne Bylaws, to the property owners listed herein in the amounts set forth on the attached Exhibit "A". Vote 5-0.

#### 6) Adoption of Rules and Procedures as Amended

Chairman Meier has been asked if we can defer this item for another week.

**Voted:** Don Pickard moved and seconded by Stephen Mealy to defer this item to February 17, 2015. Vote 5-0.

**7) Tom Cahir – Cape Flyer**

Chairman Meier stated that since it isn't quite 7:00 we will move to the next item and come back to this item at 7:00.

**8) Town Administrator's Report**

Tom Guerino wanted to let folks know that we are now in a competition with the Town of Sandwich. Jonathan Bourne Public Library for the past several years has taken part in the Boston Bruins Cradles to Crayons Pajama drive. New pajamas are collected and donated to children across the Commonwealth. Last year the Bourne Library came in third place state wide. This year we are going for first prize. The Town of Sandwich has decided they are going to join in also. The Town Administrator in Bourne and the Town Manager in Sandwich have called it "Game On". We are in for a competition to see which of we can collect the most new pajamas for children from sizes 2T to youth 18/20 that can be donated for children who don't have them. The loosing community's town manager shall be wearing bunny pajamas for the day. Any folks in town who can afford to donate a pair of new pajamas for kids please drop them off at the Board of Selectmen Town Administrator's office by March 10<sup>th</sup>.

Tom Guerino gave a brief overview of the FY15 budget. The Board has had the book for about a week. Not sure if you have had an opportunity to review the budget. The net budget after the Cherry Sheet Offsets and assessments is about 3.3% higher than last year. The drivers of the budgets this year are not the departmental budgets. The drivers are those fixed in shared costs. We eliminated two full time positions and made one full time position a half time position. I look forward to reviewing this or making adjustments as the board feels is necessary.

Peter Meier questioned Representative Hunt, is the state looking to reimburse the local communities for the outrageous snow events we have had this fiscal year? What other possibilities are there to help out the communities.

Mr. Hunt responded that the reasons the towns had to gather all their expenses and turn them in is so the state can try to get some federal funds to help backfill the costs of the blizzard that happened on the 26<sup>th</sup> and 27<sup>th</sup> of January. Through the MEMA process we are looking to reimburse towns at least a portion of that money. Not sure how quickly the money will be reimbursed.

Stephen Mealy questioned if you have received any inquires, from any of the towns or cities in the Commonwealth, that are asking that there may be some type of legislation that would be passed to allow the city or town to, on a one time exemption, override 2½ strictly for snow and ice, as a means to meet some of these expenditures which no one had planed for.

Mr. Hunt responded, to the extent that you have an overage in this account you have to make that up in the next budget year, but he is not sure we can release the requirement of 2½ for this event.

Mr. Hunt responded the process would be that we have a piece of legislation that allowed that to happen. Whether it happened across the state or town by town would have to be decided on. We can pass legislation to do that. We can also find out from the Clerk's Office if he recalls any similar actions having ever been taken before. I will look into that and get back to the board.

Don Pickard had a few comments. We got the budget from the Town Administrator. The Town Administrator hopes to use about 2.4 million dollars out of free cash. I'd like to see the board take a position on whether we support that or whether or not it should be a lesser amount. I'd like to have that as a discussion point at some point with the board. I also think that the cuts he has provided in the budget message is a good start. I'd like to see those cuts begin in this fiscal year and not in 2016; I'd like to have a discussion about that as well. I would also like the board to meet in executive session and discuss further personnel reductions that may cause potential litigation. Mr. Pickard stated he would also like to look at the organizational chart. There were changes to put the Facilities Director in charge of the ISWM General Manager, I am having second thoughts on that and we should look at a greater scheme of things and maybe we can do some super department heads. I believe we need to take a serious look at the marinas in this town. The net to the general fund is about \$170,000 and \$340,000. Of that \$170,000 is from the sale of fuel oil and supplies. I suggest we take a look at either raising fees, or maybe take a look at selling Taylor Point Marina. Keep Monument Beach and Pocasset River for the Bourne residents. 166 of the 261 occupants of these slips and marinas at the three marinas are out of town residents. The town is missing opportunity to benefit the taxpayer.

Stephen Mealy asked that we bring in the members that have been working on the financial planning working group. I agree we need to look at coming back with some type of recommendation to the Town Administrator relative to the budget number. A review of any of our operations is worthwhile and I offer to assist in that.

Don Ellis stated that he thinks we have been underpaying on these marinas for a long time. We should look into that as soon as possible.

Linda Zuern stated that we need to do a lot of research on this first.

Tom Guerino suggested to look at it for the FY17 budget. If it is determined that you want to move forward with that kind of privatization piece after the study that you will have time between now and June 30<sup>th</sup> to put together a bid document for the upcoming fiscal year.

Don Pickard stated the staff can calculate the numbers. We would need to get someone with an accounting background, perhaps Mr. Mealy, to look at this.

Tom Guerino also stated that this review be done fairly quick because we are falling behind because of the weather. We need this budget book done by the first or second week of April.

Peter Meier stated we owe it to the taxpayers of this town that we look at any and all options before we start talking about debt exclusion override. We are a seasonal fixed income community and people can't afford tax increases. We need to keep things affordable if possible.

### **7) Tom Cahir - Cape Flyer**

Tom Cahir spoke to some of the issues concerning the Cape Flyer. He spoke about how the Cape Flyer started, what the goals and objectives were, and how we have proceeded over the last couple of years. We have had this service running for about two years now. We have looked at a couple of things that would be a viable improvement to the existing service. We felt the Friday night train that runs on the commuter line from South Station to Middleborough has to stop eight times, if we had a dedicated train that would come straight to Wareham, Buzzards Bay, Hyannis that would be better for our customers. The other thing is to have a south side stop on the south side of the canal. We talked to the Army Corps, the folks at Mass DOT, and congestion release. We felt that if you are under the bridge, you can get out easy to go to Sandwich or Falmouth without impacting traffic on the road that goes under the Bourne Bridge. We met with the Army Corps and they were very interested in having their recreation area improved. They want us to improve their recreation area with benches and picnic tables. Recognizing the scenic vistas at the canals, for the people that use the canals. For egress for the cars coming in and out we would also enhance the whole parking area. The air quality by the bridge is a concern. By waiting for the bridge to go up and down the trains idle and spew fuel into the air. We felt that putting in a siding there we can move the bridge up and down minimal times with all the trains going over at once. That would minimize the idling of trains in that area. The 2.3 million dollars is in a transportation bond bill. It provides the resources to the transportation agencies to take care of the transportation network and needs across the Commonwealth. The state is responsible for maintaining the rights of way and the rail lines. As a result of the success we have enjoyed with the Cape Flyer the legislature and others have said we need to provide resources to make sure this line is safe and productive. Bids are coming in and there is opportunity to build a platform. Whether we build a platform or not they still can just put a siding in and do the necessary improvements. With the weather the way it has been and the time we have left to build this platform for a Memorial Day start, I don't think it is feasible. He is suggesting we don't do the platform this year, we can continue that discussion and see if we can do something that helps the people that use the Cape Flyer. It is an important component in improving the Cape Flyer service, but we will succeed without it. I do believe by doing this it will improve the air quality and quality of life of that particular neighborhood. I don't think it is worth moving forward without consensus from the leaders of this community. I would like to continue the dialog but I don't think we will pursue this in our next vote for the 2015 season.

Peter Meier thinks it a good idea to continue the dialog because there are people in this town that are against it and people in this town that are for it. With given more time to sit



back and have a dialog and give people time to voice their concerns the end will be a better result. The result may be that the people will want to go forward but at least the people will have the time to look more into this. Mr. Meier has a letter from Greg Folino who has spoken in opposition of the proposed project. He will print it out and submit it to the record. I will forward it to Mr. Cahir.

Linda Zuern stated people asked her why not at the ice rink? Is it because of the Army Corps of Engineers?

Rob Diamato stated on of the issues is you want the siding and the platform closer to the bridge so you can use one bridge movement for multiple trains.

Linda also questioned who has the final say in whether it goes through or not. Mr. Cahir stated it is a state project so they will have the final say.

Don Pickard stated it is a wise idea to put it off and hopes the town can be kept in the loop.

Stephen Mealy stated he is confused as to why the postponement of the platform would have any impact on the improvements to the siding and the signals. Is the siding improvement and signal improvements in jeopardy? I am really glad we get to take a hard look at the impacts of the platform or any type of offloading of passengers on Sandwich road may have. If the platform is constructed can any entity that uses the rail system use the platform, or is the Cape Flyer the only entity that can use the platform. Is there no possibility the platform could be constructed in a different location? Is that an alternative to discuss in the coming months?

Don Ellis stated he is grateful that we can go forward with the further study so more people can have an impact on this, particularly the Transportation Study Committee and the Board of Selectmen. I hope you will work with us to try to come up with a better project/plan so all the people will understand exactly what is going on. I think the Cape Flyer is a worthwhile project.

Mr. Cahir stated that the dinner train will still be idling by that bridge, and waiting for the bridge to come down.

Linda Zuern questioned when do the trains leave in the morning? If they leave Saturday morning do they come back Saturday night so someone could spend the day down there?

Mr. Cahir said the primary objective was to get people to Cape Cod without their cars. It leaves on Friday night about 5:10 from South Station and gets to Hyannis about 7:00, and goes back to Boston at 8:30. It leaves Saturday and Sunday at 8:00 in the morning. It gets to Hyannis at about 9:30 and goes back Saturday and Sunday night at 6:30 PM. It isn't intended to be a commuter service.

Mr. Mulvey asked about the postponement of the platform, whether it is going to be 1, 2, or 3 bids for the platform & parking, signaling, sighting, and the problem with diesel exhaust

Mrs. Ellis stated she has objections to the platform being built on the South side of the Bourne Bridge. The state budget has an estimated 738 million dollar deficit. Why are we spending any taxpayer's dollars that may benefit a handful of people and disrupt a local neighborhood, and traffic flow. If this platform with its parking is built adjacent to the current parking lot under the Bourne Bridge, it would infringe on the number of parking spaces now available for recreational uses of the canal service road. The idea of discussing this project more is an excellent idea.

Mr. York stated it is a good thing to hear that we have some time to think about this and figure out what is the best way to do it. I think it would improve the service to have the platform on that side.

Mr. Mulvey asked if the platform is built who legally will have the responsibility and authority to control the platform and the associated platform and parking. Mr. Meier stated the state will.

Mr. Meier thinks it is nice that we can take the time and not rush this through. We owe it to the voters and residents at large to really have some understanding about this and see what is in the best interest for the town.

#### **8) Town Administrator's Report**

Mr. Guerino said Chairman Meier mentioned about the incident we had last Thursday. Mr. Guerino wanted the folks to know that our Police Officers and Firefighters really did put themselves in harms way and did an outstanding job. I am asking daily on the wellbeing of Officer MacDonald, to make sure he is well looked out for. On Tuesday night next week I intend to bring a name forward to the Board of Selectman for a Fire Chief.

#### **9) Selectmen's Reports**

Linda Zuern wanted to thank our departments and DPW for all the work they have done through several storms, our roads are excellent. Wanted to thank both the Police and Fire departments for the wonderful work they did, and were able to take the suspect without shooting or harming that person.

Mr. Mealy and Mr. Ellis agree with what Linda Zuern said.

Peter Meier wanted to elaborate on the fundraiser for Jared MacDonald, which is scheduled for Thursday, Feb 26th at the Mezza Luna starting at 5:30. There is also a Go-Fund-Me.

#### **10) Other Business**

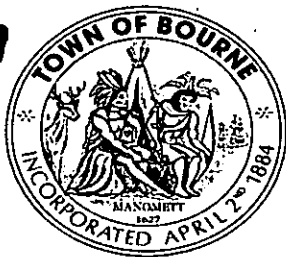
Mr. Mealy said he asked a number of questions and said it would probably be better answered perhaps by Mass. D.O.T. Would it be possible to summarize what the questions were and send them to, not sure if it should be sent to a State Rep. Mr. Guerino stated to cc your legislative delegation, send it to the director at District 5, as well as the new Transportation Secretary. Mr. Mealy questioned if the Board would be willing to send that

out on the Board letterhead. Mr. Mealy stated he will draft it. Mr. Meier said for Mr. Mealy to draft it so it can go in the packet on Friday so we can vote on it next Tuesday.

**11) Adjourn**

Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned at 8:21 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



**6:00 P.M. Executive Session: Strategy Related to Ongoing Litigation**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 17, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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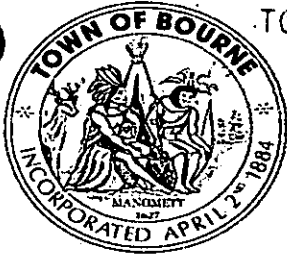
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7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 01.08.15; Jt. Mtg. 01.13.15; Jt. Mtg. 01.14.15
5. Correspondence
  
6. Appointment of Fire Chief
  
7. ISWM Working Group – Harvest Power Presentation
  
8. Licenses/Appointments:
  - a. Class II Cape Cod Car Care Class II Dealers License
  
9. Selectmen's Business
  
10. Town Administrator's Report
  - a. FY16 Budget discussion
  
11. Selectmen's Reports
  
12. Other business
  
13. Adjourn

2015 FEB 12 AM 9 51  
TOWN CLERK'S OFFICE  
BOURNE, MASS

2015 FEB 17 PM 12 11



TOWN CLERK'S OFFICE  
BOURNE, MASS

# Board of Selectmen Meeting Notice AGENDA



## AMENDED

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 17, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (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: 01.08.15; Jt. Mtg. 01.13.15; Jt. Mtg. 01.14.15
5. Correspondence
  
6. Appointment of Fire Chief
  
7. ISWM Working Group – Harvest Power Presentation
  
8. Licenses/Appointments:
  - a. Class II Cape Cod Car Care Class II Dealers License
  
9. Selectmen's Business
  
10. Town Administrator's Report
  - a. FY16 Budget discussion
  
11. Selectmen's Reports
  
12. Other business
  
13. Adjourn

**Board of Selectmen  
Minutes of Wednesday, February 17, 2015  
Bourne Community Building  
Bourne, MA 02532**

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TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 6:30 pm

**Moment of Silence for our Troops & Public Safety employees/Salute the Flag**

**Public Comment - Non-Agenda Items**

None requested.

**4) Minutes: 01.08.15; Jt. Mtg. 01.13.15; Jt. Mtg. 01.14.15**

**Voted** Linda Zuern moved and seconded by Stephen Mealy to approve the minutes from January 13, 2015. Don Pickard abstained. Vote 4-1.

**Voted** Linda Zuern moved and seconded by Stephen Mealy to approve the minutes from January 14, 2015 subject to corrections, spelling the names correctly for Mitchell McCain, Chris Hyldborg, and Judy Framan. Don Pickard abstained. Vote 4-1.

**5) Correspondence**

Mr. Mealy went over the correspondence letters.

We received a letter from the Bourne Recreation Authority Chairman, Greg Folino, regarding the Cape Flyer. The installation of the platform and rail reconfiguration.

We received a letter from Linda Sheldon, in Buzzards Bay, regarding decision to eliminate position of the Director of the community building.

We received a letter from William Nelson, of Bourne, concerning the MASS DOT Projects, the Cape Flyer platform.

We received a notice from NSTAR informing the town they intend to selectively apply herbicides along power lines and natural gas rights-of-way that pass through the town of Bourne. I would ask Mr. Guerino if this letter and the attachment be placed on the towns website to allow residents to refer to it.

We received a letter from the Town of Orleans regarding the recommended changes to Herbicide Application Regulations. I would ask Mr. Guerino to also place this on the towns website as it would be relevant as to how Orleans is addressing this.

Mr. Guerino will place both letters on the town website.

We have an announcement from the Mass Municipal Association relative to the Spring Legislative breakfast meetings that are being held.

We received a letter from the Binder family from Roundhouse Road in Bourne, they wish to extend their greatest to the Bourne Police Department for their help and understanding that they showed during the recent situation on Thursday morning.

Linda Zuern questioned regarding the NSTAR letter, can we also write a letter of response? We have one coming from town meeting. Mr. Guerino stated that Mr. Mealy had drafted a letter to Gov. Patrick at the time. That has not gone in anticipation of the town meeting vote. Now that the town meeting has voted we can incorporate that into the letter that was drafted, that each of the board members had seen prior back in December. We can pass that by you again so everyone can see it before it heads up to the Governor.

Linda Zuern stated that because they are still talking about using herbicides in certain areas, we want to make a point that we don't want any herbicides used anywhere.

## **6) Appointment of Fire Chief**

Tom Guerino went over the appointment of the new Fire Chief. Under the charter who we hire is up to the Board of Selectmen. The charter requires I provide a name to the Selectmen for their consideration. I am pleased to bring the name of Norman Sylvester to the Board of Selectmen. I bring this gentleman to you based on the through assessment that was completed.

**Voted** Linda Zuern moved and seconded by Stephen Mealy that we appoint Norman Sylvester as the new Fire Chief. Don Pickard and Peter Meier opposed. Vote 3-2.

Don Pickard stated that the contract being offered to this candidate in my opinion is extremely excessive during these lean budget times. It's my opinion Mr. Guerino has negotiated a contract that makes the candidate hold onto his lost over time and buy backs. I am very surprised my colleges support this excessive salary and sick time benefits.

Tom Guerino stated this is the name I bring forward based on the lengthy process that is required by statute. We have followed the rules. This is the person who has risen to the top. By a unanimous decision of panelist this is the name I bring forward this evening. I thank Mr. Pickard for his concerns and comments. They are taken with understanding of his concern for the fiscal welfare of the community. I respect his opinion.

Stephen Mealy stated he is comfortable with the review process, the recommendation made by the board and I look forward to working with the Chief.

Don Ellis stated that he feels very comfortable voting in favor of this gentlemen, based on what was brought up in Executive session, and in relationship to the other candidates that were there and the marks that were brought forward. I don't have any problem voting for this Fire Chief.

Linda Zuern stated that this person rose above all the others in the interview process. If we don't hire him we would probably have to go out and start the search process all over again which would be another 8 months. I don't think it is worth it to not hire someone because of a few thousand dollars difference when we need a chief right now. He was chosen by all the people on the interview panel as the highest person in the interview process. So I feel very comfortable having him as our chief.

Peter Meier feels that someone that works their way up the ladder and assumes that through successful planning, you have been here 20 years you paid your dues, you can aspire to be that person. For reasons that we don't know the person that is at the top of the list is not a town person. Going forward I would like to see my fire and police chief be developed over time within the ranks and not go to the outside.

Tom Guerino stated we try valiantly to promote from within when we can. When you get into some of these positions it is sometimes impossible to do that and we want the best for the community. Based on all the criteria that is required under the Civil Service and the Assessment Center, I am very comfortable in presenting this name to you.

#### **7) ISWM Working Group - Harvest Power Presentation**

Don Pickard spoke about the ISWM Business Model Working Group, and gave a brief overview of who is on the working group and where the working group is on their project.



John Redman gave an overview of what the working group does. He also spoke about the Harvest Power project, the visit to the Harvest Power facility in Florida, and what the next steps are for the working group.

George Aronson gave a brief presentation of the trip to the Harvest Power Facility in Florida and explained how the process in the facility will work in Bourne.

David Pierotti gave a brief overview of Harvest Power, the company as a whole. The next step for them is the permitting. Also waiting on a program, the state is compelling the utilities to purchase a certain amount of renewable energy. The PPA, Power Purchasing Agreement that will allow us to sell the power we generate into the grid. That program is coming out very shortly.



## Bourne Digester Project

Bourne & Harvest Power meeting  
January 29<sup>th</sup> 2015

David Pierotti



## About Harvest

Harvest harnesses the maximum value from organic materials through the production of renewable energy and soils, mulches and natural fertilizers.

### Company Profile

- Operating three of North America's largest commercial anaerobic digestion facilities
- One of top 3 organics consumer products companies in U.S.
- Managing more than 2 million tons of organic materials, largest processor of yardwaste & foodwaste in North America
- Operate or partner with over 20 processing facilities in North America with more than 450 employees
- Harvest's investors include True North Ventures, Industry Ventures, Generation IM, Munich Venture Partners, DAG Ventures, Piper Jaffray, Tur Partners and others



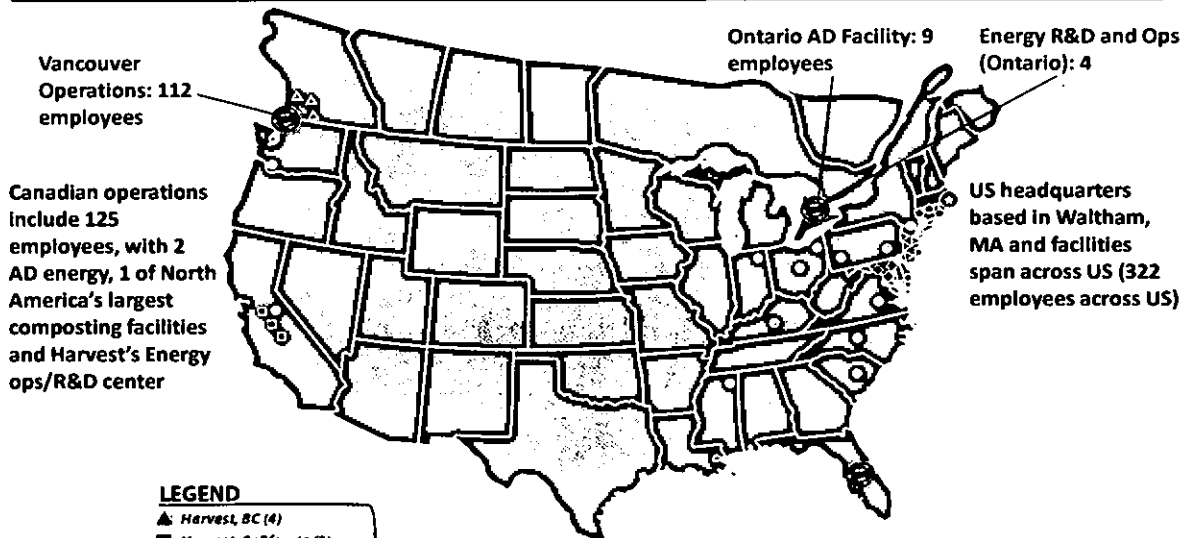
Copyright © 2012 Harvest Power, Inc.

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## Strategic Footprint

Focus on Markets with Strong Landfill Diversion/Energy Trends and Soil Product Demand



### LEGEND

- ▲ Harvest, BC (4)
- Harvest, California (3)
- Harvest New England (3)
- Harvest Garden Pro (3)
- ⋯ Manufacturing Partner (15+)
- ▶ Harvest Garden State (14)
- ▲ Recycled Green Industries (3)

★ Headquarters

● Energy Garden

Proprietary & Confidential

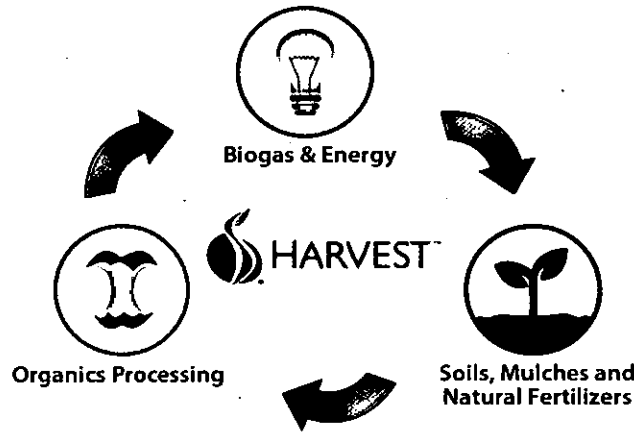
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**HARVEST**

## Going Full Circle: Harvest Power Founding Vision

*Create a more sustainable future by helping communities meet the challenges at the intersection of waste, agriculture and energy in the 21<sup>st</sup> century*



*Be the market leader for North America's 500M+ tons/year of organic materials by providing communities with tailored solutions*

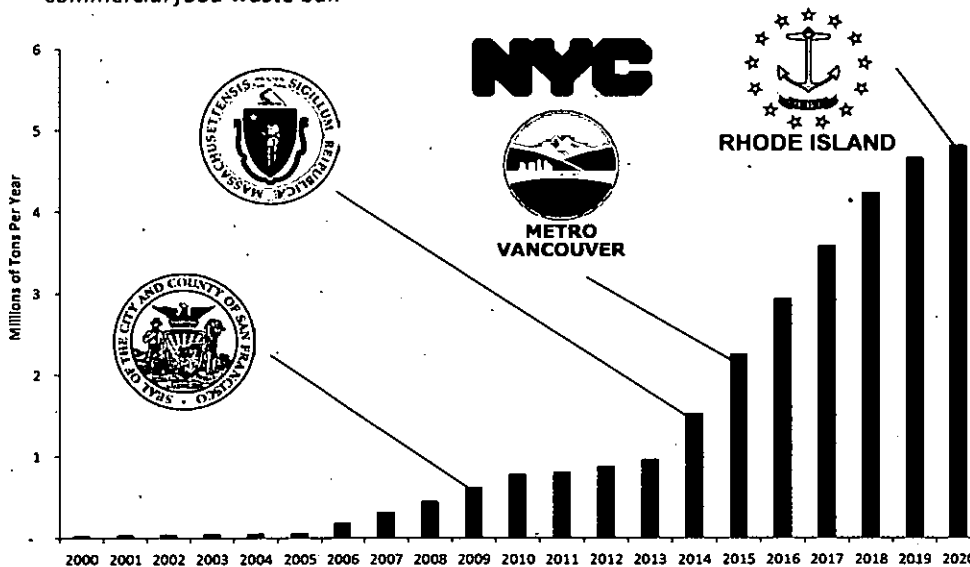
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**HARVEST**

## Growth Trend: Commercial Food Waste Landfill Bans

*By 2020, 87 million North Americans in 15 cities and states will be subject to a commercial food waste ban*

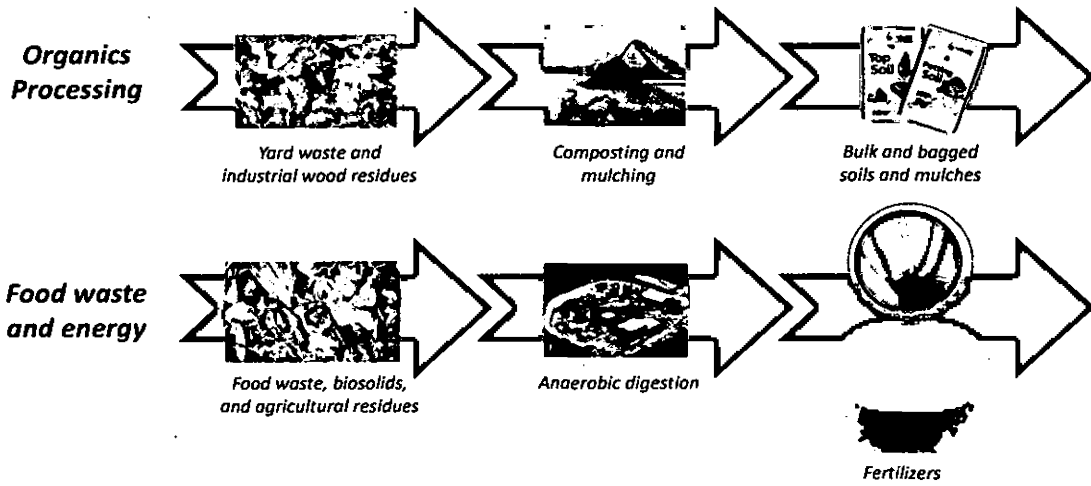


Methodology: Bans classified as 'weak' or 'strong.' Assumed weak bans would ramp up to 50% of commercial food waste diverted within 5 years of a ban enactment, strong bans ramp to 75% within 5 years.

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### Our Solution



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### Harvest Capabilities



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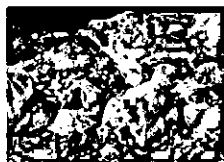
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## Harvest Advantage: End-to-End Management

End-to-End unparalleled domain expertise in organics management

Feedstock ————— Conversion ————— End Products



- Feedstock Acquisition
- Feedstock Handling and Preparation



- Site Control and Development
- State and local regulatory relations
- Project and Acquisition Finance



- Decades of Product Marketing and Customer Service Expertise

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## Our Operating Anaerobic Digestion Facilities



Location	Richmond, B.C.	London, Ontario	Reedy Creek, Florida
Technology	High Solids	Low Solids	Low Solids
Feedstock	Food + Yard Waste	Food + FOG	Food + Sludge + FOG
Tons per Year	40,000 tons	70,000 tons	130,000 tons
Power	1.0MWe	3.0MWe	3.2MWe
Output	Compost	Granular Fertilizer	Granular Fertilizer

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## Bourne Project

- ⑩ Partnership w/Town & ISWM
- ⑩ Comparable in design and size to London & Orlando
- ⑩ Projected for 2016 construction and 2017 operation
  
- ⑩ Distinct from previous facilities:
  - More robust pre-processing including grit removal
  - More robust receiving area due to potential for inclement weather
  - Greater buffer capacity for planned and un-planned shutdowns
  - Modified fertilizer load out system to improve product quality
  
- ⑩ Next Steps
  - State PPA program
  - Permitting

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The people from the Business Model Working group that were present at the Selectman's meeting are: Bill Ware, Dan Barrett, Bob Schofield, John Redman, and Phil Goddard. Also present is George Aronson.

Mr. Mulvey questioned about the contract bonding to protect the town against unforeseen incidents. He also questioned if this facility will be manned by competent individuals 24/7. Mr. Pierotti stated that there will always be someone there who is trained and certified to handle any emergencies.

### 8) Licenses/Appointments:

#### a) Class II Cape Cod Car Care Class II Dealers License

Mr. Pickard addressed Mr. Serge Zalewski's request. We have a completed application. There are comments from the Board of Health indicating that they approve as long as the car wash reclamation system is continued.

**Voted** Don Pickard moved and seconded by Stephen Mealy the approval of the applicant SVZ Auto Group Inc. be d/b/a Cape Cod Car Care for a class II auto dealers license which was previously owned by Mad Mikes Used Cars and with notation this license will not exceed 10 vehicles. Vote 5-0.

## 9) Selectmen's Business

Stephen Mealy brought the board up to date. There is a meeting tomorrow of the Financial Planning working group. I have been working with Mary Jane Mastrangelo relative to updating the financial policies, and providing a spreadsheet that allows both the financial group and this group to compare a before and after, to look at existing policies and then compare to suggested changes that are going to be presented tomorrow evening, then ultimately to this board for adoption. There is also an update to the long-term financial planning model. We also drafted a tool that will be useful for us for future budgets. I still have the outstanding questions that I had for Mass DOT relative to the Cape Flyer.

Don Pickard would like to investigate what the town might yield through the sale of a marina. Instead of waiting I would like the board's authorization for Mr. Mealy and I to sit with the town's professional staff and just look at the numbers actually are.

Tom Guerino stated we have to go back to see what the initial legislation that authorize the town to be able to do the marina and dredging to see if in fact we are able to pursue that.

Tom Guerino suggested the board put the marina as an agenda item on the next weeks meeting.

Peter Meier stated that the Selectman have chosen a Fire Chief we need to give him our support and the respect that he deserves.

**Voted** Don Pickard moved and seconded by Linda Zuern to reconsider item number 6. Vote 5-0.

Tom Guerino stated there is a 15 day period, with the chief leaving on the 27<sup>th</sup> I would like to bring the new chief in on the 28<sup>th</sup> so there is no gap in service, asking for a 3 day reduction of the waver.

**Voted** Linda Zuern moved and seconded by Stephen Mealy to change the waiting period to allow the new Fire Chief to start the day after the current Fire Chief leaves. Vote 3-2.

Peter Meier brought up that Mr. Mealy will be meeting with the recycling committee over plastic bags next week. Mr. Mealy stated that they are looking at reviewing the possibility of the town adopting a ban of plastic bags as other neighboring towns.

## 10) Town Administrator's Report

### a) FY16 Budget discussion

Mr. Mealy handed out his general question on the TA FY2016 budget. Peter Meier suggested we add this to the agenda next week for discussion.

Mr. Guerino brought up the question that was brought to him about the protected vests for the fire department. He explained to the committee the background of the 12 vests that were bought.

Mr. Guerino also gave an update on the "code red" calls. It worked very well.

Mr. Guerino also brought the committee up to date on the sprinkler damage at the Bourne Community Building and the broken elevator at Town Hall.

Mr. Guerino has gotten a lot of calls and emails wishing our Police Department, our injured officer, and coast guards person well.

Linda Zuern questioned Mr. Guerino about the woman who was shot, who was in the Coast Guard. Mr. Guerino stated she is progressing.

Peter Meier stated we got a letter from the Superintendent of schools. Thursday Feb 26<sup>th</sup> from 5:00-7:00PM will be an innovation studio

**11) Selectmen's Reports**

**12) Other Business**

**13) Adjourn**

Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned at 8:50 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



# BOARD OF SELECTMEN

2015 FEB 18 AM 11.45

TOWN CLERK'S OFFICE

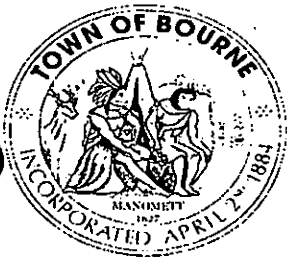
BOURNE, MASS

## Joint Session Board of Selectmen and Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday, February 23, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

1. Call Meeting to Order
2. Review and discuss Budgets:
  - Sewer Dept. Budget
  - ISWM Budget
  - Facilities Budget
  - Shared Costs Budget
3. Other business
4. Adjourn



# Board of Selectmen Meeting Notice AGENDA



## EXECUTIVE SESSION

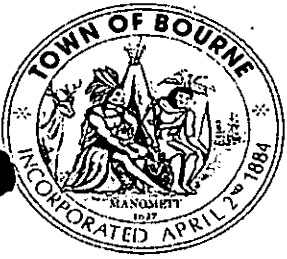
Date  
Monday  
February 23, 2015

Time  
6:00 p.m.

Location  
Bourne Veterans' Memorial  
Community Center  
COA Conference Room  
239 Main Street  
Buzzards Bay

Strategies regarding on-going litigation

2015 FEB 18 PM 3 23  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



## AMENDED EXECUTIVE SESSION

Date

Monday  
February 23, 2015

Time

5:30 p.m.

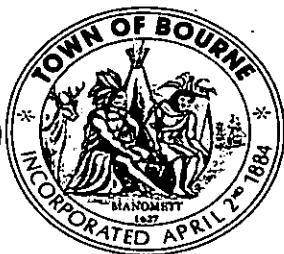
Location

Bourne Veterans' Memorial  
Community Center  
COA Conference Room  
239 Main Street  
Buzzards Bay

Discussion related to contract with non-union personnel

Strategies regarding on-going litigation

2015 FEB 20 PM 3 46  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



**AMENDED**

## **EXECUTIVE SESSION**

Date

Monday  
February 23, 2015

Time

5:30 p.m. – [cancelled]  
new time: 6:00 p.m.

Location

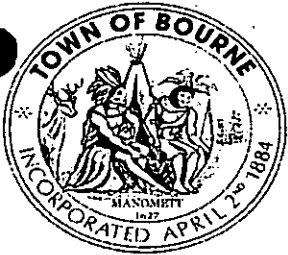
Bourne Veterans Memorial  
Community Center  
COA Conference Room  
239 Main Street  
Buzzards Bay

Discussion related to contract with non-union personnel – [cancelled]

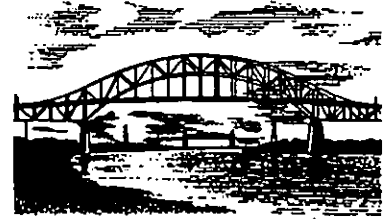
Strategies regarding on-going litigation

\*NOTE: 6:00 p.m. Meeting scheduled to be held on this date.

2015 FEB 23 PM 12 46  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 24, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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- 7:00 p.m. (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
  5. Correspondence
  6. DPW - Discussion and overview of creating efficiencies in Trash collection
  7. Licenses/Appointments:
    - a. 7:30 p.m. Liquor License Transfer – Individual to Corporation - Flynn's Irish Pub
  8. Cape Light Compact – Residential Rates Discussion
  9. Main Street Steering Committee – Buzzards Bay Park
  10. Selectmen's Business
    - a. Discussion related to initiating the proposed July 1 personnel reductions immediately.
    - b. Discussion on additional FY16 budget
    - c. Adoption of the Board of Selectmen Rules of Procedure
  11. Town Administrator's Report
    - a. Discussion related to an immediate hiring freeze.
  12. Selectmen's Reports
  13. Other business
  14. Adjourn

2015 FEB 20 PM 12 21  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen**  
**Minutes of Wednesday, February 24, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

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TA Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

**Documents**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:02 pm.

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

**Public Comment – Non-Agenda Items**

None requested.

**4) Minutes**

There were not minutes to vote on.

**5) Correspondence**

Stephen Mealy brought the committee up to date on the correspondence.

We received a notice of the join meeting from the Board of Selectman and the Finance committee fro last evening Feb. 23<sup>rd</sup>.

We received abutter's notification under the Mass. Wetlands Protection Act for work to be done at 0 Crab Rock Way in Sagamore Beach for the construction of a stone revetment and coastal bank restoration on town owned land, as approved at Town Meeting.

We received a letter from the Department of Housing Community Development approving Bourne's Housing Production Plan.

Letters from the residence of Indian Trail regarding the restoration mentioned above.

Signed by 42 residents on the proposal as described in the application.

We received a meeting notice dated February 25, 2015 at 6:00 p.m. for One Cape: Design Solutions for Clean Water at Cape Cod Resort and Conference Center in Hyannis.

We have the Board Of Selectmen Executive Session Notice February 23<sup>rd</sup> at 6:00 p.m.  
We have a copy of the Bourne Water District's Water Quality report for county year 2014.

Don Ellis suggested Mr. Meier and the Town Administrator have a dialog with the Conservation Commission and the Town Counsel relative to the letter from the residents of Indian Trail.

Tom Guerino stated the Town has not taken any position on this program. We have filed the ability of the Notice of Intent to go forward, which in not any endorsement of the project.

#### **6) DPW - Discussion and overview of creating efficiencies in Trash collection**

George Sala Superintendent of the DPW and Jonathan Nelson explained to the committee how they wanted to go forward with single stream recycling. Mr. Sala said we are here to discuss the three areas we can improve on in curbside and sanitation and recycling pickup. 1) Reduce staff injuries, 2) create more effective curbside operation, and 3) increase our municipal recycling rate. Mr. Sala explained to the Committee how trash/recycling pickup is done now and how much trash/recycling is picked up. We are here tonight to discuss the three alternatives we can do. Going forward we can 1-do nothing; 2-leave trash the way it is and implement single stream recycling, this can be done today with minor modifications. This does not require the purchase of any additional components. 3-Convert to a cart-base system and single stream recycling. Carts are various sizes, which would be purchased and provided to the residents. The baseline will be a 2-cart system, one for the trash and the other for the recycling. George Sala is looking for the Board of Selectmen's input. We are trying to look to the future for a more efficient way of doing business. When questioned Mr. Sala said his preference would be to implement number 3-the cart-base system and single stream recycling. Linda Zuern's concern is the large bins are heavy and hard to move, consider the elderly people and how difficult it will be to move the large bins. Don Pickard stated this is a good start and questioned if any positions will be eliminated with the new single stream system. Linda Zuren wanted to clarify that the single stream refers to the recycling, but you would have a bin for recycling and a bin for trash. The single stream is for the recycling paper, magazines, and recycling goes into one bin. Mr. Mulvey assumed the Selectmen would want input from the town's people. He respectfully suggests a properly drawn up public relations release going to the three major newspapers maybe with some pictures of the equipment that is going to be used. Mr. Mealy stated that he attended the recycling committee meeting and they are planning on writing a series of articles.

#### **7) Licenses/Appointments:**

- a. **7:30 p.m. Liquor License Transfer – Individual to Corporation - Flynn's Irish Pub**

Don Pickard read the Hearing Notice. Notice is hereby given in accordance with Massachusetts General Laws Chapter 138, Section 12 that application has been received

from John Downes, d/b/a Flynn's, 119 Cranberry Highway, Sagamore, Bourne, Mass. to transfer his Year Round Common Victualer License for the sale of all kinds of Alcoholic Beverages to be drunk on the premises to Three Irishmen, Inc., d/b/a Flynn's Irish Pub, John T. Downes, Manager, 119 Cranberry Highway Sagamore, Bourne, Mass. Description of premises: Restaurant/Pub containing two (2) restrooms, kitchen area, dining room/bar area, front, back and side entrance and exit, basement used for storage. A hearing will be held at the Bourne Veterans' Memorial Community Center, 239 Main Street, Buzzards Bay, on Tuesday, February 24, 2015 at 7:30 p.m., and signed by the Board of Selectmen.

**Voted** Don Ellis moved and seconded by Don Pickard to close the public hearing. Vote 5-0.

**Voted** Don Pickard moved and seconded by Linda Zuern based upon a completed application with the prior history of the same operator and the routing slip being cleared properly to approve of the transfer by the Board of Selectmen to Three Irishmen, Inc., d/b/a Flynn's Irish Pub, Mr. John T. Downes, Manager. Vote 5-0.

### **8) Cape Light Compact - Residential Rates Discussion**

Stephan Wollenburg, Senior Power Supply Planner at Cape Light Compact spoke about electricity prices, why they are going up, what that means, and how long they may stay that high. He also spoke about natural gas and how it affects electricity prices.

Margaret Song spoke about energy efficiencies and programs for residential customers and small businesses. To view the power point presentations please go to:  
<http://www.townofbourne.com/selectmen/files/cape-light-compact-22415>.

### **9) Main Street Steering Committee - Buzzards Bay Park**

**Voted** Linda Zuern moved and seconded by Stephen Mealy to have a 2-minute recess. Vote 5-0.

Sally Riggs brought the committee up to date on the Buzzards Bay Park survey and recommendations. Mrs. Riggs spoke about the results of the survey and some recommendations that the Main Street Steering Committee has put together over the past several months. She gave a brief report of the survey results, the Main Street Steering Committee's recommendations, and what the budget might be and how they may get some funding, and ask for the Board of Selectmen's endorsement in terms of concept.

Peter Meier would like more visual signage for the park and what is going on in the park so people will know what events are going on in the park.

Linda Zuern thinks the plan is great and likes the ice rink idea.



Don Ellis questioned what the CPA fund request would be. Mrs. Riggs stated it will be around \$350,000, but we are looking to get some of that through donations and labor. Stephen Mealy thinks it is a wonderful plan. The survey helped out a great deal. He would ask the Board to endorse the next step.

Mr. Mulvey just wanted to make sure someone looked to make sure there are no impediments to doing certain things there.

**Voted** Don Pickard moved and seconded by Linda Zuern to endorse this concept and to ask the Main Street Steering Committee to go to the next step.

Sally Riggs asked if it was OK to take the Selectmen's endorsement and add it to the application to the CPC. The Board conquered.

### **10) Selectmen's Business**

- a. Discussion related to initiating the proposed July 1 personnel reductions immediately.**
- b. Discussion on additional FY16 budget**
- c. Adoption of the Board of Selectmen Rules of Procedure**

#### **a. Discussion related to initiating the proposed July 1 personnel reductions**

Don Pickard questioned how many reductions there have been?

Tom Guerino stated that there has been a reduction in Management at the Community Building, a reduction of a mechanic, and a reduction of a currently unfilled but funded full time IT Assistant to a half time IT Assistant.

Don Pickard also questioned if any future budget reductions for additional staff or additional potential cuts that the Board may suggest are covered under this agenda.

Tom Guerino stated we currently have 4 funded in FY15. If we did the cuts now it would be around \$50,000 as of Feb./March. Mr. Guerino's recommendations would be if we eliminate that position now I would suggest we provide a severance to that employee. We are not ready to take that on today; I would recommend doing that in 30 to 45 days.

Peter Meier suggested we take no motion or action on agenda item 10 letter a at this time.

#### **b. Discussion on additional FY16 budget**

Don Pickard suggested we take the Town Administrators discussion on the hiring freeze in the same section as the budget.

Tom Guerino stated that he thinks that we can institute an immediate hiring freeze on any new positions that become vacant. He would suggest that we do it across the board with two exceptions; ISWM needs to replace a New Equipment Operator, and the currently advertised Recording Secretary position for the Zoning Board. Mr. Guerino suggests if there is a critical need that we come back to the Board of Selectmen and ask for a waiver of this. He will institute it with the proviso that any replacement position has to come before this Board for their approval.

**Voted** Stephen Mealy moved and seconded by Linda Zuern that the town adopt immediately a hiring freeze with the exception of a Recording Secretarial position and a Heavy Equipment Operator position for ISWM and that if any other positions are identified that they can be brought before the Board for individual review with a critical need.

Don Ellis wanted to make clear if the Board of Selectmen remove mechanic and the IT person and we want to retain the manager for the Bourne Veteran's Memorial building, can that be the position we go forward with? Mr. Guerino said that is up to Board of Selectmen to determine, if you move to put that position back into the budget the Board of Selectmen prevails and that position stays in the budget.

Mr. Mealy suggests we give the Finance Committee an opportunity to finish their review, to continue our analysis, as we approach that time when we start finalizing our recommendations for the final budget to be presented to Town Meeting, that would be the time to start making those adjustment then.

Mr. Guerino would like, if possible, to post the meetings on Mondays night as joint sessions. Also when you come to a determination as to what you think the budget is going to need or not need, you give us the opportunity to come back with a number that you feel is the best and let us work within the budget to make those recommendation back to you.

### **c. Adoption of the Board of Selectmen Rules of Procedure**

**Voted** Stephen Mealy moved and seconded by Don Pickard to accept the modification as presented originally back on the 17<sup>th</sup>.

## **11) Town Administrator's Report**

### **a. Discussion related to an immediate hiring freeze.**

Tom Guerino said the Senatorial conversation that was going to be held at the Mass. Maritime Academy with the Senate President and Senator deMacedo has been rescheduled for March 18<sup>th</sup>. We received a letter from the DEP as it relates to the Marine Life Center. You will be seeing more letters from the DEP.

## **12) Selectmen's Reports**

Peter Meier stated that Thursday is going to be busy for the Committee members.

The 208

The ribbon cutting at the Falmouth Hospital

The Jared McDonald fund raising event

The innovation study at the High School from 5-7:00 p.m.

Boy's basketball playoff game at the High School

Peter Meier would like the committee members to go through their goals.

Don Pickard would like to have an executive session to discuss some issues relative to the Town Administrator, give him some direction; maybe discuss some corrective action.

Linda Zuern would like to update the board on what we do at the assembly. It will be added to an agenda item under "a" for the selectmen's reports. Linda Zuern had Lisa Donnelly on her Spotlight on Bourne TV show.

Peter Meier stated Thursday night at 5:30 there is a fundraiser at the Mezza Luna Also the Fire Chief was sworn in today. He is going to ask the Chief to come before the Board on March 3<sup>rd</sup> to introduce him to the public.

Stephen Mealy questioned if the Board can informally endorse Stephen Mealy and Don Pickard to do a study and look at the Marina disposition or can we put it on the agenda. Tom Guerino said that can be put on the agenda for March 3<sup>rd</sup>.

Stephen Mealy attended a Recycling Committee meeting to speak about the possibility of the town adopting a bylaw to address the plastic bags issues. There is an article being prepared for the Bourne Enterprise to start talking about single stream recycling.

Don Ellis attended the Historical Commission public hearing relative to the railway station and the Hoxie School CPA requests.

### **13) Other Business**

### **14) Adjourn**

**Voted** Linda Zuern moved and seconded by Don Pickard to adjourn. Meeting adjourned at 9:50 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.

2015 FEB 19 PM 4 04

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Notice of Meeting  
Bourne Board of Selectmen  
AGENDA**

**One Cape: Designing Solutions for Clean Water  
All Cape Selectmen and Councilors Session  
Wednesday, February 25, 2015  
Cape Cod Resort and Conference Center at Hyannis  
Grand Ballroom  
6:00pm**

1. Call meeting to order

Welcome and Introduction: *Cape Cod Water Protection Collaborative Representative(s)*

2. Speaker: *Massachusetts State Senator, Dan Wolf*
3. Overview of Clean Water Act Section 208 update, *Paul Niedzwiecki, Executive Director, Cape Cod Commission*
4. Discussion of Waste Management Agency Requirements of the Clean Water Act
  - *Johanna Hunter, Acting Director of Surface Water Branch, United States Environmental Protection Agency*
  - *Martin Suuberg, Commissioner, Massachusetts Department of Environmental Protection*
  - *Christopher Killian, Vice President and Director, Clean Water and Healthy Forests Program, Conservation Law Foundation*
5. Discussion of Process for Identifying and Convening Waste Management Agencies among the Speakers, Agencies' staff and Town Officials
6. Time for Questions on Waste Management Agencies by Town Officials
7. Adjourn

## BOARD OF SELECTMEN

### Joint Session Board of Selectmen and Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday, March 2, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

1. Call Meeting to Order
2. Reserve Fund Transfer
3. Sources and Uses/Budget Updates
3. Review and Discuss Budgets:
  - Town Clerk
  - Elections and Registration
  - Police
  - Finance
  - Debt Service
3. Other business
4. Adjourn

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TOWN CLERK'S OFFICE  
BOURNE, MASS

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TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen**  
**Minutes of Tuesday, March 3, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

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TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk - was excused  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents:**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:03 pm.

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

**Public Comment - Non-Agenda Items**

None requested.

**4) Minutes 2.4.15 executive; 2.11.15 & 2.17.15 regular minutes**

**Voted** Don Pickard moved and seconded by Linda Zuern to approve the executive session minutes from February 4, 2015 as presented and not to be unencumbered. Vote 5-0.

**Voted** Don Pickard moved and seconded by Linda Zuern to defer the minutes for February 11<sup>th</sup> and February 17<sup>th</sup> until next weeks meeting. Vote 5-0.

**5) Correspondence**

Don Pickard brought the committee up to date on the correspondence.

- We have an annual report from the Cape Light Compact.
- Division of Marine Fisheries conducted on-site inspection of proposed shellfish aquaculture license proposed by Daniel Maurice and James Rossignol.

- Notice from the DEP regarding Knowlton's Garage; their Stipulated Penalty Demand Notice.
- "Mayors for Meals" Day is on Wednesday, March 18, 2015.
- Cape Cod Section 208 Plan Update and Supervisory Role of Court and Timeframe for Submission of Certified Cape Cod Section 208 Plan Updated and Designation of Waste Treatment Management Agencies.
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- b. Request fee waiver of \$150.00 for the 2015 Blackbirds Ride for wounded veterans**

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- 2. FY 16 Budget Discussion**

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Don Pickard withdrew his motion and will do it on his own.

Don Ellis wants to hear more of a discussion on this, and is interested as to whether or not it fits into our charter. He suggested the committee put it back on the agenda next week so we can come back with answers concerning how many members two or three under the Open Meeting Law and if it goes against the Charter. Don Ellis stated we want to make sure we are on the right track and doing what is best for the town.

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Linda Zuern agrees with Don Pickard.



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Linda Zuern wanted to update people so they know what the assembly does, and gave a little background. The assembly members are going through the budget. We have committees that sit down with the different agencies. Those sub committees bring the information back to the assembly and we vote on the budget.

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Mr. Guerino said we don't have any now; we have in the past.

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**10) Town Administrator's Report  
Cursory overview of goals status**

Tom Guerino went over the list goals for 2014/2015.

Board of Selectmen  
Goals 2014/15

FINANCIAL

- I Policy Review
  - a. The Board will, through the Financial Working Group, Finance Director and Town Administrator review the current Financial Policies related to Reserves, investments and debt.
  - b. Recommendations will be made after a review and comparison of other community policies/practices as to what constitutes "best practices" for Bourne.
  - c. Joint sessions with the Finance Committee and School Committee will occur to seek input and for the purposes of clear communication regarding the Financial position and outlook for the Town.
  
- II Staffing/Sustainable
  - a. The Board with Town Departments through the Town Administrator shall review the current and future Organizational Needs.

- b. Any new positions will have to demonstrate budget and mission sustainability
- c. Some positions may need to be eliminated over time and new positions supplanted to keep abreast with the changing needs of the community including technological requirements.
- d. The Town Administrator will seek Additional Zoning Enforcement capabilities and report to the Selectmen

### III BUDGET

- a. The Town Administrator will provide the Selectmen with Long Term Capital needs and planning with the Capital Outlay Committee and appropriate Departmental staff
- b. The Selectmen will seek contract services alternatives for Audit through bid process as recommended by the Town Administrator and Finance Director.
- c. The Selectmen will determine if review of Town Counsel Services are to be reviewed and will communicate direction to the Town Administrator.
- d. The Selectmen will review Health Insurance consultancy and communicate to the Town Administrator and Treasurer any research or advice they may seek

### IV Sustainable Staffing

- a. The Town Administrator will report on and New Hires as it relates to changing needs and position sustainability as noted above. Replacement
- b. The Administrator will provide the BOS updates on vacancies and hires
- c. Executive Sessions may be required to determine staffing and how this impacts collective bargaining. The Selectmen may make recommendations to the Town Administrator.

### ENVIRONMENTAL

#### I Complete 208 Plan

- a. The Town Departments will review what Towns have completed or are substantially into the 208 process and seek best practices on how the Town of Bourne could move forward

- b. Town Departments will assimilate information on what has been completed or started in Bourne and determine what other steps need to be undertaken.
- c. The Town Administrator will make recommendations regarding what consultancy and finances are needed to make substantial progress in the 208 Planning Process.
- d. Implementation costs of the 208 Plan are to be outlined.
- e. Work with Board of Health on septic update requirements upon sale and transfer of properties.
- f. DNR will research the possibility and locations of expanded "fish" farming" beds.
- g. The Selectmen/Sewer Commissioners will work with the Board of Health and Planning Board to seek a possible by-law requiring multiple unit dwellings (#?) to provide self-contained WWT.
- h. The Selectmen/Sewer Commissioners will seek a fee structure for reserving waste water capacity.

#### ECONOMIC/COMMUNITY DEVELOPMENT

- a. The Board to reactivate and appoint a new Long Term Comprehensive Plan Committee (LCP). Focus will be given to redevelopment of commercial properties within the LCP while maintain Town Character.
- b. The Board and the Town Administrator will continue to address the requirements to bring Commuter Rail to Buzzards Bay by; 1. Obtain Town Meeting Authorization; 2. Bring the MBTA question to the Ballot if approved at Town Meeting; 3. Address the need and location for parking.
- c. Research will be undertaken to determine how staffing for Economic and Community Development can become a reality.
- d. Zoning enforcement will be enhanced and the idea of out sourcing for staffing this enforcement will be considered.
- e. The Town will monitor the potential Stop and Shop development at the "Cubellis" property.
- f. The Town will monitor the development and activities regarding a "Third Bridge" as being discussed by the Commonwealth.
- g. Priority development work will be focused on the "West End" of Main Street Buzzards Bay. Outside assistance on what development and retail may be desirable will be considered depending on costs.

#### LIASONS

FINANCIAL = Stephen Mealy

Economic/Community Development = Peter Meier, Don Pickard

Environment = Linda Zuern, Jerry Ellis

Peter Meier stated for the month of April for future agenda items we need to do your yearly evaluation. It needs to be done before the annual election. For the first meeting in April I would ask that the templates be passed out or submitted. Tom Guerino stated that is up to the chairman to coordinate and put together.

## **11) Selectmen's Reports**

### **1. Regional Water Quality meeting (208) recap. by Members**

Don Pickard thinks it is important to note that the reason there is a 208 water quality issue is because the Conservation Law Foundation took on the towns in Barnstable County, their opinion the wastewater was not where it should be. The 15 towns have until September to have a plan in place and show they are working towards this. The town of Bourne only shares one water shed with another Cape town. We are the only community that shares a water shed outside the jurisdictional boundaries of the Commission, Plymouth.

Peter suggested we put it on the agenda for the 24<sup>th</sup> of March.

Don Pickard stated we should collaborate with other towns to determine how we are going to be our own wastewater management agency.

Linda Zuern said she thinks the Commission has until June 15<sup>th</sup> to send in the plan. Not sure when, but they are going to ask the towns if they want to be a WMA or not. We have to make sure we say yes to that. If we have any issues that we are willing to take that responsibility and have that bonding. The settlement said the Cape Cod Commission could not be a WMA, because it didn't have bonding authority but the towns do. That is why there is a switch from the regionalization to local control now. Part of that was from the judgment or the settlement.

Don Ellis stated we need to be concerned because we are responsible to the citizens of the town. We need to look at what the bottom line is going to be, and whether some of these people can afford their share of the cost. We need to make sure everyone in the town knows what is going to be expected of them.

Linda Zuern questioned whether the recommendation for Zoning By Laws will be on the agenda for next week. Mr. Guerino stated it will.

Peter Meier stated the fundraiser at the Mezza Luna for Jared McDonald was amazing. Mr. McDonald is coming back to Bourne between 10:45 to 11:30 and there will be a procession down Main Street escorting him home.

Peter Meier would like to put on the agenda an article to move the quorum down from 125 to 50 for our annual and special town meeting. If we have a problem with a quorum how are we going to do business for the town, so we need to consider moving the quorum down.

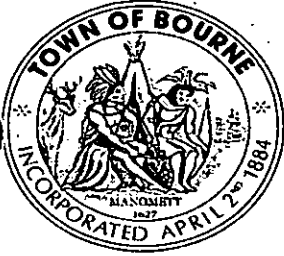
**12) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, March 10<sup>th</sup> at 7:00 P.M.

**10) Adjourn**

**Voted** Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned at 8:42 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



**Executive Session 6:30 – Contract review and  
negotiation regarding DPW facility**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 3, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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7:00 p.m. (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: 2.4.15 executive; 2.11.15 & 2.17.15 regular minutes
5. Correspondence
6. Formal Introduction and welcome of Fire Chief Norman "Spanky" Sylvester
7. Licenses/Appointments:
  - a. Request fee waiver of \$50.00 for use of Buzzards Bay Park for 5K fund raiser for Heidi McKenna
  - b. Request fee waiver of \$150.00 for the 2015 Blackbirds Ride for wounded veterans
8. Selectmen's Business –
  1. Board to authorize review of Taylor Point Marina financials and future disposition.
  2. FY 16 Budget Discussion
9. Assembly of Delegates report
10. Town Administrator's Report –  
Cursory overview of goals status
11. Selectmen's Reports
  1. Regional Water Quality meeting (208) recap. by Members
12. Other business
13. Adjourn

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TOWN CLERK'S OFFICE  
BOURNE, MASS

Board of Selectmen TOWN CLERK'S OFFICE  
Minutes of Tuesday, March 3, 2015 NE, MASS  
Bourne Community Building  
Bourne, MA 02532

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TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk - was excused  
Don Ellis  
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**Documents:**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:03 pm.

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

**Public Comment - Non-Agenda Items**

None requested.

**4) Minutes 2.4.15 executive; 2.11.15 & 2.17.15 regular minutes**

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Goals 2014/15

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- b. Town Departments will assimilate information on what has been completed or started in Bourne and determine what other steps need to be undertaken.

- c. The Town Administrator will make recommendations regarding what consultancy and finances are needed to make substantial progress in the 208 Planning Process.
- d. Implementation costs of the 208 Plan are to be outlined.
- e. Work with Board of Health on septic update requirements upon sale and transfer of properties.
- f. DNR will research the possibility and locations of expanded "fish" farming" beds.
- g. The Selectmen/Sewer Commissioners will work with the Board of Health and Planning Board to seek a possible by-law requiring multiple unit dwellings (#?) to provide self-contained WWT.
- h. The Selectmen/Sewer Commissioners will seek a fee structure for reserving waste water capacity.

#### ECONOMIC/COMMUNITY DEVELOPMENT

- a. The Board to reactivate and appoint a new Long Term Comprehensive Plan Committee (LCP). Focus will be given to redevelopment of commercial properties within the LCP while maintain Town Character.
- b. The Board and the Town Administrator will continue to address the requirements to bring Commuter Rail to Buzzards Bay by; 1. Obtain Town Meeting Authorization; 2. Bring the MBTA question to the Ballot if approved at Town Meeting; 3. Address the need and location for parking.
- c. Research will be undertaken to determine how staffing for Economic and Community Development can become a reality.
- d. Zoning enforcement will be enhanced and the idea of out sourcing for staffing this enforcement will be considered.
- e. The Town will monitor the potential Stop and Shop development at the "Cubellis" property.
- f. The Town will monitor the development and activities regarding a "Third Bridge" as being discussed by the Commonwealth.
- g. Priority development work will be focused on the "West End" of Main Street Buzzards Bay. Outside assistance on what development and retail may be desirable will be considered depending on costs.

#### LIASONS

FINANCIAL = Stephen Mealy

Economic/Community Development = Peter Meier, Don Pickard

Environment = Linda Zuern, Jerry Ellis

Peter Meier stated for the month of April for future agenda items we need to do your yearly evaluation. It needs to be done before the annual election. For the first meeting in April I

would ask that the templates be passed out or submitted. Tom Guerino stated that is up to the chairman to coordinate and put together.

## **11) Selectmen's Reports**

### **1. Regional Water Quality meeting (208) recap. by Members**

Don Pickard thinks it is important to note that the reason there is a 208 water quality issue is because the Conservation Law Foundation took on the towns in Barnstable County, their opinion the wastewater was not where it should be. The 15 towns have until September to have a plan in place and show they are working towards this. The town of Bourne only shares one water shed with another Cape town. We are the only community that shares a water shed outside the jurisdictional boundaries of the Commission, Plymouth.

Peter suggested we put it on the agenda for the 24<sup>th</sup> of March.

Don Pickard stated we should collaborate with other towns to determine how we are going to be our own wastewater management agency.

Linda Zuern said she thinks the Commission has until June 15<sup>th</sup> to send in the plan. Not sure when, but they are going to ask the towns if they want to be a WMA or not. We have to make sure we say yes to that. If we have any issues that we are willing to take that responsibility and have that bonding. The settlement said the Cape Cod Commission could not be a WMA, because it didn't have bonding authority but the towns do. That is why there is a switch from the regionalization to local control now. Part of that was from the judgment or the settlement.

Don Ellis stated we need to be concerned because we are responsible to the citizens of the town. We need to look at what the bottom line is going to be, and whether some of these people can afford their share of the cost. We need to make sure everyone in the town knows what is going to be expected of them.

Linda Zuern questioned whether the recommendation for Zoning By Laws will be on the agenda for next week. Mr. Guerino stated it will.

Peter Meier stated the fundraiser at the Mezza Luna for Jared McDonald was amazing. Mr. McDonald is coming back to Bourne between 10:45 to 11:30 and there will be a procession down Main Street escorting him home.

Peter Meier would like to put on the agenda an article to move the quorum down from 125 to 50 for our annual and special town meeting. If we have a problem with a quorum how are we going to do business for the town, so we need to consider moving the quorum down.

## **12) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, March 10<sup>th</sup> at 7:00 P.M.

**10) Adjourn**

**Voted** Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned at 8:42 pm. Vote 4-0.

Respectfully submitted – Carole Ellis, secretary.

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TOWN CLERK'S OFFICE  
BOURNE, MASS

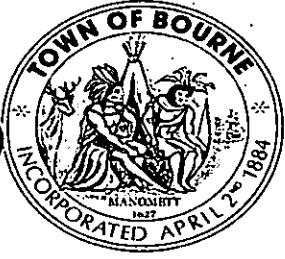
BOARD OF SELECTMEN

Joint Session Board of Selectmen and Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday, March 9, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

1. Call Meeting to Order
2. Reserve Fund Transfer
3. Sources and Uses/Budget Updates
3. Review and Discuss Budgets:
  - Fire Department
  - Library
  - Council on Aging
  - Community Building
  - Recreation
  - Additional information on prior budgets reviewed
3. Other business
4. Adjourn



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
March 10, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (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: March 3, 2015
5. Correspondence
  
6. Other Post-Employment Benefits Trust (OPEB) – establishment
  
7. Licenses/Appointments:
  - a. Transfer in Manager Aptucxet Post 5988
  
8. Selectmen's Business
  - a. Request for Counsel opinion regarding open meeting law and Selectmen working on special projects
  - b. Assembly of Delegates report
  
9. Town Administrator's Report  
FY16 budget
  
10. Selectmen's Reports
11. Other business
12. Adjourn

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TOWN CLERK'S OFFICE  
BOURNE, MASS



2015 APR 16 AM 11 10

**Board of Selectmen**  
**Minutes of Tuesday, March 10, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

TOWN CLERK'S OFFICE  
BOURNE, MASS

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TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:03 pm.

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

**Public Comment - Non-Agenda Items**

None requested.

**4) Minutes:**

No minutes to vote on.

**5) Correspondence**

Don Pickard brought the committee up to date on the correspondence.

A Board of Managers Upper Cape Regional Transfer Station meeting notice.

A Selectmen's Task Force on Local Pollution meeting notice.

A Joint Session Board of Selectmen and Finance Committee meeting notice.

**Voted** Don Ellis moved and seconded by Don Pickard to take agenda item number 7 as the next item to discuss. Vote 5-0.

**7) Licenses/Appointments:**

**a. Transfer in Manager Aptucket Post 5988**

Don Pickard gave a brief overview of the request for change in manager for the year round club license for Aptucket Post #5988. The paperwork is complete. Mr. Patrick J. Ruggiero is going to be assuming the roll of manager.

**Voted** Don Pickard moved and seconded by Don Ellis, based on a completed application with no notations from the department heads, to approve the transfer in management for the Aptucket Post #5988. Vote 5-0.

**6) Other Post-Employment Benefits Trust (OPEB) – establishment**

Tom Guerino gave a brief overview of the Other Post-Employment Benefits (OPEB) Trust. This is not a policy; it is to set up a trust, allowing a trust to be established. If we don't have a trust established, money we've set aside will not be credited toward that.

Linda Marzelli gave an overview of the trust, how it gets established, who manages the trust, and how it benefits the town. Until we establish a trust fund we are not getting any credit for the money that we set aside. In order to get this credit towards our future employment benefits and possibly a reduced cost we need to establish the trust. It is a set trust fund that was given to us by both Bartholomew Company and Rockland Trust.

The Trust shall be administered by a Board of Trustees consisting of four (4) members, who shall include, the Chairman of the Selectmen, the Chairman of the Finance Committee, the Finance Director, and the Treasurer with an ex officio of the Town Administrator, who can give voting rights to break a tie.

Don Pickard questioned if it is for the employees and the retirees why would not a member of the retired group of people in town be asked to be a member and why would not an active employee be asked to be a member?

Peter Meier recommended we don't vote on this tonight. This is the first draft that the public is hearing about this and would like to see if they have input on this. Also wait until Mr. Mealy comes back so we have a full board to approve this and if the viewing public have any issues they can go to Town Hall and view this document.

Linda Zuern questioned if it is for mostly health care?

Linda Marzelli stated it will be for anything health and dental insurance.

Don Pickard stated there is one typo on page 4 Article 5 Trustees 5.1. the Town Manager should read the Town Administrator.

**Voted** Don Pickard moved and seconded by Don Ellis to continue the discussion for the 24<sup>th</sup> meeting. Vote 5-0.

This will be added to the agenda for the March 24<sup>th</sup> meeting.

**8) Selectmen's Business -**

- a. Request for Counsel opinion regarding open meeting law and Selectmen working on special projects**
- b. Assembly of Delegates report**

Peter Meier stated we need a set of rules in writing for what we can and cannot do.

Don Pickard stated everything is in the Charter. We are supposed to look for ways to save the taxpayers' dollars, ways to generate income. I don't think this is a Charter violation. The public can generate these numbers. Just because you are elected to the board, I don't think we give up our rights as citizens when we become elected officials.

Tom Guerino thought the question was how many people constitute a deliberation under the open meeting law.

Don Pickard stated he thought it was based upon the number of members of a convened board, in our case 5, order to violate the open meeting law 3 must participate in a discussion about town business.

Tom Guerino will ask Town Counsel both questions.

Mr. Mulvey questioned how would the question to Counsel be phrased, because I would like to know what is the definition of a special project.

Linda Zuern was looking at the updated meeting laws because she thought she remembered reading that even if it was an email or telephone call that was a violation of the open meeting law.

**9) Town Administrator's Report  
FY 16 budget**

Tom Guerino went over the budget.

Next Tuesday evening the Board will meet in joint session with the Finance Committee relative to the Upper Cape Tech and the Bourne School Departments budgets.

Next week the Finance committee will be going over the departments they haven't yet seen. That will give the Selectmen two meetings to make determinations as to what they want in their final budget to go to the Town Meeting. The two meeting will be 3/24 and 3/31.

Peter spoke about the comments made last night and stated we will have time as Selectmen to speak when we vote on the overall budget on the 31<sup>st</sup>.

### **10) Selectmen's Reports**

Linda Zuern met with Police Chief Dennis Woodside and Felice Montero yesterday. There was a question about the Council on Aging by-law. Mr. Woodside is an ex officio member of the By-law Committee so we met with him. He has changed the by-law so it fits in with the rest of the by-laws with section numbers. We also found having someone outside of what we are doing look at it. There are a couple of problems with it. Some of the things in there are not the job of the Council on Aging Committee. It's the job of the Council on Aging staff. We separated those. We will have to vote on that again as a Board because there were changes. It will also have to go to the By-law Committee.

That will be added to the agenda for the 24<sup>th</sup> meeting.

Don Pickard stated now that we have copies of all the contracts with the various bargaining units as part of our review of the budget. Would like to see these agreements as well as the personal service contract agreements of everyone who gets one on the website too so the public can see what people are being compensated. There are members of certain boards and committees that are not correct. Couldn't find some minutes from past meetings. Mr. Pickard also questioned the Prius? If that is that the most economical car why is the employee not using that in their daily function? Mr. Guerino stated that car isn't a great snow car and the charging area is blocked off at the DNR. It will be utilized a great deal more come spring.

### **11) Other Business**

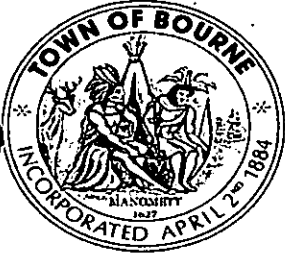
Don Ellis would like to compliment everyone who works for the town of Bourne, the recovers and job during the snowstorms are absolutely first class and outstanding. Linda Zuern stated she is also impressed with the residents as well for dealing with the snow; they have been shoveling walkways.

The next Bourne Selectmen meeting will be on Tuesday, March 17<sup>th</sup> at 7:00 P.M.

### **12) Adjourn**

**Voted** Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned at 7:42 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



## EXECUTIVE SESSION

**6:00 pm –Public Works Facility Contract, Strategy with respect to ongoing litigation**

**7:00 P.M. Joint Meeting with Finance Committee**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 17, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to Order - Meeting Jointly with Finance Committee on School Budgets

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Correspondence
5. Licenses/Appointments:
  - a. Renewal of 2015 Seasonal Licenses
  - b. Class II Dealer's License – Derek Robert
6. Selectmen's Business
  - a. Proposed Zoning Bylaw for ATM
7. Town Administrator's Report
  - a. FY16 Budget
  - b. Timetables for Selectmen to adopt budget
8. Selectmen's Reports
  - a. Assembly of Delegates Report
9. Adjourn

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TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen**  
**Minutes of Tuesday, March 17, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

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TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

**Finance Committee Members**

Mary Jane Mastrangelo, Chair  
Jeff Perry  
Richard Lavoie  
Michele Ford  
George Slade  
Kathleen Legacy  
Bill Towne  
Brian Lemee  
Christine Crane

**Excused Members**

Judith Conron  
John Redman  
Bill Scotti  
Linda Marzelli

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times

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**Documents: Bourne School PowerPoint, Bourne Schools Budget Spreadsheet, UCT Powerpoint**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:00 pm.

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

**Public Comment – Non-Agenda Items**

None requested.

**4) Correspondence**

Stephen Mealy brought the committee up to date on the correspondence.

A letter from Michael A. McHone requesting appointment to the Bourne Commission on Disabilities Committee.

A flyer regarding public hearing on March 26 at the Falmouth Public Library on "Falmouth Wants a YMCA."

A notice from the Town Clerk of Bourne regarding alternate posting method for meeting notices. Mr. Mealy read the notice. The Town Clerk has elected to adopt this new provision.

Meeting of town committees and boards and departments will be posted on the secure bulletin board outside the Clerk's office and on the Town's website which can be found at [www.townofbourne.com](http://www.townofbourne.com) under "Events Calendar." They can go to the listing "Boards and Committees" as the meeting notices are listed there as well.

Peter Meier read the email from Patrick Marshall to the Committee and the public in regards to the Cradles to Crayons and PJs drive.

**5) Licenses/Appointments:**

- a. Renewal of 2015 Seasonal Licenses**
- b. Class II Dealer's License - Derek Robert**

Don Pickard read the requests for licenses.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve the 5 entities for the upcoming year. They are: Betty Ann's Dairy Freeze located at 225 Main Street, Buzzards Bay. Brian Fleming d/b/a/ Canal Creamery located at 89 Main Street, Buzzards Bay. Lazy Sundaes Ice Cream located at 1370 Route 28 A, Cataumet. The Seafood Shanty, Inc. located at 803 Scenic Highway, Bournedale. The Whistle Stop Ice Cream Co., Inc. located at 435 Shore Road, Monument Beach. Vote 5-0.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve the following seasonal common victualer all alcoholic license for Jarvis, Inc. d/b/a/ Chart Room located at Shipyard Lane 997 Shore Road, Cataumet. That would include a food license as well as a weekday amusement and Sunday amusement. Vote 5-0.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve the following seasonal common victualer all alcoholic license for KKP, LLC. d/b/a/ The Sagamore Inn located at 1131 Route 6A, Sagamore. That would include a food license as well as a liquor license. Vote 5-0.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve the new Class II Dealer license, but note there are comments from the fire department, they need to have an inspection prior to opening as well as there are to be no car repairs on site unless they are permitted with hazardous material storage. The issuance of license is contingent upon insurance. Vote 5-0.

Joint Meeting with the Finance Committee to go over the Bourne School Department and the Upper Cape Regional Technical School operation budget for the FY16.

The Finance Committee member present were: Mary Jane Mastrangelo, Jeff Perry, Richard Lavoie, Michelle Ford, George Slade, Kathleen Legacy, Bill Towne, Brian Lemee, and Christine Crane.

The School Committee members present were: Steve Lamarche, Superintendent, Matthew Stuck, Mitch McClain, and Judith Froman.

**Mary Jane Mastrangelo called the meeting of the Finance Committee to order at 7:12pm.**

**1. Review and Discuss Budgets Bourne School Department**

Steve Lamarche went over the FY 2016 Bourne Public Schools' budget. The Bourne School's proposed budget is \$20,971,000.

Bob Dutch went over the FY 2016 Upper Cape Cod Regional Technical School's budget. The Upper Cape Cod Regional Technical School's proposed budget is \$22,704,004.

**2. Discussion Long Term Projection**

Mary Jane Mastrangelo stated, we need to have a discussion on the long-term projection and look at sources and uses and have a discussion around it the way the Finance Committee requested it be reformatted. Our revenues are coming in increased at 4% and our expenses over last year increase at 3.75%. Our revenues and expenses are increasing at a similar rate. The problem is that last year we used two million dollars out of free cash and this year we are using two million dollars out of free cash. Until we cover that free cash gap with an over ride we can't balance the budget in the future. Next Wednesday night the Finance Project Working Group is going to meet and really focus on these three issues: the long term projection, the sources and uses, and free cash and policies. Where we are now, we will need an override and if the towns people say we can't have an over ride, then we are looking at two million dollars in cuts. I don't want to make those kinds of cuts without going to the voters and asking what they want. We need to make decisions, if we make cuts are they temporary cuts, permanent cuts, are they into the override are not to the override and are we doing the cuts so we won't need the override?

Tom Guerino stated two million dollars in budget reductions, would impact the school department substantially, it would devastate various departments within the municipality and it would substantially reduce what we do. We will have to talk to the Selectmen and we need to ask the voters what they are willing to fund and what level of service do they want.

**Voted** Richard Lavoie moved and seconded by Brian Lemee to adjourn the Finance Committee at 9:15 pm. Vote 9-0

**Voted** Don Pickard moved and seconded by Stephen Mealy to take a couple minutes recess Vote 5-0.

Chm. Meier called the meeting back to order at 9:23 pm.



**6) Selectmen's Business -**

**a. Proposed Zoning Bylaw for ATM.**

Linda Zuern spoke about the meeting she had with the Zoning Board about a year ago and the comments that were made about what the Building Inspector did and did not do. She read part of the State Laws, Chapter 40 A, Section 7. Mrs. Zuern is suggesting that the Town by-laws be changed and text added under section 1232; "Within fourteen days after the Planning Board issues a Special Permit or Site Plan Special Permit Approval, the inspector of Building shall determine whether or not the actions of the Planning Board conform to the by-laws and Mass. General Law. Within thirty days of this determination, any interested party may appeal his decision to the Board of Appeals." Then under 1233 add "However, the Planning Board may not approve any plan that allows any use in a residential zone other than those allowed under section 2220."

Stephen Mealy questioned if it is state law why does it have to be in our by-laws? Linda stated that people are not following these laws. Linda will bring it as a citizen petition if that's what the Board suggests.

Don Ellis stated that this will clarify that section and that the by-law is properly intended and taken care of. If it is spelled out in our own by-laws it gives it more credence than people taking time to look at section seven as opposed to 1232.

Ton Guerino stated it will eliminate any conflict between the by-law and the General Law.

Linda Zuern stated it would make it clear that we are following the General Laws as it is written in our by-laws.

Peter Meier questioned what is the pleasure of the board? Do they wish to submit an article on the warrant and to go threw the process?

**Voted** Linda Zuern moved and seconded by Don Ellis to approve this by-law change to go before the Town meeting on warrant. Vote 3-2.

**7) Town Administrator's Report**

**a. FY16 Budget**

**b. Timetables for Selectmen to adopt budget**

Tom Guerino is concerned an additional \$130,000 above his recommendation on the School budget is a pay/go somewhere else in the budget, and doesn't recommend we spend any more from our reserves.

Stephen Mealy would like to ask the Town Administrator to start looking at a \$350,000 to \$450,000 reduction of the town's budget and what that impact would be. We need to look at additional budget cuts.

Linda Zuern stated she agrees to look at more cuts and not to increase the School budget by another \$100,000. Also would be opposed to taking the building directors position away.

Don Pickard questioned a couple line items in the ISWM budget. Tom Guerino will talk to Dan Barrett about those line items. Don Pickard also suggested to, reduce all admin positions from 37.5 hour positions to 35, the lieutenant's positions, some clerical positions, and making ISWM recycling to 5 days a week year-round.

Tom Guerino will come back with a \$350,000 tier and a \$450,000 tier reduction before the meeting on the 31<sup>st</sup>. He asked that his suggestions remain a work product and not a public document.

Linda Zuern suggested to not cut essential services, which include fire and police.

**Voted** Stephen Mealy moved and seconded by Don Pickard to request the Town Administrator to make recommendations on cuts. Vote 5-0.

Mary Jane Mastrangelo stated that it is a useful exercise to look at those cuts. Before you vote to accept those cuts you have to look at the long-term impact of those cuts.

Peter Meier would like Tom Guerino to ask Steve Lamarche how much will the \$130,000 reduction be in educational services? How will that affect the students of the school district?

7b. The 31<sup>st</sup> of March will be the discussion of the recommended budget cuts and the impact that those cuts will have.

**8) Selectmen's Reports -**  
**a. Recycling Committee**

Stephen Mealy met with the Recycling Committee:  
Earth Day is being celebrated on April 25, 2015 from 9 AM to 1 PM at the residents recycling enter.

- Information on Rain Barrels for ordering will be available.
- Tours of the Facility will be given
- Light Refreshments will be served

The Recycling Committee will sponsor a Plastic Bag Ban perhaps similar to surrounding towns have adopted and present a By-Law change in the Fall Special Town Meeting. This is a goal by the Board of Selectmen and I will be working with the Committee.

Single Stream Recycling was reviewed. Such a change would reduce employee injuries, improve efficiencies and increase the amount of recycling to Town now does. Our recycling amounts have dropped to their lowest level since we started recycling in 2005.

Selectman's Comments

1. Marina Financial and possible sale or other action review by BOS members objection by Ms. Zuern and Mr. Conron regarding the review of the Taylor's Point Marina by myself and Selectman Pickard at the meeting of the March 3<sup>rd</sup>.

The Open Meeting Law explicitly PROHIBITS discussion about public business by a quorum of a public body outside of the parameters of an official and properly posted meeting. There are five members of the Board of Selectmen; a quorum would require 3 members to meet the parameters of an official and properly posted meeting. Two members can legally meet and discuss public business without a posted meeting.

The minutes of the March 3<sup>rd</sup> meeting recorded a MOTION by Selectman Pickard, Seconded by Selectman Ellis to authorize myself and Mr. Pickard to meet with members of the professional staff regarding the possible sale of the Taylor's Point Marina and report back to the Board within 60 days. Per the minutes the, motion was adopted unanimously by the members present.

Mr. Pickard also reviewed the Open Meeting Law question with the Town Clerk and found no violations were made.

2. Sunshine Week.

This is "Sunshine Week", an annual event that brings to the forefront the government's ability to allow access to information, minutes, etc. to the public.

Mr. Mealy asked if there are any Executive Minutes that could be released but are still being held?

Is there a policy and a written list for the Board that accounts for the status of all executive Minutes; when they can be released and when they will be brought forward to the BOS attention to release?

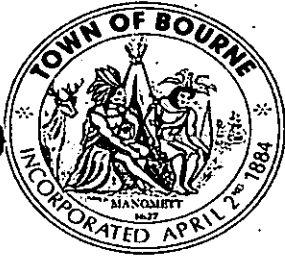
Tom Guerino wanted to remind folks tomorrow night at the Mass. Maritime Academy from 6-7:30pm the local delegation and the Senate President will be continuing its Commonwealth conversations. It is our opportunity to discuss a number of issues that are coming up.

The next Bourne Selectmen Executive session meeting will be on Tuesday, March 24<sup>th</sup> at 4:45 and the regular session meeting will be at 7:00 P.M.

**9) Adjourn**

**Voted** Stephen Mealy moved and seconded by Don Pickard to adjourn. Meeting adjourned at 10:10 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



## EXECUTIVE SESSION 6:00 – Related to strategies regarding to ongoing Litigation

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 24, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (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: February 11 & 17, March 3 & 10
  
5. Correspondence
  
6. FY 16 Capital Expenditure plan recommendations – Ms. Mastrangelo, Town Administrator
7. Temporary access approval for coastal bank work on 39 & 45 Standish Road
8. Franco Raponi – Paesano Realty Trust
9. Discuss role of the Town on the 208 Wastewater Plan
10. Licenses/Appointments:
  - a. Easement – Vincent Michienzi
  - b. Request fee waiver for NMLC on May 24
  - c. Commission on Disabilities Appointment
  - d. Phinney's Harbor Day Fundraiser – One Day Liquor – Entertainment License
  
11. Selectmen's Business
12. OPEB – further discussion
13. Town Administrator's Report
14. Selectmen's Reports
15. Other business
16. Adjourn

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TOWN CLERK'S OFFICE  
BOURNE, MASS

2015 SEP 2 PM 1 04

**Board of Selectmen**  
**Minutes of Tuesday, March 24, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

**EXECUTIVE SESSION 6:00 – Related to strategies regarding to ongoing Litigation**

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents: Capital Improvement Budget FY 2016**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:03 pm.

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

**Public Comment – Non-Agenda Items**

None requested.

**4) Minutes: February 11 & 17, March 3 & 10**

**Voted** Stephen Mealy moved and seconded by Linda Zuern to approve the minutes from February 11, 2015 as submitted. Vote 5-0.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve the minutes from February 17, 2015 with the one amendment that Peter Meier didn't abstain he opposed. Vote 5-0.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve the minutes from March 3, 2015 noted that Mr. Mealy was excused and any vote noted 5-0 should be 4-0. Stephen Mealy abstained. Vote 4-1-0.

**Voted** Don Pickard moved and seconded by Don Ellis to approve the minutes from March 10, 2015 noted that Mr. Mealy was excused and any vote noted 5-0 should be 4-0, along with the corrections that will be noted by Mrs. Zuern. Stephen Mealy abstained. Vote 4-1-0.

### **5) Correspondence**

Stephen Mealy brought the committee up to date on the correspondence received as of March 24, 2015.

We have received an operating budget from the Upper Cape Regional Technical High School.

We have received a notice from the Commonwealth of Massachusetts Alcohol Beverages Control Commission on the notification of an offence by Sadiq Corporation DBA One Stop Convenience Store and Liquor located at 227 Route 6A, Sagamore. There will be a public hearing on Tuesday, April 7, 2015 at 1:00 PM in Boston relative to an alleged violation that occurred on February 20, 2015.

We also received a copy of a study that was conducted by the Assessment Department relative to the possible adoption of a residential exemption allowing exemptions for seniors.

**Voted** Don Pickard moved and seconded by Linda Zuern to take agenda item number 7 as the next item on the agenda. Vote 5-0.

### **7) Temporary access approval for coastal bank work on 39 & 45 Philips Road. Access through Standish Road**

Netco and Pinical are requesting about a three-week access to these properties over town land. They have an open approval from conservation to do so. To take care of some of the winter damage that was done in that area. If the board would be so inclined to grant them the access they need.

Mr. Mealy wanted to disclose that the property located at 39 Philips Road he was once a trustee of a trust that owned that property about five years ago. If there is an objection to him participating in the vote of the access he will excuse himself.

Mr. Meier questioned if Mr. Mealy has any financial interest in this item.

**Voted** Don Pickard moved and seconded by Stephen Mealy that the board permit Netco and Pinical the use of Standish Road beach access, parking area, and ramp to allow delivery of sand and a front end loader to move the sand 1/8<sup>th</sup> of a mile to the addresses of 39 Philips Road and 45 Philips Road. Also allow the use of the town beach in front of the above captioned properties to install the coastal dune stabilization measures. To allow this access to go thru May 1<sup>st</sup>. Upon completion of the work, have it completed in accordance with the specific recommendations of Public Works and Conservation. Vote 5-0.

**6) FY 16 Capital Expenditure plan recommendations – Ms. Mastrangelo, Town Administrator**

Mary Jane Mastrangelo went over the Capital Improvement Budget plan for FY2016.

- Police Department: Police Vehicles. \$138,900.00, it will be paid by General Debt. Portable Radio Replacement not recommended for this year.
- Fire Department: Ambulance 135. This will replace a 2006 ambulance. The ambulance is \$252,000.00 and will be paid for by General Debt. Painting the ladder truck. This is \$48,000.00 and will be paid for by Free Cash.
- Department of Natural Resources: They are repowering a couple of boats. They are repowering the 2008 pump out boat. Because this is for a pump out boat there is a grant that will reimburse the town 75% of the cost. The cost is \$17,500.00. Repowering the Carolina Skiff. This is the main boat used at Monument Beach and for most of the Natural Resources Department. The cost is \$12,500.00. Repowering the 1970 Boston Whaler that is used at Taylors Point Marina. The cost is \$13,000.00. Repaving the Taylors Point Marina parking lot. The cost is \$250,000.00. \$125,000.00 will be from General Debt and \$125,000.00 from the Waterways Fund. The other repowering items will be paid for from the Waterways Fund.
- Bourne Public Schools: Replace Library Cupola Roof. This item was on the Capital Outlay and they appropriated \$50,000.00 for it. The bids came in between \$65 thousand and \$105 thousand so they are requesting an additional \$70,000.00 to make sure they have the funding to complete the project, which will be paid for by Free Cash. Once that is done then they will replace the carpeting in the Media Center; which will cost \$30,000.00 from Free Cash. Repair Existing Columns, Exterior Columns. There were two columns on the ailing that were determined to be structural unsound. Those have been replaced, but they have a two-year plan now for replacing exterior structural support columns that need repair at the High School. This is the first phase. That is \$40,000.00 from Free Cash. System wide for the Schools: The Technology Plan. The request is for \$175,000.00. \$35,000.00 for the back up and the disaster recovery system. They are also replacing 250 desktop workstations at Bourne Middle School. They are also replacing some LCD projectors that are used in all the schools. The total for the technology plan is \$170,000.00 and will be paid by General Debt. Asbestos Replacement. This is the third year of a three-year plan for the asbestos replacement in the schools. This cost is \$110,000.00, which will be paid for by General Debt. Bourne Middle School: Upgrade the HVAC Management System. This is the original software system. The current software isn't upgradeable and replacement is needed to run the system efficiently. There might be some hardware upgrades as well. That is \$95,000.00 that will be paid for from Free Cash.
- Department of Public Works: We are replacing two Dump Bodys, F500s with F550s. those are each \$12,000.00 paid for by Free Cash. Replacing a Dump Plow Truck that is \$161,000.00 from General Debt. Replacing a 16 cubic yard packer and a 25-yard packer.

Both Packers can be used for curbside trash and recycling and they would be compatible with single stream. Those are each \$250,000.00 paid for by General Debt. Road Maintenance request of \$300,000.00, not recommended at this time.

- **Integrated Solid Waste Management:** 5 cubic yard Wheel Loader, the request is for 425,000.00, which will be paid by Enterprise Debt. A 35-ton Articulated Dump Truck It is a \$500,000.00 expense paid by Enterprise Debt. Phase IV Stage I for Cap and Closure. This is the closure for Phase IV Stage I, which is in the 4<sup>th</sup> year of operation. ISWM has completed funding the closure fund for this. They will be using the closure fund to pay for the cap and closure and it is 1,500,000.00. It is listed as other funding because it is coming from the closure fund.
- **Shore and Harbor: Annual Dredging / Ramp Repair and Improvement.** This is the annual request by Shore Harbor that is paid for by the Water Way Fund for ongoing projects. We appropriate \$95,000.00 every year for this. New Double Lane Boat Ramp at Monument Beach. This is not recommended at this time. The \$550,000.00 is an estimate at this time.
- **Sewer Department:** The replacement of sewer truck M-7. The cost is \$80,000.00 to be paid by Enterprise Debt. They are also requesting \$40,000.00 for Pumps and Panels. This will provide 20-25 pumps and panels for the ongoing replacement in the sewer system and will be paid by Enterprise R/E.
- **Election and Registration:** Request for Automark Voter Assist Terminal (VAT). These are terminals that allow for touch screen or auto language or large print. We have one at each voting area. We need to replace the one at precinct two for \$10,000.00 from Free Cash.
- **Town Clerk:** Request for Electronic Voting Equipment. Not recommended at this time.
- **IT: New Phone System.** \$50,000.00 request. \$20,000.00 from Free Cash and \$30,000.00 from Enterprise Fund. Continuing the replacement of the phone system in the remaining departments including; Police, Community Building, ISWM, DPW. This system will also eventually be integrated with the schools and should reduce communication costs. **New Back Up System:** It will dovetail with the school. The back up system includes hardware, licensing, and support for three years.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve the Capital Plan as presented by Ms. Mastrangelo for the fiscal year 2016 with the Administrative Recommendation total being \$4,669,700.00, \$369,800.00 from Free Cash, \$1,461,900.00 from General Debt, \$1,005,000.00 from Enterprise Debt, \$263,000.00 from Waterways Fund, \$70,000.00 from Enterprise Fund Retained Earnings, and \$1,500,000.00 from Other Funding which is ISWM Closure. Vote 5-0.



**11) Selectmen's Business**

Don Pickard asked to bring agenda item number 11 to be the next item on the agenda to discuss.

Tom Guerino was asked to come to the meeting next week with cuts of \$350 and \$450. One proposal was to eliminate the 8 temporary fire lieutenants. We could save money by eliminating the lieutenants on June 30. If we were to eliminating the 8 lieutenants on June 30<sup>th</sup> then come July 1<sup>st</sup> we can promote from our lieutenants list and make 4 permanents lieutenants; that would save half the money. We would have 8 permanent lieutenants instead of 4 permanent and 8 temporary.

Peter Meier stated any changes he would like the new Fire Chief present so he can defend his action.

Tom Guerino was excused for the evening.

**8) Franco Raponi - Paesano Realty Trust**

Mr. Mealy excused himself from this discussion.

Mr. Franco Raponi spoke about the route connection between Route 28 South and Waterhouse road called Paesano Way. To grant easement to the town to take the power to control the road so no owner will be able to block the road.

Peter Meier would like Town Counsel to look at the form to make sure our interest is protected and make sure we are legal standing.

Don Ellis stated we need copies of the curb cuts that are allowed here and is this road built to the standards of the Town.

**Voted** Don Pickard moved and seconded by Linda Zuern to send this to Town Counsel for his review and recommendation on whether or not the Town should in-fact acquire Paesano Way. Vote 4-0.

**9) Discuss role of the Town on the 208 Wastewater Plan**

Peter Meier questioned does the Town want to be the entity to work on this and the other question is do we want to join the other Cape towns as it relates to south side of the bridges?

Linda Zuern spoke to Andrew Gottlieb last week after the collaborative meeting to see what the process was. She explained how the WMA would work for the town.

**Voted** Don Pickard moved and seconded by Linda Zuern to defer to when the Town Administrator could be present. Vote 5-0.

Stephen Mealy stated that there is a lot more discussion that the Town needs to take place not only with this board, but also with staff relative to the determination of the Wastewater Management Agency that the town ultimately becomes associated with. We need to talk with Wareham relative to the watershed between the town of Bourne and Wareham. The determination of the Wastewater Management Agency has to be made by each of the individual towns by June 15<sup>th</sup>, in order to meet the requirement under the settlement agreement that was made with the Conservation Law Foundation relative to the suit that was brought forth in 2014.

Linda Zuern stated that each town on the Cape is going to be a WMA. Then we have to work with other towns as a team to figure out how we are going to deal with nitrogen loading.

**10) Licenses/Appointments:**

- a. **Easement - Vincent Michienzi**
- b. **Request fee waiver for NMLC on May 24**
- c. **Commission on Disabilities Appointment**
- d. **Phinney's Harbor Day Fundraiser - One Day Liquor - Entertainment License**

10 a. John Finch is an attorney who was hired by One Trowbridge Road LLC. to address article 14 back in 2013 Town meeting and try to work with you to bring it to a successful conclusion. For the purpose of maintaining, repairing and replacing utilities, landscaping and grading servicing One Trowbridge Road.

Peter Meier agreed that John Finch could draft a document and send it to the board so they could pass it to Bob Troy for form then we can come back before the board.

10 b. Request fee waived for NMLC on May 24<sup>th</sup>.

Don Pickard we have a request from the National Marine Life Center as a nonprofit 501c (3) for their fee for the upcoming Feet, Fins and Flippers 5K be waived.

**Voted** Don Pickard moved and seconded by Stephen Mealy to waive the fee yet collect the appropriate security deposit which will be returned upon completion of the park being returned to its natural state. Vote 5-0.

10 c. Don Pickard stated we have a request from Mr. Michael McHone who appears, by his letter, to have extensive experience servicing on various towns commissions for disabilities. Also trained as an access monitor by the Office of Disabilities.

**Voted** Don Pickard moved and seconded by Linda Zuern for the approval of Mr. McHone for a term ending June 30, 2015. Vote 5-0.

10 c. Don Pickard stated we have a completed application from the Bourne Community Boating, Inc. for the annual Phinney's Harbor Day Fundraiser from 7:00 AM to 7:00 PM. They would like the parking permit waived so they don't need a beach sticker to utilize the parking. Note that there are a number issues from the Police Department, relative to alcohol service only between 12 noon and 6 PM. Entertainment only occur between 12 noon and 7 PM.

Contact the Police administration to discuss required details at least two weeks in advance, and all alcohol sales to only be consumed in the fenced in area.

Paul Bushueff and Amy Wright briefly went over what there goals are for the kids. Their main concern for Phinney's Harbor Day is the requirement for beach parking sticker fro their fundraiser.

**Voted** Don Pickard moved and seconded by Stephen Mealy for the approval for the Board also to note that there are a number issues from the Police Department, relative to alcohol service only between 12 noon and 6 PM. Entertainment only occur between 12 noon and 7 PM. Contact the Police administration to discuss required details at least two weeks in advance, and all alcohol sales to only be consumed in the fenced in area. Vote 5-0.

Approval for the routing slip for the Bourne Community Boating and request the Town Administrator work with any applicable regulatory Department to set aside parking for where the beach stickers will not be enforced.

Stephen Mealy suggested to have the organizers provide some type of flyer to put in the windshield that the parking would be out by 10:00.

### **11) Selectmen's Business**

Peter Meier will be sending out templates to start the Town Administrators performance review, by the first of April. I would like these back before the end of April.

Don Pickard stated that was discussed before was to change the format to a narrative format instead of a scoring format. I would like to see the board consider with the Town Administrator a 360 review. Where he selects three department head to review him and we select three department heads to review him. Also have any elective board Chairman complete a review on how they feel their relationship with the Town Administrator and if he responds to their needs.

Peter Meier next Monday night will be Finance Committee meeting for any outstanding budget line items.

### **12) OPEB - further discussion**

Peter Meier stated the draft document is now on the town website.

Don Pickard The current make up of the trust is the Chairman of the Board Of Selectmen, the Chairman of the Finance Committee, Town Finance Director, and the Town treasure, and the Town Administrator as an ex-offico member who will only vote to break a tie. I would like the board to consider having a retiree on the trust as the fifth voting member.

Linda Zuern stated that a member of board of trustees has to have a lot of expertise on funding and investing.

**Voted** Stephen Mealy moved and seconded by Linda Zuern to defer this item until the next meeting on the 31<sup>st</sup>. Vote 5-0.

### **13) Town Administrator's Report**

### **14) Selectmen's Reports**

Linda Zuern participated in the Meals on Wheels by delivering the meals. She attended the Eagle Scout celebration, which was a Bourne with Counsel Project. She started to receive contributions for the fund raising for the Chimes Concert Band.

Stephen Mealy attended the Main Street Steering Committee for the final review of phase 1 of the Buzzards Bay Park submission for the CPA funds. There will be a presentation set up at Town Meeting. There was also a meeting with myself, the Town Administrator, the Financial Director, and Finance Committee Chairman to review a financial model that will be used at the Financial Planning Working Group. We are going to look at live demonstration of looking at scenarios for funding FY 2016 and 2017.

Don Ellis attended a CPA hearing relative to the railroad station in Buzzards Bay to answer and historic questions. Sunday was also attended the Eagle Scout celebration. Peter Meier attended the Meals on Wheels event on Thursday.

### **15) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, March 31<sup>st</sup> at 7:00 P.M.

### **16) Adjourn**

**Voted** Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned at 8:45 PM. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.

# BOARD OF SELECTMEN

## Joint Session Board of Selectmen and Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday, March 30, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

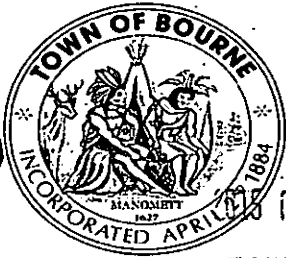
**NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or videotaping, they need to acknowledge it at this time.**

The Board of Selectmen and Finance Committee will hold a joint public meeting on Monday, March 30, 2015 at **7:00 PM** at the Community Building.

1. Reserve Fund Transfers
2. Sources and Uses/Budget Updates
3. Review and discuss FY16 Budgets:
  - Dept. Natural Resources
  - Dept. Public Works
  - Health Dept.
  - Human Resources Dept.
  - Planning Dept.
  - Town Administrator/Selectmen/Town Hall
  - All other Budgets
4. Financial Working Group Update
5. Warrant Article Review: ATM Articles 1 – 2, 4 - 6
6. TA Comment (for informational purposes only)
7. Selectmen Comment (for informational purposes only)
8. Finance Committee Comment (for informational purposes only)
9. Public Comment (for informational purposes only)
10. Future agenda items

2015 MAR 26 PM 8 52  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Adjourn



# Board of Selectmen Meeting Notice AGENDA



MAR 27 PM 1 40  
6:00 PM EXECUTIVE SESSION Pending &  
On-going Litigation, Contracts  
TOWN CLERK'S OFFICE  
BOURNE, MASS

## 7:00 PM SEWER COMMISSIONERS MEETING

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 31, 2015	7:30 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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (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:
  
5. Correspondence
  
6. Big Fix – Housing Corp.
7. ISWM – Amendment to the Site Lease and Development Agreement
  
8. Licenses/Appointments:
  - a. Request waiver of fee St. Margaret's School Road Race
  
9. Selectmen's Business
  - a. Charter Review Committee
  - b. TA Review - Calendar
  - c. FY16 Budget & Potential Changes
  
10. Town Administrator's Report
  - a. Disposal of Old Engine 125 (Fire)
  
11. Selectmen's Reports
  
12. Other business
  
13. Adjourn

**Board of Selectmen**  
**Minutes of Tuesday, March 31, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**  
TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 8:35 pm.

Mr. Meier expressed his sympathy on behalf of the Board about the passing of Bill Ware.

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

**Public Comment – Non-Agenda Items**

None requested.

**4) Minutes:**

No Minutes to vote on this evening. Please read the minutes that Mrs. Ellis has sent.

**5) Correspondence**

Stephen Mealy brought the committee up to date on the correspondence.

- A. Received a copy of the 2015 Vegetation Control Program for the Massachusetts Coastal Railroad.
- B. Letter from Paul Niedzwiecki, Director of the Cape Cod Commission, notifying the town managers and administrators that the Cape Cod Commission had submitted their updated Section 208 plan to the Massachusetts Department of Environmental Protection.

- C. A copy from the Division of Marine Fisheries about the closed shellfishing areas.
- D. Copy of the 208 Waster water Plan Summary.

**6) The Big Fix - Housing Corporation**

Tom Guerino explained the Big Fix. This is an event that has been going on for 5 years that the Housing Assistance sponsors. They spend a day identifying houses of elderly that need repairs, and they spend a day and go out and help do minor repairs and yard work. These folks will be here next week to give a more in-depth overview of their program.

**7) ISWM - Amendment to Site Lease/Development Agreement:**

Dan Barrett, General Manager of the Integrated Solid Waste Management Department went over the amendment to the site lease. They are currently in the process for developing the plan. Harvest Power has given Bourne a first round of their waste centrate, which will allow us to figure out how to develop a treatment facility to treat it. It will help us hone down what we are going to need to look for in an RFP when we go out for a treatment facility.

**Voted** Don Pickard moved and seconded by Linda Zuern for the Board to sign the first amendment of the site lease development agreement today, which will extend the agreement to September 9, 2015. Vote 5-0.

**8) Licenses/Appointments -**

**a. Request waiver of fee St. Margaret's School Road Race**

Don Pickard said there is a request from St. Margret's Regional School for a waiver of the fee for the St. Margret's School road race. We have the schools non-profit tax ID.

**Voted** Don Pickard moved and seconded by Linda Zuern to waive the fee and collect the security deposit and then return it once the facilities have been inspected and approved. Vote 5-0.

**9) Selectmen's Business**

- a. Charter Review Committee**
- b. TA Review - Calendar**
- c. FY16 Budget & Potential Changes**

9 a. Peter Meier stated he put this item on the agenda because they have only had one member ask to apply. We need 9 members. Mr. Guerino is aware of 2 people that will be submitting letters. Mr. Meier stated this is urgency for the town to continue our charter and function of town government. If any one is interested please get a letter into the Town Administrators office. If you have any questions about the functions of the committee you can call the Town Administrators office. Mr. Pickard corrected the number of members can be between 7-9.



9 b. Peter Meier stated he sent, by email, to all the members, the template for the Town Administrators review as well as a separate email with the goals and how we are rating the Town Administrator. Mr. Meier would like to have them in by the 17<sup>th</sup> of April. Which gives Mr. Meier a week to compile everything and then can give our finding on May 5<sup>th</sup>.

9c. Peter Meier stated this is an ongoing discussion of the FY16 budget. We asked the Town Administrator, at a previous meeting, to look at propose cuts in the \$350,000 and \$450,000 range.

Tom Guerino went over the proposed cuts he has identified. The town can't live with these reductions over a long-term basis. He is not recommending these cuts but if the Board says we need to make cuts in the budget he will line them out by department.

Don Pickard questioned, on Thursday evening with the joint meeting of FinCom, School Committee and the Board of Selectmen you're going to present these numbers that the Board asked you to put together? While you don't recommend any of these cuts, these are cuts that you could make. Have you notified any parties about the cuts?

Linda Zuern stated she thinks the cuts should go to the board first before going to a joint meeting. Mr. Guerino can provide it by departments.

Stephen Mealy stated they had a meeting on March 25<sup>th</sup> of the Financial Planning Working Group, which is made up two members of the Board of Selectmen, the Town Administrator, the Financial Director, two members of the Finance Committee and two members of the School Committee. We spent the last six months looking at the financials of how the town runs. Last Thursday we reviewed the financial sources and uses, where does the money come from that the town uses to operate, and where does that money go. We looked at the Free Cash usage over the past five years and what the availability would be in the next five years. That group voted to support the request of an override without specifying an amount at this time, because we have not had the ability to adopt a final budget.

Linda Zurn stated we could do cuts and support an override.

## **10) Town Administrator's Report**

### **a. Disposal of Old Engine 125 (Fire)**

Tom Guerino stated we have an old engine in Sagamore. I am requesting the board's permission to advertise the disposal for the old engine.

**Voted** Don Pickard moved and seconded by Stephen Mealy to authorize the Town Administrator, as procurement officer, to dispose of old engine 125. Vote 5-0.

## **11) Selectmen's Reports**

Linda Zuern just wanted people to know tomorrow there is an Assembly of Delegates Meeting by the Finance Committee. They have a public hearing at 2:00 p.m. Mrs. Zuern also went to the Cape Cod Commission Planning Policy today in Mashpee.

Stephen Mealy spoke about the Mass DOT Cape Cod Canal Study Working Group which is going to be meeting on April 2<sup>nd</sup> at the Mass Maritime Academy from 4-6 p.m.; also a reminder the recycling center will be closed on Easter, the 5<sup>th</sup>. Mr. Mealy stated he will try to have, for the Selectmen, a summary of the scenarios they ran through the other evening with the Financial Planning Working Group.

Don Ellis questioned Mr. Guerino, whether we have been notified yet on how we are going to be reimbursed, the town, for the cleanup of the south Bourne Rotary from the oil spill. Mr. Guerino stated Chief Sylvester has been compiling numbers for that we will have to submit.

Don Ellis also spoke about the parking areas where our marinas are; some have no overnight parking, some have specific hours. A resident questioned Mr. Ellis if you went down to the marina at Monument Beach took your boat out and left your car there will it be picked up and moved or charged if you went over to Marion and got sucked in by the weather. It isn't the fault of the resident it is because of the weather. Mr. Guerino stated they can bring their ticket to the Town Administrator or request a parking hearing through the parking clerk. Tom Guerino also brought up the folks that park at Barlow's landing who live on the island, there is no place for parking and they are getting ticketed.

Peter Meier stated he met with the Community Building Board of Trustees. They have requested to be put on the agenda for April 28<sup>th</sup> as a joint meeting, for the Chair, custody and control of the Bourne Veteran's Memorial Community Building. They are looking for some delineation on what they can and cannot do and what the Director can and cannot do.

## **12) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, April 7<sup>th</sup> at 7:00 P.M.

## **10) Adjourn**

**Voted** Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned at 9:30 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.  
From DVD

BOARD OF SELECTMEN

2015 MAR 27 PM 2:38  
Joint Session Board of Selectmen, Finance Committee and School  
Committee

TOWN CLERK'S OFFICE  
BOURNE, MASS

Thursday, April 2, 2015  
7:00 PM

Bourne Middle School Library  
77 Waterhouse Road, Bourne, MA 02532

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

The Board of Selectmen will hold a joint public meeting with the Finance Committee and the School Committee on Thursday, April 2, 2015 at 7:00 PM in the Bourne Middle School Library.

1. FY16 Sources and Uses
2. FY15 Free Cash Analysis
3. Long Term Projection Scenarios
  - Budget Reductions \$200,000 – \$450,000
  - Override – with reductions/without reductions
  - No Override – reductions required
4. Finance Project Working Group Recommendation
5. FY16 Budget Strategy
6. TA Comment (for informational purposes only)
7. Selectmen Comment (for informational purposes only)
8. Finance Committee Comment (for informational purposes only)
9. Public Comment (for informational purposes only)
10. Future agenda items

**Town of Bourne Board of Selectmen  
Executive Session  
Meeting Minutes**

April 7, 2015

2015 JUL 29 PM 4 21  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Members Present:** Selectman Mealy, Selectman Zuern, Selectman Ellis, Selectman Meier, Selectman Pickard

**Also Present:** Town Administrator Guerino, Susan Shillue, Karen Girouard

**Mr. Meier called the Public Session to order at 6:01 PM. Mr. Pickard moved to enter into Executive Session to discuss contract negotiations. The motion was seconded by Ms. Zuern. Roll Call Vote 5-0. Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes, Mr. Pickard - Yes**

- Susan Shillue and Karen Girouard presented to the committee health insurance programs available to the Town. They explained that due to the Affordable Care Act, many changes in health care coverage will be implemented. During the course of a semi-annual review of the Town's health insurance programs conducted by the Town Administrator and the Town Treasurer, the Town sought out possible alternate providers for the Municipal health insurance programs.

Cape and Islands Municipal Group did not have an interest in submitting a quote. The Town then went to The Mayflower Group of Plymouth County, and has been negotiating with them for several months. It was indicated that the Mayflower's Legacy and Indemnification Plans, were similar to that of the Town of Bourne and Mayflower would also have other programs available to the employees. The treasurer would have the authority to choose the programs under state statute.

After reviewing the plans, programs and costs, it was recommended that the Town stay with its current self-insured program with Blue Cross Blue Shield. While the product of the Mayflower Group was competitive, there is an approximate \$2 million dollar buy-in; thus, negating the savings over a 5-8 year period. A brief discussion by the board transpired.

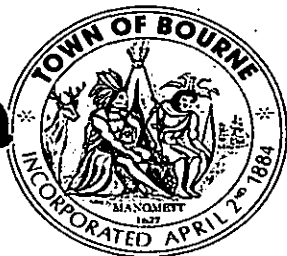
**Mr. Mealy made a motion to stay with the existing Town of Bourne health insurance plan for FY 2016/2017. Ms. Zuern seconded the motion. Roll Call Vote 5-0. Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes, Mr. Pickard - Yes**

**Executive Session adjourned at**

Respectfully Submitted,

*Thomas M. Guerino*

Town Administrator



# Board of Selectmen Meeting Notice AGENDA



EXECUTIVE SESSION – 6:00 Contract Negotiations Labor and other.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday April 7, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (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: February 17, March 3 & 10
5. Correspondence
6. Shellfish Propagation Closures
7. Big Fix – Housing Corp.
8. Licenses/Appointments:
  - a. MMA at Beachmoor – 17 one day all alcoholic liquor licenses
  - b. MMA at AABS Library Information Center – 2 one day all alcoholic liquor licenses
  - c. MMA at Alumni Gymnasium – 1 one day all alcoholic liquor license
  - d. MMA at Blinn Hall - 2 one day Beer and Wine only liquor licenses
  - e. MMA at Bresnahan Hall – 1 one day all alcoholic liquor license
  - f. MMA at Kurz Hall – 1 one day all alcoholic liquor license
  - g. MMA at Pande Dining Hall – 2 one day all alcoholic liquor licenses
9. Selectmen's Business
  - a. Receive and recommendation on report of the Financial Project Working Group
  - b. FY16 Budget – discussion and adoption
  - c. Review Town Meeting articles
  - d. Discussion and position on proposed STM article regarding Town Meeting Quorum reduction ( Mr. Meier )
  - e. Adoptions of OPEB
10. Town Administrator's Report
11. Selectmen's Reports
12. Other business
13. Adjourn

2015 APR 3 PM 1 50  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen**  
**Minutes of Tuesday, April 7, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

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TA Guerino

**Selectmen**

- Peter Meier, Chairman
- Don Pickard, Vice-Chairman
- Stephen Mealy, Clerk
- Don Ellis
- Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:00 pm.

Peter Meir wanted to take a moment to recognize Sally Gibbs, a retired town employee who passed away on Saturday. She served in the town for various capacities from 1992 to 2013.

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

**Public Comment - Non-Agenda Items**

None requested.

**4) Minutes: February 17, March 3 & 10**

The minutes will be deferred until the next meeting.

**5) Correspondence**

Stephen Mealy brought the committee up to date on the correspondence.

- a. Letter from Corps of Engineers regarding floats and wave attenuator – permit on file with the Department of Natural Resources for Hen Cove.
- b. Letter and resume from Richard Conron seeking appointment to the Charter Review Committee
- c. Draft Agenda for April 28, 2015 at 7:00 PM
- d. Letter from Beauregard, Burke & Franco regarding casino licensing
- e. Notification from Massachusetts State Lottery Commission – KENO To Go Game at Gray Gables Market
- f. Department of Veteran's Services Budget
- g. Notification of a Bourne resident attending Bristol County Agricultural High School
- h. Open to Shellfishing, formally closed due to the gas spill at the Bourne rotary, notification from Division of Marine Fisheries
- i. Massachusetts Coastal Railroad Yearly Operational Plan on file at the Selectmen's office
- j. Bypass Appeal by Dana A. Dupuis on the promotional exam for Fire Chief
- k. Letter from Hoxie Center for Arts, Science, Education & Culture for 3 upcoming events
- l. Letter form David Pelonzi seeking appointment to the Charter Review Committee

Don Pickard questioned Mr. Guerino on the time frame for the bypass for the promotional exam for the Fire Chief. Mr. Guerino responded that we have received notice, we now need a letter from Civil Service requesting our information relative to how we came up with our scoring. There could be a hearing or it could be dismissed. Once we receive the letter from Civil Service we have 14 days to turn that around.

## **6) Shellfish Propagation Closures**

Tim Mullen, Shellfish Constable briefly explained what they will be participating in, where the stock will come from, and the three recreational areas it will be transferring to, north side of Tobey Island, Winsor Cove, and a section of Cohasset Narrows.

**Voted** Don Pickard moved and seconded by Stephen Mealy to move approval of the following as presented by Mr. Mullen the Shellfish Constable: Acting under the authority of Chapter 130, Section 52 of the Massachusetts General Laws, as amended, the Board of Selectmen of the Town of Bourne hereby promulgate the following special regulation 2015-1 which affects the taking of shellfish within the waters of the Town of Bourne.

1. Tobey Island, North Side. Effective April 29, 2015, the following area will be closed to all shellfishing: The Recreational Area known as Tobey Island, North Side. All waters and flats south of a line running from the "No Shellfishing" sign located at the Monument Beach Boat Ramp northwesterly to a shellfish marker placed on the most northerly end of the sand bar off the north shore of Tobey Island, thence by a line running in a southerly direction to the wooden pier located on the northerly shoreline point of Tobey Island. This area is being closed for the purpose of propagation and general management of the fishery.
2. Cohasset Narrows. Effective April 29, 2015, the



following area will be closed to all shellfishing: The waters of that portion of Cohasset Narrows in the town of Bourne south of a line drawn west from the "No Shellfishing" sign located at the end of the beachway at 39 Buttermilk Way to the floating shellfish marker located approximately (150ft) off shore. Then east of a line drawn southwest from that same floating marker to the "No Shellfishing" sign located on the western tip of the sand spit west of MMA. 3. Winsor Cove. Effective April 29, 2015, the following area will be closed to all shellfishing: A portion of the Recreational Area known as Winsor Cove. All waters and flats of that portion of Winsor Cove in the town of Bourne east of the shellfish boundary post located on Winsor Island to the "No Shellfishing" sign located approximately 150 yards north of the beachway at Winsor Road. Vote 5-0.

### **7) Big Fix – Housing Corp.**

Julie Wake and Kate Ferreira went over what the Big Fix is and how it will help seniors, disabled, and veterans in low income eligibility in the town of Bourne. It is a community event that is coordinated by the Housing Assistance Corporation, to make small home and landscaping improvements to enhance the comfort, safety and quality of life for seniors, disabled, and veterans. There are about 10-15 homes that will be selected. The kickoff date will be October 3, 2015.

**Voted** Don Ellis moved and seconded by Linda Zuern to support this project. October 3<sup>rd</sup> is the kickoff date. To direct the Town Administrator to help in any way he can to make this a successful event. Vote 5-0.

### **8) Licenses/Appointments:**

- a. **MMA at Beachmoor – 17 one day all alcoholic liquor licenses**
- b. **MMA at AABS Library Information Center – 2 one day all alcoholic liquor licenses**
- c. **MMA at Alumni Gymnasium – 1 one day all alcoholic liquor license**
- d. **MMA at Blinn Hall - 2 one day Beer and Wine only liquor licenses**
- e. **MMA at Bresnahan Hall – 1 one day all alcoholic liquor license**
- f. **MMA at Kurz Hall – 1 one day all alcoholic liquor license**
- g. **MMA at Pande Dining Hall – 2 one day all alcoholic liquor licenses**

**Voted** Don Pickard moved and seconded by Linda Zuern based on a completed application to approve the following functions for all alcoholic beverages to be served: on April 25, 2015 from 12:00 p.m. to 7:00 p.m.; May 2, 2015 from 4:00 p.m. to 10:00 p.m.; May 3, 2015 from 1:00 p.m. to 5:00 p.m.; May 20, 2015 from 3:00 p.m. to 10:00 p.m.; May 30, 2015 from 7:00 p.m. to 10:30 p.m.; June 13, 2015 from 4:30 p.m. to 10:00 p.m.; June 14, 2015 from 2:30 p.m. to 8:00 p.m.; July 10, 2015 from 5:30 p.m. to 9:30 p.m.; July 18, 2015 from 3:00 p.m. to 9:30 p.m.; August 8, 2015 from 4:30 p.m. to 10:30 p.m.; August 9, 2015 from 11:00 a.m. to 3:00 p.m. August 15, 2015 from 4:00 p.m. to 10:30 p.m.; August 16, 2015 from 4:00 p.m. to 10:00 p.m.; August 22, 2015 from 4:30

p.m. to 10:00 p.m.; August 29, 2015 from 4:00 p.m. to 9:30 p.m.; September 12, 2015 from 3:30 p.m. to 9:00 p.m.; and October 2, 2015 from 4:30 p.m. to 9:30 p.m. Vote 5-0.

**Voted** Don Pickard moved and seconded by Linda Zuern based upon a completed application to approve The Commonwealth of Massachusetts Mass Maritime Academy's application for the following 9 one day licenses; the ABS Library Information Commons (2 events) on October 2, 2015 for the MMA Reunion from 5:30 p.m. to 10:30 p.m.; on October 3, 2015 for the MMA reunion from 5:30 p.m. to 10:00 p.m.; at the Alumni Gymnasium (1 event) on October 3, 2015 from 12:00 p.m. to 4:00 p.m.; at Blinn Hall (2 events) requesting beer and wine license only on October 3 2015 for Homecoming Reception from 10:00 a.m. to 12:00 p.m. and on October 3, 2015 for Homecoming Reception from 4:30 p.m. to 7:30 p.m. For all alcohol licenses at Bresnahan Hall (1 event) on October 3, 2015 for MMA Reunion from 4:30 p.m. to 7:30 p.m.; at Kurz Hall (1 event) on October 3, 2015 for MMA Reunion from 4:30 p.m. to 7:30 p.m.; at the Pande Dining Hall-Fantail and adjacent patio and grounds (2 events) on October 3, 2015 for MMA Reunion from 4:30 p.m. to 12:00 a.m.; on October 17, 2015 for Admiral's Scholarship Gala from 5:30 p.m. to 10:30 p.m. Vote 5-0.

#### **9) Selectmen's Business -**

- a. Receive and recommendation on report of the Financial Project Working Group**
- b. FY16 Budget - discussion and adoption**
- c. Review Town Meeting articles**
- d. Discussion and position on proposed STM article regarding Town Meeting Quorum reduction (Mr. Meier)**
- e. Adoptions of OPEB**

- a. Stephen Mealy read the report of the Financial Project Working Group for the Committee members and the viewing public.

The Financial Project Working Group is made up of members consisting of:

- 2 Members of the Board of Selectmen, Mr. Peter Meir and Mr. Stephen Mealy
- 2 Members of the School committee, Mr. Matthew Stuck, Mr. Chris Hyldborg
- 3 Members of the Finance Committee, Ms. Kathleen Legacy, Ms. Mary Jane Mastrangelo, and Mr. Richard Lavoie
- Town Administrator, Mr. Tom Guerino
- Town Financial Director, Ms. Linda Marzelli

The Work Group has spent the last 10 months scrutinizing how the town receives revenues (state, local taxes, grants, other) how we then invest those funds to provide those services as required by state statute and by the residents.

It has been a forum and a venue that has allowed a much more extensive and thorough review of financial topics of the town than the members have been able to do within the constraints of their own associated committees and Boards.

The FPWG is not a decision making body, it has no Chairman; it has been a place for discussions that cannot take place on other committees.

Our role is advisory. It has been a consensus-building arena with all members equal. All of the members deal with money and town finances, but as individual members we have not taken the deep approaches and the time to undertake such a review.

The challenge before the FPWG is one that should have been addressed perhaps 2-3 years ago, when it was incremental and time was available to plan and implement corrective actions. The deficit we are facing in FY17 is still incremental, but we no longer have the time to implement less severe corrective actions.

The FPWG reviewed the following options to present to our fellow respective Boards and Committees, with our goal to arrive in FY2020 or 5 years with a balanced budget vs. revenue, i.e., no additional override would be required before FY2020:

1. Reduction of the current operating Budget starting in July, 2015 of approximately \$2.8-2.9M, allowing the town to continue without an override for the next 4 years.
2. Override a lesser amount combined with additional permanent budget reductions totaling \$2.6-2.9M
3. An Override of approximately \$2.6-2.8M adopted in the Fall of 2015.

The short-term value of an additional \$350K-\$450K reductions do not outweigh the long-term detrimental harm to the town, reduction of services and loss of employees.

Recommendation: Adopt the current budget and supplement with a \$2-3M override to be outlined and presented at the Annual Town Meeting.

Further, we note that adjustments to the growth assumptions within the current Long-term Financial Planning Model used in our analysis must be made to allow arrival of proposal for the Annual Town Meeting. We note several of the assumptions appear to be low and will require additional scrutiny for final use.

It has been a pleasure to work with such committee and I wish to acknowledge the considerable amount of personal time and energies all have invested.

**Voted** Don Pickard moved and seconded by Stephen Mealy to adopt the recommendation of the Financial Project Working Group to adopt the current budget and supplement with an override between 2-3 million as outlined.

Stephen Mealy is asking the Board to adopt the recommendation made by the Financial Project Working Group to identify that an override will be required in order for the Town to continue and become financially sustainable.

Linda Zuern will not vote to approve the recommendation as it is; we still have to go through the process. We asked for cuts and we still need to go through that process to see if there are any cuts we want to accept or not and not just adopt the budget as is.

Mr. Pickard withdrew his motion and Mr. Mealy withdrew his second.

**Voted** Don Pickard moved and seconded by Linda Zuern that the Board of Selectmen adopt the position of the Financial Project Working Group with regard to their position on the need for a 2-3 million dollar override in the fall of 2015. Vote 4-1.

Don Ellis questioned if we do accept this it is heading us in the direction of an override. Mr. Ellis has a problem with an override.

Peter Meier stated he is not in support of an override but we owe it to the voters for them to make that choice.

b. FY16 Budget – discussion and adoption

Tom Guerino went over the FY16 Budget. He presented his recommendations for the FY16 Budget. There were additions to the Budget: The Dispatching, the Audit, the DNR salaries, the Bourne Public Schools, the Voke Tech School, and the recreation salary hours. They have been discussed over the course of budget season. Those are in the Budget. The School increases and a number of other increases will be offset by some PL874 monies. The Board has asked for various scenarios of additional cuts which have been presented to you, based on my recommendations. The IT position, Director of the Bourne Community Building, and the Mechanic position are not in the proposed budget of \$57,674,883.00.

Don Ellis voiced his concerns about the FY16 Budget, and is very nervous about the talk about an override, and the reductions; and has a real problem with some of the reductions and voting for this Budget.

Linda Zuern voiced her concerns for the FY16 Budget. Would not cut the position of the Community Building Director, and cannot support the budget the way it is.

Don Pickard voices his concerns about the FY16 Budget. Concerned if the TA hasn't consulted any of the Dept. heads or his colleagues to inform them of the cuts doe he even know if any of his reductions will work, but will support the number that the Town Administrator has brought forward.

Stephen Mealy has concerns but will support the recommendation of the Town Administrator. Mr. Mealy stated the following:

The adoption of the FY16 Operating Budget is late; this Board and the Town Administrator have been wrestling with a continual use of Free Cash to balance the Operating Budget for a number of years. This is no different than what we have done for the past 10 years, excepting that this year we will use Free Cash, which will bring us below our Financial Policy Guidelines. This is the first time this is happening. If we continue to use the funds we do have in Free Cash we will run out of available funds in 2018. We will then be faced with cutting not \$2-3 million from the budget like we are now, but closer to \$6-8 million dollars because we will have grown..

The message of the possibility of an Override and addressing this problem has been in each of the last three annual Budget Messages the Town Administrator has given, per the Charter. However, neither the Board nor the Town Administrator has taken any action on these recommendations and has continued to avoid the override question.

The Financial Project Working Group took 2 members from the BOS, 2 from FinCom and 2 from the School Comm. together with the TA and Fin Director and has spent the past 10 months reviewing

- The town financials
- Money Sources and Uses
- History of Free Cash Use
- Long Term Financial Planning

As a result of that extensive review, that Group recommended an override. Hindsight being 20-20, we should have done things differently and made the recommendation in the beginning of March. But I ask, if the Financial Project Working Group had not been formed, had not undertaken a thorough review of the town's finances:

- Would the Town Administration and Board of Selectmen have recommended an override question this fall?
- Would the cuts to the FY16 Budget we have so painstakingly reviewed and re-reviewed been made?

This evening the Board is reviewing a revised Budget from the Town Administrator with some additional modest reductions of approximately \$200,000 out of a 57.6 million dollar budget. These reductions will result in several full-time and part-time town employees losing their jobs. It is not an easy task to undertake. I have been on both sides of the lay-off decision and it is very painful for all involved. Perhaps this is why we the Board and the Town Administrator have taken so long to take this step in our recommendation to the residents of Bourne to take such stern actions.

I do not make these recommendations lightly; I have spent as many others have reviewing alternatives. What is presented this evening is I believe to be the best first step in bringing Bourne back to a strong financial position. The next step will be to

inform the voters about why we need an override and what the consequences might be if do not approve an override.

I look to the Board members to undertake this modest reduction as presented this evening and take this first step. We are far from finished with these unpleasant tasks, but it is far better to get started now than to put off again in the hopes things will get better.

They most certainly will not.

Tom Guerino explained why he made his recommendations and why the cuts have to be made. He was asked to present a budget that is sustainable and that will work. Mr. Guerino stated it is the BOS Budget and if you don't like what you see please make changes before it is too late.

**Voted** Don Pickard moved and seconded by Stephen Mealy that the Board of Selectmen approve the total FY2016 budget as presented by the Town Administrator to include salaries of \$12,574,074.00, expenses of \$20,926,433.00, and for the Schools \$24,174,376.00 for a total of \$57,674,883.00.

Peter stated this budget does not come without painstaking decisions. We need to be efficient. We will be asking for an override in the Fall. The decisions we make are going to affect everybody. This is a budget we have all thought about and it is the best budget for the town at this time. We will poll the votes individually:

Linda Zuern - No  
Don Pickard - Yes  
Stephen Mealy - Yes  
Don Ellis - No  
Peter Meier - Yes  
Vote 3-2

e. Adoption of OEB

Don Pickard would like to make one amendment the membership of the Trustees to make a retiree to be the 5<sup>th</sup> voting member and maintain the TA as the ex-officio, non-voting. Right now the trustees include the Chairman of the BOS, the Chairman of the Finance Committee, the Town Finance Director, the Town Treasurer, and as an ex-officio the Town Administrator. In the description they have the Town Administrator as the ex-office but can be a 5<sup>th</sup> vote to break a tie. My proposal is that a town retiree take the position as the 5<sup>th</sup> voting member and the TA remains as the ex-officio non-voting member.

**Voted** Don Pickard moved and seconded by Peter Meier that the makeup of the trustees of the OPEB trustees be amended to include a voting member who is a retiree from the town of Bourne appointed by the Board of Selectmen and that the Town Administrator maintains a position as an ex-officio member. Vote 5-0

Linda Marzelli will make sure there is no problem with having a retiree as a trustee on the board.

Stephen Mealy stated he endorses the change.

**Voted** Don Pickard moved and seconded by Linda Zuern that the Board of Selectmen approve the OPEB Trust Document as presented by the Finance Director and Town Administrator as amended today. Vote 5-0

d. Discussion and position on proposed STM article regarding Town Meeting Quorum reduction.

Peter Meier requested this discussion to change the Quorum from 125 people down to 100 people.

Linda Zuern stated it doesn't need to be dropped; we need to encourage people to go to Town Meeting.

Don Pickard stated he is fine putting it on the ballot.

Stephen Mealy stated he is fine with it staying at 125 people.

Don Ellis stated to leave it at 125 people.

Peter Meier stated it is a discussion we should have for the October Town meeting if we determine it is needed.

c. Review Town Meeting articles

Article 1: Allows the town to continue on and have its municipal function. It allows us to apply for grants, receive monies, collect taxes; do all the things that a municipal corporation needs to do.

**Voted** Stephen Mealy moved and seconded by Linda Zuern to approve Article 1. Vote 5-0

Article 2: Elected Officials Salaries.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 2. Vote 5-0

Article 3: Annual Budget

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 3. Vote 5-0

Article 4: To raise and appropriate or transfer from available funds a sum of money to operate the Sewer Department.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 4. Vote 5-0

Article 5: To allow the Town to receive and accept Chapter 90 State Aid to Highways on an annual basis.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 5. Vote 5-0

Article 6: To raise and appropriate an amount of money to establish a Reserve Fund that is under the control of the Finance Committee

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 6. Vote 5-0

Article 7: To raise and appropriate or transfer money to run the Integrated Solid Waste Management Program, which is the Landfill operation and Sundry Enterprises

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 7. Vote 5-0

Article 8: To accept the authority of Mass. General Law, Chapter 44, Section 53E ½ to establish Revolving Funds, which allow various departments to collect fees to run their programs and the amount of money they can spend on these programs, is capped.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 8. Vote 5-0

Article 9: To raise, appropriate or borrow to raise money for the Capital Outlay projects for the town.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 9. Vote 5-0

Article 10: Committee Reports

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 10. Vote 5-0

Article 11: From the Community Preservation Committee to continue funding for the Hoxie Center at Sagamore Beach.

**Voted** Don Pickard moved and seconded by Stephen Mealy to defer Article 11. Vote 5-0

Article 12: From the Community Preservation Committee to let the CPC continue to do its business.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 12. Vote 5-0

Article 13: For the Administrative and operating expenses for the CPC



**Voted** Don Pickard moved and seconded by Linda Zuern to defer Article 13. Vote 5-0

Article 14: From the Community Preservation Committee for money towards renovating and refurbishing the Buzzards Bay Park.

**Voted** Don Pickard moved and seconded by Stephen Mealy to defer Article 14 until we have a number. Vote 5-0

Article 15: To raise and appropriate to start the program of Priority Based Budgeting.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 15. Vote 5-0

Article 16: Is a Bylaw change, another attempt to outline the duties and responsibilities for the Bourne Council on Aging.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 16. Vote 5-0

Article 17: ISWM host community fee to add anything in excess of \$600,000 to the Capital Expenditures Stabilization Reserve Fund.

**Voted** Stephen Mealy moved and seconded by Don Pickard to approve Article 17. Vote 5-0

Article 18: To take money we receive from insurance relative to some of the problems we have had at the Community Building and put back toward the Community Building.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 18. Vote 5-0

Article 19: Is \$18,500 to raise and appropriate to continue the planning and related expenses to look at wastewater needs in Buzzards Bay.

**Voted** Stephen Mealy moved and seconded by Don Pickard to approve Article 19. Vote 5-0

Article 20: The legal opinion issued by Bob Troy

**Voted** Don Pickard moved and seconded by Stephen Mealy to defer Article 20 until the next meeting. Vote 5-0

#### Special Town Meeting

Article 1: These are CPC articles of current funds so these recreation projects can get going for Cataumet tennis court, Town Hall tennis court, Clark Field basketball court, Pocasset field tennis court, Clark Field tennis court refurbishments, and Chester Park playground equipment for a total of \$143,960.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 1. Vote 5-0

Article 2: To balance the budget at the end of the year.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 2. Vote 5-0

Article 3: To continue the assessment at the Marine Life Center, town owned land, of the hazardous material issue. The monies from this will come from the balances of existing articles. It is for \$40,000

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 3. Vote 5-0

Articles 11, 12, 14, and 20 will be on next week's meeting agenda.

## **10) Town Administrator's Report**

## **11) Selectmen's Reports**

Linda Zuern attended the Transportation meeting last Thursday. The Chimes fund is up to \$675.

Don Pickard stated he would like the personal service contracts be posted to the website so the public can get knowledge of them.

Peter Meier is going to the Bourne High School for a Civics Class with Tom Guerino. The students have been charged with a project of maybe changing a local policy within the town from now until the end of the year.

Stephen Mealy stated the following:

I would like to make the following comments about the FY16 budget one more time: Many of the improvements or benefits that the Town has added in the last several years such as a Facilities Manager, a Town Electrician and others have been the result of reducing costs within other department areas and reinvesting in new approaches to provide more services. This is good fiscal management. This type of re-application of personnel and resources is a result of continued self-analysis of services and their delivery has been going on for many years.

The Town continues to reduce individual budgets on an annual basis (after new increases from contracted costs, outside cost increases and others) and the result has been a continued decline of the amount of money that may be turned back in to the town at the end of the budget year as Free Cash. In other words, by reducing what may once have called "fluff" within our budgets, we have reduced the amount of money turned back by town departments at the end of the year that was then used in the following year. The Financial Managers of the town have been careful with maintaining proper Reserve

Levels, staying within adopted Financial Policies adopted in 2007. We continue to use these policies to this day. We have been good custodians of the town.

As we have seen, the standard budgeting operation of using Free Cash to supplement the Operating Budget year after year has worked successfully for 10 years has now run amuck. However, we have reached FY16, the budget we voted on this evening and the amount of Free Cash has dropped below the amount of money to cover the ever-increasing operating budget as it continued to grow. We have run out of time, and we've run out of money. This is not a new problem as it has been predicted each January within the Town Administrator's Budget report for the last several years. It is not wrong to use Free Cash within the town's operating budget to an extent but we have exceeded that point. Moreover, our Financial Policies need to be updated to address this for future Free Cash use.

The predictability of the current situation was known at the beginning of this year's budget season in the Fall of 2014. We have been following the trend of the deficit; we knew what it was and what it would grow to one year ago, just as we know what it is today.

I came across an article from the "Courier" written by Paul Gately on May 07, 2014. Within the article the BOS, the TA and the FinCom all agreed that the FY2015 (last years budget) budget was not sustainable and that the town could face a \$5M shortfall within 5 years. Yet we have allowed ourselves once again to coast to the final hour to arrive again at the same conclusions. The outcome predicted a year ago was right on target but I think the shortfall was short. It should have been \$2-3M more. Mr. Meir was quoted as saying, "We are going to have many tough decisions to make" and we have already started this evening.

We can clearly see a pattern within the Sources and Uses as well as the Free Cash Analysis and that FY15 is the last year that could be budgeted as we have done so well for the last ten years. FY16 is the year that the deficit must be addressed, with the understanding that this is the last of the available Free Cash for balancing the operating budget.

The town faces costs outside its control, outside of the budget. Things we are required to do by law but do not have control over the cost to the town:

- Health Insurance
- Vocational High School Operating cost is increasing Bourne Student enrollment
- Changes in Revenue as received from the State and Federal Government
- Snow and Ice Removal

Another note on our budget:

Of the \$57M operating budget presented to the voters at the town meeting, approximately \$36M is under the control of the TA and School Superintendent.

I look forward to working with the members of our Financial and Town Administrator's office to contribute to and arrive at the best possible solutions for our town.

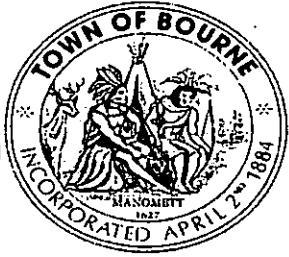
## 12) Other Business

The next Bourne Selectmen meeting will be on Tuesday, April 14<sup>th</sup> at 7:00 P.M. We will not meet on Tuesday, April 21<sup>st</sup> and will meet again on Tuesday, April 28<sup>th</sup>.

**10) Adjourn**

**Voted** Stephen Mealy moved and seconded by Don Pickard to adjourn. Meeting adjourned at 8:57 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
April 14, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (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: February 11, 2015; February 17, 2015; March 3, 2015; March 10, 2015
  
5. Correspondence
  
6. Open Space Committee
  - A. Revised Executive Order – Barry Johnson
  - B. Review of CPC Articles
  
7. Signing of Special and Annual Town Meeting Warrant – review warrant articles and draft motions except article 3 (already voted)
  
8. Licenses/Appointments:
  - a. Eastwind Seafoods, Inc. Common Victualer License (food only)
  - b. Psychic Fair – waiver of fees
  - c. Circuit Avenue Easement
  
9. Selectmen's Business
  - a. April 14 Meeting in Wareham with Lt. Governor
  
10. Town Administrator's Report
11. Selectmen's Reports
12. Other business
13. Adjourn

2015 APR 10 PM 3 23  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen**  
**Minutes of Tuesday, April 14, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

2015 SEP 23 AM 10 58  
TOWN CLERK'S OFFICE  
BOURNE, MASS.

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TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:02 pm.

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

**Public Comment – Non-Agenda Items**

None requested.

**4) Minutes: February 11, 2015; February 17, 2015; March 3, 2015; March 10, 2015**

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve the minutes from February 11, 2015 as presented. Vote 5-0.

**Voted** Don Pickard moved and seconded by Linda Zuren to approve the minutes from February 17, 2015 with one correction. Vote 5-0.

**Voted** Don Pickard moved and seconded by Linda Zuren to approve the minutes from March 3, 2015 as presented. Stephen Mealy abstained. Vote 4-0-1.

**Voted** Don Pickard moved and seconded by Linda Zuren to approve the minutes from March 10, 2015 as presented. Stephen Mealy abstained. Vote 4-0-1.

**5) Correspondence**

Stephen Mealy brought the committee up to date on the correspondence.

A. Troy Wall Associates: Request for opinion – Town Meeting Article 20 – Amending Current Bylaws.

Mr. Mealy read the memo from Robert Troy, Town Counsel to Christopher Farrell, Chair, Planning Board.

2



# Memo

**To:** Christopher Farrell, Chair, Planning Board  
**From:** Robert S. Troy, Town Counsel *RST*  
**Date:** April 7, 2015  
**Re:** Town Meeting Article 20 – Amending Current Bylaws

This will respond to your request for my Opinion as Town Counsel as to whether the Bourne Town Meeting may lawfully adopt the provisions of Town Meeting Article 20 amending the current Bylaws 1232 and 1233. My Opinion follows.

Section 1232 establishes the Planning Board as the Special Permit Granting Authority (SPGA) for Site Plan and Special Permit Approval authorizing Uses permitted in the Use Regulation Schedule found in Section 2220. The proposed language imposes an additional requirement on a successful grantee of either Site Plan or Special Permit approval to seek approval from the Building Inspector as to "...whether or not the actions of the Planning Board conform to the by-laws and Massachusetts General Laws." Following the Building Inspector's determination, "...any interested party may appeal his decision to the Board of Appeals."

Under current law, a person entitled to appeal the grant or denial of Planning Board action under Section 1232 may appeal within 20 days to a court of competent jurisdiction pursuant to statutory judicial review authorized by General Laws Chapter 40A, Section 17.

The proposed By-law amendment would create a parallel track in which the propriety of action taken by the Planning Board would be reviewed concurrently by judicial review and by review by the Building Inspector and the Board of Appeals and a second process of judicial review, It is my Opinion that the proposed procedure is inconsistent with the provisions of General Laws Chapter 40A and is ultra vires.

A second amendment contained in Article 20 proposes to amend the provisions of Section 1233 by adding language that prohibits the Planning Board from authorizing a change of any residential use to non-residential use by restricting the Planning Board from approving any plan permitting uses in residential zones "other than those allowed under section 2220." In my Opinion, this provision may lawfully be adopted by the Town Meeting.

If you have any additional questions, please do not hesitate to contact me.

RST:geo

Cc: Board of Selectmen  
Town Administrator  
Town Clerk  
Town Moderator  
Finance Committee  
Town Planner  
Board of Appeals  
Building Inspector

Tom Guerino stated the Planning Board will have a hearing on this. They will come out with a recommendation to approve or not approve. There will be a positive motion from the floor. There could be an amendment offered. Mr. Guerino asked Mr. Troy to fashion a motion.

- B. Letters of Interest from Joseph Carrara and David Pelonzi to be appointed to the Charter Review Committee.
- C. Cape Light Compact Activity for the month of January 2015.

**6) Open Space Committee**

- A. Revised Executive Order – Barry Johnson**
- B. Review of CPC Articles**

**Revised Executive Order**

Barry Johnson went over the requests of the Open Space Committee.

On behalf of the Open Space Committee Barry Johnson is presenting a request for a revision of the executive order that was adopted in 1999 that established the Open Space Committee. He provided a background of material that outlines the previously order



adopted under the old Cape Cod Land Bank. They are respectfully requesting that the Board revise the existing Executive Order that created the Open Space Committee back in 1999 to properly reflect as to what they are doing in 2015.

Under section 2 would like to change "Conservation Technician" to read "Conservation Agent". Also include the Facilities Director as an advisory non-voting member to the committee. Also under section 2, to reduce the committee members from 13 down to 9 members.

Under section 3 add the word "Recreation" so it reads "the Committee shall use as a guideline local and regional open space/recreation plans, master plans, and the town's Local Comprehensive Plan."

#### EXECUTIVE ORDER

No. \_\_\_\_\_

#### OPEN SPACE COMMITTEE

- 1) There is hereby created a Committee, to be known as the Open Space Committee, to consist of members appointed by the Board of Selectmen to serve without compensation. The committee will serve in an advisory capacity to the Board of Selectmen and the Community Preservation Committee.
- 2) The membership of the Committee shall consist of nine (9) members of the general public. The length of term shall be for three (3) years and appointed on staggered terms. The following persons or their respective designees shall serve as non-voting members of the Committee: Conservation Agent; the Engineering Technician; the Town Planner; and the Facilities Director.
- 3) The Committee shall recommend acquisitions of interests in real property and other expenditures for the purpose of protecting of existing and future well fields, aquifer and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, land to protect scenic vistas, land for wildlife or nature preserve and land for recreational use. In considering the recommendations of any such acquisition, the Committee shall use as a guideline local and regional Open Space/Recreation Plans, Master Plans, and the town's Local Comprehensive Plan. Real property interests acquired by the town shall be owned and managed by said town; provided, however, that the Board of Selectmen may delegate management of such property to a nonprofit organization created under Chapter 180 or Chapter 203 of the General Laws, or, in the case of interests to acquire sites for future wellhead development, a water district.
- 4) The Committee is authorized to call upon any department, office, agency, board or commission and any officer, member or employee thereof, to supply such statistical data, program reports and other information and materials as the Committee deems necessary to appropriate to perform its work, and they are authorized and directed

to cooperate with the Committee and to furnish it with such information or assistance in connection with such review and analysis.

- 5) The Order shall take effect immediately and shall continue in force and effect until suspended, modified, or revoked.

Given this \_\_\_\_ day of April 2015  
 A.D. 2015  
 BOARD OF SELECTMEN

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Peter J. Meier

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Donald J. Pickard

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Steven F. Mealy

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Donald E. Ellis

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Linda M. Zuern

Stephen Mealy requested the Board to consider to turn this back to the Administrator's Office to draft a complete document that has these changes as being recommended so we can actually see the written document then bring it back. And since you are requesting to change the number of members from 13 to 9 we'd like to give the public an opportunity to react to that if they like to.

Tom Guerino stated to treat it as a policy change. Tonight would be considered a first reading. Get a final draft of how it will read, bring it back on the 28<sup>th</sup> for a second reading. Then for adoption at a meeting after Town meeting, Tuesday May 12<sup>th</sup>.

**Voted** Don Pickard moved and seconded by Linda Zuern to adopt Mr. Mealy's plan of action to have a clean copy with changes brought forward at our second reading Vote 5-0.

Tom Guerino stated for clarity purposes where it reads "vote to accept Section 298 of Chapter 149 of the Acts of 2004" add "Mass General Law Chapter 44B."

**Review of CPC Articles**

Barry Johnson, representing the Community Preservation Chair, went over the Articles that they voted on to recommend them to be put forth to the Board of Selectmen, the Finance Committee and the Town for possible adoption.

Barry Johnson explained that this is a request for funds in the amount of \$226,300 towards FY 2016. We asked for a sum of money to go beyond the original CPC application, because we are charged to oversee this project. It is our intent to hire a liaison to assist the committee and the historic commission to oversee the interest of both entities in this project.

Stephen Mealy questioned if all the money requested for the liaison last year expended. Barry Johnson explained that they haven't spent any money from last year and explained why. Mr. Mealy questioned why they need an additional \$20,000 when nothing was spent last year and nothing was done last year? Mr. Mealy isn't comfortable with spending \$50,000 for a liaison. Mr. Mealy read Article 11.

**ARTICLE 11:** To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to raise and appropriate, borrow, or transfer from available funds, a sum of money for the following Community Preservation Fund purpose(s): to make certain improvements to the Hoxie Center at Sagamore Beach for Art, Science, Education and Culture consisting of egress, ramps and related modifications; architectural and other assessment services; window structural repairs; flooring improvements; roof repair; and install climate controls; including costs incidental and related thereto; and, further, the Historic Commission and the Community Preservation Committee are hereby directed and authorized to take any and all action necessary to implement this vote, or act anything in relation thereto:

**Sponsor – Community Preservation Committee**

Peter Meier read the motion that will be voted on at Town Meeting

**MOTION:** We move that the Town vote, upon recommendation of the Community Preservation Committee, to appropriate the sum of \$226,300.00 for the purposes of this article and to meet this appropriation to transfer \$62,465.00 from FY2016 Estimated Historic Revenues and \$163,835.00 from the Community Preservation Fund Undesignated Fund Balance.

Don Pickard stated we are tying up close to \$500,000 for non-profit of CPC money. Should this be put off until the fall meeting or next year for this article?

Barry Johnson stated these funds can only be used for community housing, recreation, preservation of historical resources and open space recreation. They cannot be used for any administrative expenses of the committee.

Don Ellis stated he hopes that the committee supports this and we go forward with this article. This is what is needed to get this project off the ground. The money they are requesting will be used very carefully.

Linda Zuern stated she supports this, and if we hold off on this money now and they are going forward at a fast past there may be a gap if they don't have the money to continue.

**Voted** Linda Zuern moved and seconded by Don Ellis to support Article 11 sponsored by the Community Preservation Committee. Vote 5-0.

Stephen Mealy stated again that he has a problem spending \$57,000 to monitor the money going to this non-profit. He supports the article for the Hoxie process but has a hard time

throwing more money after having some time of liaison, which has yet to be identified, without having any kind of estimate being provided to anyone.

Don Pickard supports the concept of the Hoxie project, but Mr. Mealy brings up some good points.

Barry Johnson will go back to Jon Nelson and get a formal proposal.

Peter Meier read Article 12:

**ARTICLE 12:** To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purposes, and to meet said appropriation, to transfer from available funds or reserves from the FY2016 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto.

**Sponsor - Community Preservation Committee**

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend
A	Affordable Housing Trust	Affordable housing down payment/assistance/subsidy	Community Housing	\$53,600 From Community Housing Revenues
B	Bourne Housing Partnership	Affordable housing services and support	Community Housing	\$61,380 From Community Housing Revenues
C	Bourne Fire Dept. & Bourne Housing Authority	Sprinkler system installation and generator for Continental Apts.	Community Housing	\$39,115 From Community Housing revenues, \$161,256 from Community Housing reserves and \$10,629 from the undesignated fund balance
D	Bourne Public Schools	Engineering/design services for the resurfacing of outdoor track at Jackson Field	Recreation	\$60,000 From Open Space Revenues
E	Cape Cod Canal Region Chamber of Commerce	Improvements; Buzzards Bay Rail Road station visitors center	Historic Preservation	\$91,630 From Historic reserves
			<b>Total Requested</b>	<b>\$477,610</b>

F	Community Preservation Committee	Reserve for Open Space	Open Space	\$185,314	2016 Open Space Estimated Revenues
G	Community Preservation Committee	Reserve for Community Housing	Community Housing	\$0	2016 Open Space Estimated Revenues
H	Community Preservation Committee	Reserve for Historic Resources	Historic Resources	\$0	2016 Open Space Estimated Revenues
I	Community Preservation Committee	2016 Budgeted Reserve	All CPA Purposes	\$0	2016 Open Space Estimated Revenues
Total Funding Summary				\$662,924	

Linda Zuern questioned what the money for the Housing goes to?  
 Barry Johnson explained that the first one is for 5% down payment to help with the subsidy so a person can buy an affordable home. The second one is to pay for an individual to help us over see the programs and the community-housing total within the community. Barry read this person's responsibilities. This person works for the Housing Trust as well as the Housing Partnership.

**Voted** Linda Zuern moved and seconded by Don Ellis to support this article by the Community Preservation Committee Article 12. Vote 5-0.

Peter Meier read the motion that will be for Town Meeting:  
ARTICLE 12: MOTION: We move that the Town vote to raise and appropriate and reserve the sum of \$662,924.00 for the Community Preservation Fund Projects and Special Purpose Reserves listed in the Community Preservation Fund Committee report as printed in the Voter's Handbook; and to meet this appropriation and reserve, to appropriate the sum of \$652,295.00 from the FY2016 estimated CPA Revenues, and transfer the sum of \$10,629.00 from the Community Preservation Fund Undesignated Fund Balance.

Stephen Mealy requested Mr. Johnson explained item E, Improvements; Buzzards Bay Rail Road Station Visitors Center, and what the \$91,630 is being spent on. Mr. Johnson explained the improvements for the Buzzards Bay rail station visitor center and what those improvements are, paint the inside of the center, paint the ceiling and walls in the restrooms, and upgrade the restrooms, replace lighting fixtures in the visitors center,

construct a new desk map incased in glass showing the town of Bourne and other improvements.

Don Ellis stated this is an opportunity to make this part of down town and will go along with a request for Buzzards Bay Park, so this whole area will be upgraded.

Peter Meier read Article 13 and the motion that will be voted on at Town Meeting:

**ARTICLE 13:** To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the purposes of the administrative and operating expenses of the Community Preservation Committee, or take any other action in relation thereto.

***Sponsor - Community Preservation Committee***

MOTION: We move that the Town vote to appropriate from the Community Preservation Undesignated Fund Balance, upon the recommendation of the Community Preservation Committee, the sum of \$50,000.00 for the purposes of the administrative and operating expenses of the Community Preservation Committee.

Barry Johnson explained what the Administrative costs and operating expense are.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 13 as presented. Vote 5-0.

Stephen Mealy read Article 14:

**ARTICLE 14:** To see if the Town will vote, upon recommendation of the Community Preservation Committee, to raise and appropriate, borrow, or transfer from available funds, a sum of money for the following Community Preservation Fund purposes of phase one of a multi-phase project to upgrade and restore the town-owned park located on Main Street in Buzzards Bay; phase one includes engineering, survey and design services; irrigation, electrical/lighting upgrades; landscaping; and creating a park entrance with amenities including costs incidental and related thereto; and the Open Space Committee and Community Preservation Committee are authorized and directed to take any and all acts necessary to implement this vote, or take any action in relation thereto.

***Sponsor - Community Preservation Committee***

Don Pickard read the motion that will be voted on at Town Meeting:

MOTION: We move that the Town vote, upon recommendation of the Community Preservation Committee, to appropriate the sum of \$350,000.00 for phase one of a multi-phase project to upgrade and restore the town-owned park located on Main Street in Buzzards Bay and to meet this appropriation to transfer \$350,000.00 from the Estimated FY2016 Open Space Revenues.

Barry Johnson spoke about Article 14 and explained this is the initial stage for the upgrade and improvements for Buzzards Bay Park that the Main Street Steering Committee has developed.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 14 as presented. Vote 5-0.

Peter Meier read Article 1 from the Special Town Meeting and the motion that will be voted on at Town Meeting:

**ARTICLE 1:** To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purposes, and to meet this appropriation, to transfer from available funds or reserves a sum of money for the purposes of this article, or take any other action relative thereto

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend
A	Recreation Dept./DPW	Cataumet tennis court refurbishment	Recreation	\$8,315 From Open Space Reserves
B	Recreation Dept./DPW	Town Hall tennis court refurbishment	Recreation	\$8,400 From Open Space Reserves
C	Recreation Dept./DPW	Clark Field basketball court refurbishment	Recreation	\$8,995 From Open Space Reserves
D	Recreation Dept./DPW	Pocasset field tennis court refurbishment	Recreation	\$9,150 From Open Space Reserves
E	Recreation Dept./DPW	Clark Field tennis court refurbishment	Recreation	\$24,100 From Open Space Reserves
F	Bourne Recreation Dept	Chester Park playground equipment	Recreation	\$85,000 From Open Space Reserves
			<b>Total Requested</b>	<b>\$143,960</b>

**ARTICLE 1: MOTION:** We move that the Town vote, upon recommendation of the Community Preservation Committee, to appropriate the sum of \$143,960.00 for the projects listed in Article 1 and to meet this appropriation to transfer \$143,960.00 from the Community Preservation Fund Open Space Reserves.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 1 of the Special Town Meeting as presented. Vote 5-0.

**8) Licenses/Appointments:**

- A. Eastwind Seafoods, Inc. Common Victualer License (food only)
- B. Psychic Fair - waiver of fees
- C. Circuit Avenue Easement
- A. Eastwind Seafoods, Inc. Common Victualer License (food only)

Don Pickard stated we have a completed application for a year round common victualer license for food only for a location at 304 Main Street, Eastwind Seafoods, Inc. d/b/a Eastwinds Seafoods, Craig Moore, Manager, pending inspection from the Fire Department.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approval of the completed application. Prior to opening the Fire Department has to do their inspection. Vote 5-0.

Craig Moore explained that they are just changing locations and doing the same thing as at the older location, fish market, but will also have a full dining room with wait staff.

**B. Psychic Fair – waiver of fees**

Don Pickard stated this is an annual request for the waiver of fees for the Community Building gym on May 2, 2015 for the semi-annual Psychic Fair from 8:30 A.M. to 5 P.M. Carol MacDonald, President of the Friends of Bourne Council on Aging, is requesting the pardon. This is to support the Friends Food Pantry and seniors throughout our community.

**Voted** Don Pickard moved and seconded by Stephen Mealy to waive the fees for the Physic Fair as we have done in the past. Vote 5-0.

**C. Circuit Avenue Easement**

Don Pickard stated this is an easement that was approved as to form by Town Counsel.

**Voted** Don Pickard moved and seconded by Lind Zuern to approval of the temporary construction license. Vote 5-0.

**7) Signing of Special and Annual Town Meeting Warrant – review warrant articles and draft motions except article 3 (already voted)**

Don Pickard read Article 1 and the motion, as it will be voted at Town Meeting:

**ARTICLE 1:** To see if the Town will vote the following regularly required authorizations or actions, or take any other action in relation thereto.

Sponsor – Board of Selectmen

a. Assumption of liability in the manner provided by Section 29 and 29A of Chapter 91 of the General Laws, as most recently amended, for all damages that may be incurred by work performed by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, (including the Merrimack and Connecticut Rivers) in accordance with Section II of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of



indemnity therefore to the Commonwealth, and further to assume liability pursuant to Section 1 of Chapter 814 of the Acts of 1972.

b. That the Selectmen may contract with the Massachusetts Department of Public Works and the County Commissioners for the construction and maintenance of public highways for the ensuing year.

c. Authorize the Board of Selectmen from time to time to apply for, receive, and expend assistance funds under the Federal and State Small Cities Program of the Department of Housing and Urban Development as from time to time amended, to be used for such projects as the Selectmen in their discretion shall deem necessary, and proper, and to do such acts and enter into such contracts as may be necessary, proper or desirable to obtain such aid.

d. Pursuant to the provisions of Section 12 of Chapter 30B of the Massachusetts General Laws, as amended and supplemented, to authorize the Town of Bourne to enter into contracts in excess of three years' duration for school bus transportation and for the lease or lease-purchase of equipment, subject to appropriation and all other approvals as may be required by law with respect to any particular such contract.

e. Authorize the Treasurer and the Town Collector, pursuant to Chapter 44, Section 53F, Massachusetts General Laws, as amended and supplemented, with the approval of the Board of Selectmen, to enter into agreements for periods not to exceed three years with banking institutions to maintain deposits in exchange for banking services.

f. Authorize the Board of Selectmen, pursuant to Chapter 44, Section 72, Massachusetts General Laws, as amended and supplemented, to allocate any funds received as part of the Medicaid Medical Services Program to the School Committee for use, without further appropriation, for the benefit of educational programs.

MOTION: We move the Town so vote.

Tom Guerino explained that this article allows the Town to perform its public function.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 1 as written. Vote 5-0.

Don Pickard read Article 2 and the motion that will be voted on at Town Meeting:

**ARTICLE 2:** To see if the Town will vote to fix the salaries and compensation of all elected officials of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as amended, and raise and appropriate a sum of money therefore, or take any other action in relation thereto.

Sponsor – Board of Selectmen

**ARTICLE 2:** MOTION: We move that the Town vote to fix the salaries and compensation of all elected officials of the Town for fiscal year 2016 as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as amended, as follows:

Moderator	\$ 597.00
Selectmen 4 @ \$3,570	\$ 14,280.00
Selectmen 1 @ \$4,590	\$ 4,590.00

Town Clerk \$ 38,607.00

We further move that the sum of \$58,074.00 be raised and appropriated for the purpose of this article.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 2 as written. Vote 5-0.

Don Pickard read Article 3:

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to defray the regular annual expenses of the Town, or take any other action in relation thereto.

Sponsor – Board of Selectmen

Tom Guerino explained the motion breaks down the total budget for the town FY 2016, and it breaks it into the various areas that we may receive money from and or how money shall be raised and expended.

Don Pickard read the motion that will be voted at Town Meeting:

ARTICLE 3: MOTION: We move that the Town vote to appropriate the sum of \$57,674,883.00 for the regular annual expenses of the Town for the fiscal year July 1, 2015 to June 30, 2016, of which \$12,574,074.00 shall be for salaries and wages and \$45,100,809.00 shall be for expenses, all segregated to the accounts as printed in the Town Administrator's recommendations attached to this motion and incorporated herein by reference, except that amounts for Town and Regional Schools may wholly or in part be used for salaries and wages; and to meet this appropriation, we further move that the sum of \$220,621.00 be transferred from PL874 grant funds for the town's school expenses, the sum of \$1,000,000.00 be transferred from the Ambulance Fund to the Town Ambulance operation, the sum of \$30,000.00 be transferred from Conservation Commission Receipts reserved for appropriation for the Conservation Commission, the sum of \$637,444.00 be appropriated from FY2016 Estimated Community Preservation Fund Revenues for debt expense for Open Space and Recreation purposes, the sum of \$30,602.00 be transferred from the Community Septic Management program, the sum of \$110,986.00 be transferred from the Waterway Improvement Fund, the sum of \$1,792,345.00 transferred from free cash and the sum of \$53,852,885.00 be raised and appropriated.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve pending any changes at Town Meeting for the purposes of Article 3. Vote 5-0.

Don Pickard read Article 4 and the motion that will be votes on at Town Meeting:

ARTICLE 4: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Department, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

**ARTICLE 4:** MOTION: We move the sum of \$889,677.00 be authorized to be expended by the Sewer Commissioners for the operation of the Sewer Department for fiscal year July 1, 2015 to June 30, 2016 as follows:

Salaries & Wages	\$181,464.00
Expenses	\$658,213.00
Reserve Fund	\$ 50,000.00

And we further move that the sum of \$131,983.00 be transferred to the General Fund to offset Sewer Enterprise indirect expenses, and in order to meet this appropriation, we move that the sum of \$1,021,660.00 be raised from Sewer Enterprise Receipts.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 4. Vote 5-0.

Don Pickard read Article 5 and the motion that will be voted at Town Meeting:

**ARTICLE 5:** To see if the Town will vote to appropriate a sum of money from funds received or to be received from the Commonwealth of Massachusetts for the construction, reconstruction and improvement on all approved public ways which qualify under the State Aid Highway (Chapter 90) guidelines adopted by the Public Works' Commission, said funds to be expended under the direction of the D.P.W. Superintendent, with the approval of the Board of Selectmen, or take any other action in relation thereto.

Sponsor - D.P.W. Superintendent

**ARTICLE 5:** MOTION: We move that the Town vote to appropriate any sums of moneys received or to be received from the Commonwealth of Massachusetts for the purposes of this article.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 5. Vote 5-0.

Don Pickard read Article 6 and the motion that will be voted at Town Meeting:

**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to establish a Reserve Fund, or take any other action in relation thereto.

Sponsor - Board of Selectmen

**ARTICLE 6:** MOTION: We move that the Town vote to raise and appropriate the sum of \$200,000.00 for the purposes of this article.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 6. Vote 5-0.

Stephen Mealy stated the \$200,000 reflects a second year where we have reduced the amount of money available for the reserve fund by \$50,000. It is hard to run a \$57,000,000 budget with a \$2,000 reserve fund. We need to review it next year.

Don Pickard read Article 7 and the motion that will be voted at Town Meeting:

**ARTICLE 7:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Integrated Solid Waste Management Program, or take any other action in relation thereto.

Sponsor - Board of Selectmen

**ARTICLE 7: MOTION:** We move that the sum of \$8,535,621.00 be authorized to be expended for the operation of the Integrated Solid Waste Management Enterprise Fund for fiscal year July 1, 2015 to June 30, 2016 as follows:

Salaries and Wages	\$2,012,554.00
Expenses	\$5,723,067.00
Reserve Fund	\$200,000.00
Host Community Fee	\$600,000.00

And we further move that the sum of \$1,986,364.00 be transferred to the General Fund to offset the ISWM Enterprise Fund indirect expenses and in order to meet this appropriation, we further move the sum of \$10,521,985.00 be raised from receipts from the ISWM Enterprise Fund for the purpose of this article.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 7. Vote 5-0.

Don Pickard read Article 8 and the motion that will be voted at Town Meeting:

**ARTICLE 8:** To see if the Town will vote under authority of M.G.L., Chapter 44, Section 53E ½ to establish Revolving Funds to be known as described below, or take any other action in relation thereto.

Sponsor - Board of Selectmen

#	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY 2016 Spending Limit
1	Recreation Programs Fund	Recreation Department with the approval of the Town Administrator	All fees charged for all programs run by the Recreation Department	Purchase & Acquire recreational equipment and materials and part-time seasonal staff to facilitate seasonal recreational programs	\$105,000.00
2	Shellfish Propagation Fund	Department of Natural Resources with the approval of the Town Administrator	Fees for commercial shellfish licenses	Part-time salaries & expenses related to the propagation, cultivation, protection & study of shellfish	\$30,000.00
3	Transportation Revolving Fund	School Department with the approval of the School Committee	Fees for transportation services	To pay for transportation fees	\$75,000.00

4	Public Library Book Fund	Library with the approval of the Town Administrator	Fines & Fees received from overdue, lost, damaged materials	To purchase additional library books and materials	\$20,000.00
5	COA Supportive Day/Bridging the Years	COA with the approval of the Town Administrator	Fees from and for Clients for Program Services	To pay for services and expenses related to providing supportive day programs	\$100,000.00
6	COA Programs	COA with the approval of the Town Administrator	Fees & Charges from COA classes and programs	To pay the instructors and expenses of programs offered.	\$100,000.00
7	Community Building Rental fund	With the approval of the Town Administrator	Fees from renting the building	To pay part time salaries and expenses related to the extra hours used for the rental of the building	\$10,000.00
				Total spending	\$440,000.00

**ARTICLE 8: MOTION:** We move that the Town vote under the authority of M.G.L. Chapter 44, Section 53 E ½ to establish Revolving Funds to be entitled herein and to authorize the spending limits for the Recreation Programs Fund in the amount of \$105,000.00; the Shellfish Propagation Fund in the amount of \$30,000.00; the School Transportation Fund in the amount of \$75,000.00; the Public Library Book Fund in the amount of \$20,000.00; the Council on Aging Supportive Day Fund in the amount of \$100,000.00; the Council on Aging Programs Fund in the amount of \$100,000.00 and the Bourne Veteran's Community Building Rental Fund in the amount of \$10,000.00.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 8. Vote 5-0.

Don Pickard read Article 9 and the motion that will be voted at Town Meeting:

**ARTICLE 9:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding capital improvements and capital projects, or take any other action in relation thereto.

Sponsor - Capital Outlay Committee

CAPITAL OUTLAY REPORT FOR FY2016					
	DEPART	PROJECT/ DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
1	Police Dept	Cruisers	\$ 138,900.00	Ch 44, Sec 7(9)	Borrowing

2	Fire Dept	Ambulance 135	\$ 252,000.00	Ch 44, Sec 7(9)	Borrowing
3	Fire Dept	Paint Ladder Tower	\$ 48,000.00		Free Cash
4	DNR	Repower y-56 2008 P/O Boat	\$ 17,500.00		Waterways
5	DNR	Repower Y-57 2011 Carolina Skiff	\$ 12,500.00		Waterways
6	DNR	Repower 1970 Boston Whaler	\$ 13,000.00		Waterways
7	DNR	Repave Taylors Point Marina Parking Lot	\$ 250,000.00	Ch 44, Sec 7(6)	Borrowing \$125,000.00. Waterways \$125,000.00.
8	Bourne Schools	BHS Replace Carpeting Media Center	\$ 30,000.00		Free Cash
9	Bourne Schools	BHS Repair Existing Columns	\$ 40,000.00		Free Cash
10	Bourne Schools	BHS Replace Library Cupola Roof	\$ 70,000.00		Free Cash
11	Bourne Schools	BMS Upgrade HVAC Management System	\$ 95,000.00		Free Cash
12	Bourne Schools	Technology Plan	\$ 175,000.00	Ch 44, Sec 7(28) & 7(29)	Borrowing
13	Bourne Schools	Asbestos Abatement	\$ 110,000.00	Ch 44, Sec 7(31)	Borrowing
14	DPW	M-6 F500 Dump Body	\$ 12,000.00		Free Cash
15	DPW	M-8 F500 Dump Body	\$ 12,000.00		Free Cash
16	DPW	T-6 Sander Plow	\$ 161,000.00	Ch 44, Sec 7(9)	Borrowing
17	DPW	S-2 25 CY Packer	\$ 250,000.00	Ch 44, Sec 7(9)	Borrowing
18	DPW	S-3 16 CY Packer	\$ 250,000.00	Ch 44, Sec 7(9)	Borrowing
19	Shore & Harbor	Annual Dredging	\$ 95,000.00		Waterways
20	Election & Registration	Automark Voter Assist Terminal (VAT)	\$ 10,000.00		Free Cash
21	IT Dept	New Phone System	\$ 50,000.00		Free Cash \$20,000.00; ISWM Retained Earnings \$20,000.00; Sewer Retained

					Earnings \$10,000.00
22	IT Dept	New Backup System	\$ 32,800.00		Free Cash
23	ISWM	15 5CY Wheel Loader	\$ 425,000.00	Ch 44, Sec 7(9)	Borrowing
24	ISWM	35 Ton Articulated Truck	\$ 500,000.00	Ch 44, Sec 7(9)	Borrowing
25	ISWM	Phase IV Stage 1 Cap & Closure	\$ 1,500,000.00		Transfer \$1,500,000.00 from ISWM Phase IV Closure Funds
26	Sewer	Replacement of Sewer Truck M-7	\$ 80,000.00	Ch 44, Sec 7(9)	Borrowing
27	Sewer	Pumps & Panels	\$ 40,000.00		Sewer Retained Earnings
		TOTAL CAPITAL PLAN	<u>\$4,669,700.00</u>		

**ARTICLE 9: MOTION:** We move that the Town vote to raise and appropriate the sum of \$4,669,700.00 for the capital outlay projects listed in the Voters Handbook on pages 00-00 and to meet this appropriation, we move to transfer the sum of \$1,500,000.00 from available funds; \$50,000.00 from Sewer Retained Earnings; 20,000.00 from ISWM Retained Earnings; \$263,000.00 from the Waterways Improvement Fund and \$369,800.00 from Free Cash. We further move to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$2,466,900.00 under and pursuant to Chapter 44, Sections 7(6), 7(9), 7(28), 7(29) & 7(31) of the General Laws as amended and supplemented, or any other enabling authority and to issue bonds or notes of the Town therefore.

**Voted** Don Pickard moved and seconded by Don Ellis to approve Article 9. Vote 5-0.

Don Pickard read Article 10 and the motion that will be voted at Town Meeting:

**ARTICLE 10:** To see if the Town will vote to hear reports and recommendations of Committees and Town Officers, or take any other action in relation thereto.

Sponsor - Board of Selectmen

**ARTICLE 10: MOTION:** We move the Town so vote.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 10. Vote 5-0.

Don Pickard read Article 15 and the motion that will be voted at Town Meeting:

**ARTICLE 15:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to commence a program of Priority Based Budgeting, or take any action in relation thereto.

Sponsors – Board of Selectmen, Finance Committee, Town Administrator

**ARTICLE 15:** MOTION: We move the Town vote to appropriate the sum of \$55,000.00 to commence a program of Priority Based Budgeting and to meet this appropriation to transfer the sum of \$55,000.00 from Free Cash.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 15. Vote 5-0.

Don Pickard read Article 16 and the motion that will be voted at Town Meeting:

**ARTICLE 16:** To see if the Town will vote to amend the Town of Bourne Bylaws, Article 2.5 Council on Aging, by deleting it in its entirety and inserting a new Article 2.5 Council on Aging as printed in the Town Meeting Warrant, or act anything in relation thereto.

Sponsor – Bylaw Committee

**ARTICLE 16:** MOTION: We move that the Town vote to amend the Town of Bourne Bylaws, Article 2.5 Council on Aging, by deleting it in its entirety and inserting a new article 2.5 Council on Aging as printed in the Town Meeting Warrant, or act anything in relation thereto.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 16. Vote 5-0.

Linda Zuern explained what this article is. It defines who the Council on Aging is, its purpose and goals, Council on Aging Advisory Committee membership, the executive director and or Town Administrator may be ex-officio members.

Don Pickard read Article 17 and the motion that will be voted at Town Meeting:

**ARTICLE 17:** To see if the Town will vote to transfer any sums of money received from the ISWM Host Community Fees in excess of \$600,000 in FY2016 to fund entitled "Capital Stabilization Fund", or take any other action in relation thereto.

Sponsor – Board of Selectmen

**ARTICLE 17:** MOTION: We move that the Town vote to transfer any sums of money received from the ISWM Host Community Fees in excess of \$600,000.00 into a fund entitled "Capital Stabilization Fund".

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 17 with the correction to change the fund to the Capital Stabilization Fund in the Article. Vote 5-0.

Don Pickard read Article 18 and the motion that will be voted at Town Meeting:

**ARTICLE 18:** To see if the Town will vote to appropriate a sum of money for the purpose of accepting proceeds from the insurance recovery for a loss at the Community Building, or take any other action in relation thereto.

Sponsor – Town Administrator



**ARTICLE 18:** MOTION: We move the Town vote to appropriate the sum of \$20,091.11 for the purpose of accepting proceeds from the Insurance Recovery Fund for a loss at the Community Building and to transfer \$20,091.11 from the Insurance Recovery Fund to the Facilities Maintenance Expenses.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 18. Vote 5-0.

Don Pickard read Article 19 and the motion that will be voted at Town Meeting:

**ARTICLE 19:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to continue to planning, related expense and purchase of materials related to wastewater needs in Buzzards Bay or take any action in relation thereto.

Sponsor – Board of Sewer Commissioners

**ARTICLE 19:** MOTION: We move the Town vote to appropriate the sum of \$18,500.00 for wastewater needs in Buzzards Bay and to meet this appropriation to transfer the sum of \$18,500.00 from Free Cash.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 19. Vote 5-0.

Don Pickard read Article 20 and the motion that will be voted at Town Meeting:

**ARTICLE 20:** To see if the town will vote to amend the Bourne Zoning Bylaw as follows, or take any other action relative thereto.

Sponsor – Board of Selectmen

**Voted** Don Pickard moved and seconded by Linda Zuern that this article will be tabled until we have the verbiage from Town Counsel. Vote 5-0.

**Voted** Stephen Mealy moved and seconded by Don Pickard to approve the Town Meeting Warrant with the corrections as noted on pages 4, 5, 8, 11, and 20. To sign it pending corrections that will be made tomorrow morning. Vote 5-0.

**Special Town Meeting Articles**

Don Pickard read Article 2 of the Special Town Meeting and the motion that will be voted at Town Meeting:

**ARTICLE 2:** To see if the Town will vote to amend the following departmental budgets of the fiscal year 2015 annual budget as voted under Article 3 of the 2014 Annual Town Meeting and to appropriate or transfer from available funds a sum of money for the purposes of this article, or take any action in relation thereto.

**Sponsor – Board of Selectmen**

Departments:

Group Insurance

Snow & Ice Salaries

Snow & Ice Expenses

ARTICLE 2: MOTION: We move that the Town vote to appropriate the sum of \$865,000.00 to supplement the following budgets; Snow & Ice Overtime \$216,500.00; Snow & Ice Expenses \$298,500.00; Group Insurance Account \$350,000.00 and to meet this appropriation to transfer the sum of \$865,000 from free cash.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 2. Vote 5-0.

Don Pickard read Article 3 of the Special Town Meeting and the motion that will be voted at Town Meeting:

ARTICLE 3: To see if the Town will vote to appropriate or transfer from available funds a sum of money to undertake environmental assessments and remediation as required by the Commonwealth of Massachusetts Department of Environmental Protection related to town leased land to the National Marine Life Center, or take any action in relation thereto.  
Sponsor - Town Administrator

ARTICLE 3: MOTION: We move that the Town vote to appropriate the sum of \$40,000.00 to undertake environmental assessments and remediation to town leased land to the National Marine Life Center and to meet this appropriation to transfer the sum of \$21,115.98 from Article 14 Canal Centennial Celebration of the May 2013 ATM; \$3,848.00 from Article 38 Wage & Classification Study of the May 2012 ATM; \$3,302.00 from Article 3 Electric/Hybrid Vehicle of the October STM 2013; \$4,063.38 from Article 3 Town Hall Server Room Air Conditioning; \$4,038.67 from Article 3 Fire St 1 Bathroom Repairs; \$1,159.58 from Article Fire Parapet Walls October STM 2013; \$2,066.58 from Article 6 Emergency Repairs Sagamore Beach of the May 2013 STM; \$20.00 from Article 9-10 Marina Security Cameras May 2013 ATM; \$385.81 from Article 9-6 Fire Laptops May 2013 ATM.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Article 3. Vote 5-0.

Stephen Mealy read Article 5 of the Special Town Meeting.

ARTICLE 5: To see if the Town will vote to supplement action taken under Article 7 (FY15 ISWM Budget) of the 2014 Annual Town Meeting and to appropriate or transfer from available funds a sum of money for the purposes of this article, or take any action in relation thereto.

Sponsor - Board of Selectmen

Don Pickard read the motion that will be voted at Town Meeting:

ARTICLE 5: MOTION: We move that the Town vote to appropriate the sum of \$300,000.00 to supplement ISWM expenses, and to meet this appropriation to transfer the sum of \$300,000.00 from ISWM Retained Earnings.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve Article 5. Vote 5-0.

**9) Selectmen's Business -**

**A. April 14 Meeting in Wareham with Lt. Governor**

Peter Meier asked what we would like to deliver to the Lt. Governor? What other ideas or issues do we need to press on our state leadership, unfunded mandates or etc.

Linda Zuern stated, we need to repeal the Common Core Standards. She also mentioned the Regional Schools, they could work in a limited way so they aren't increasing their budget more than 2 ½%.

Don Pickard suggested we present our ideas and add them as agenda items so the Board can vote on them.

Tom Guerino suggested, we need to press the Lt. Governor and the administration that the legislature come up with a reasonable payment in lieu of tax on any state owned land within any city or town, about half land mass of the town of Bourne is owned by the state through the base, but we derive no tax revenue from that, also the Mass Maritime Academy. Regional School Transportation budget, which is supposed to be funded at 100%. The revamping on how they come up with their Chapter 70 formula.

Peter Meier stated to send the list to Tom Guerino to add to the agenda for the meeting on the 28<sup>th</sup>. He also wants on the agenda going forward a discussion on all tax properties that are subject to a reduction in property tax.

#### **10) Town Administrator's Report**

Tom Guerino met with the LIUNA group last week. Completed the discussion with the Department heads and employees where the reductions have been made. Working closely with the Finance Director on completing the warrant numbers. Will send an outline of the cuts to Mr. Rausch and Mr. Gately. The board members will also get a copy.

#### **11) Selectmen's Reports**

Peter Meier stated Town Administrator performance reviews are due by the end of business on Friday.

Linda Zuern went over the Spotlight on Bourne, she had the new Fire Chief and Joe Carrara. Fundraiser for the Chimes is up to \$700.

Don Pickard met with Mr. Mealy, Mr. Guerino, Mrs. Marzelli, and Mr. Mullen relevant to some figures they provide for the marinas. Mr. Mealy will put those numbers on a spreadsheet. We will hopefully have a report on the finances on the marinas by April 28<sup>th</sup>. This is just an exercise to determine what the numbers are for the marinas.

Stephen Mealy went over what was expended from Free Cash  
The articles we reviewed and voted on this evening equal 3.4 million dollars.  
We need to address this shortfall immediately.

	FREE CASH ANALYSIS FY2015	Free Cash	Free Cash Balance	FY15	FY16
		Expensed & Proposed FY15 & FY16		% of GFOB	% of GFOB
	FY2015				
	CERTIFIED FREE CASH BALANCE 7/1/2014		\$4,897,346.00	8.8%	8.5%
10/27/14 STM	OPEB	(\$200,000.00)	\$4,697,346.00	8.5%	8.1%
10/27/14 STM	Accrued Compensated Absences	(\$100,000.00)	\$4,597,346.00	8.3%	8.0%
10/27/14 STM	Unpaid Bills	(\$287.46)	\$4,597,058.54	8.3%	8.0%
10/27/14 STM	Capital - Cardiac Compressors	(\$28,000.00)	\$4,569,058.54	8.3%	7.9%
1/26/15 STM	Unpaid Bills	(\$613.71)	\$4,568,444.83	8.3%	7.9%
1/26/15 STM	Wastewater Advisory	(\$3,000.00)	\$4,565,444.83	8.2%	7.9%
1/26/15 STM	Reserve Fund	(\$70,000.00)	\$4,495,444.83	8.1%	7.8%
5/4/15 ATM	Proposed for FY16 Operating Budget	(\$1,792,345.00)	\$2,703,099.83	4.9%	4.7%
5/4/15 ATM	Proposed for FY16 Capital Direct Expenditure	(\$369,800.00)	\$2,333,299.83	4.2%	4.0%
5/4/15 ATM	2016 ATM Warrant Articles	(\$73,500.00)	\$2,259,799.83	4.1%	3.9%
5/4/15 STM	STM Article for FY15 deficits (Group Health and Snow and Ice)	(\$865,000.00)	\$1,394,799.83	2.5%	2.4%
5/4/15 STM	STM Article for Contractual Obligation	(\$290,000.00)	\$1,104,799.83	2.0%	1.9%
	Total	(\$3,792,546.17)			
7/1/15	Required Turn back, inflow to be within Certified FC policy	\$1,800,000.00	\$2,904,799.83	5.2%	5.0%

	ce%ree%cash%certified%	\$1,556,901.00
	Total%used%for%FY16%with%capital%	\$2,235,645.00
		\$3,792,546.00
	(\$865,000.00) FY15	
	(\$290,000.00) FY15	
	(\$1,155,000.00) Total%FY15%Budget%Additional%	
	(\$373,901.00) FY15%Articles%Additional%	
	(\$28,000.00) FY15%Capital%Additional%	
	(\$1,556,901.00) Total%used%for%FY15%since%free%cash%certified%	
FY15	(\$2,004,000.00) original%for%budget	
	(\$1,155,000.00) additional%for%budget	
	\$0.00 original%for%budget	
	(\$3,159,000.00) For%budget%in%sources%and%uses	
	(\$373,901.17) for%articles%in%sources%and%uses	
	(\$3,532,901.17) total%free%cash%used%general%and%operating	
	(\$28,000.00) for%capital	
	(\$3,560,901.17) Total%with%capital%FY15	
FY16	(\$1,792,345.00) For%FY16%budget	
	(\$73,500.00) For%FY16%articles	
	(\$1,865,845.00) total%free%cash%used%FY16%general%and%operating	
	(\$369,800.00) For%FY16%capital	
	(\$2,235,645.00) Total%with%FY16%capital%FY16	

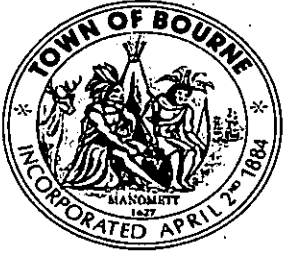
**12) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, April 28<sup>th</sup> at 7:00 P.M.

**10) Adjourn**

**Voted** Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned at 9:30 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



## EXECUTIVE SESSION

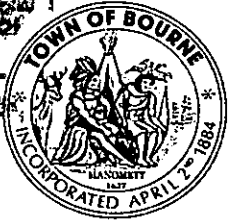
Date  
Tuesday  
April 21, 2015

Time  
2:00 p.m.

Location  
Bourne Town Hall  
Lower Conference Room  
24 Perry Avenue  
Bourne, Massachusetts

Contracts and ongoing litigation

2015 APR 16 PM 1 56  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# TOWN OF BOURNE

Board of Selectmen  
24 Perry Avenue  
Buzzards Bay, MA 02532



Monday, April 27, 2015  
7:00PM

Bourne Veteran's Memorial Community Building  
239 Main Street, Buzzards Bay, MA 02532

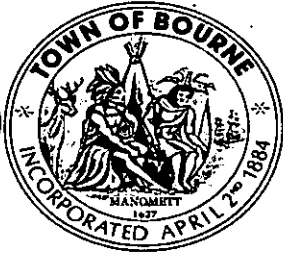
## MEETING NOTICE

**NOTE: This meeting is being recorded for live broadcast and/or for television replay. If anyone in the audience is audio or videotaping, they need to acknowledge it at this time.**

The Board of Selectmen will hold a joint public meeting with the Finance Committee on Monday, April 27, 2015 at **7:00 PM** at the Community Building.

1. Reserve Fund Transfers
2. Warrant Article Review:
  - a. STM Article: 4
  - b. ATM Article 20
3. Warrant Article Discussion and Vote
  - a. ATM Article 3 and Sources and Uses/Budget Updates
  - b. CPA Articles: STM Article 1 and ATM Articles 11-14
  - c. ATM Articles: 16 – 19
  - d. STM Articles: 2 – 3, 5
  - e. All other STM or ATM Warrant Articles
4. Discussion on continuation of the Finance Project Working Group
5. TA Comment (for informational purposes only)
6. Finance Director Comment (for informational purposes only)
7. Selectmen Comment
  - a. Discussion and possible vote for an override question
8. Finance Committee Comment (for informational purposes only)
9. Public Comment (for informational purposes only)
10. Future agenda items
11. Adjourn.

2015 APR 23 AM 10 28  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



## Executive Session – 6:40 – Labor Contracts

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday April 28, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (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: 4.7.15

5. Correspondence

6. Glenn Cannon – Cape Cod Commission – MBTA Buzzards Bay Study

7. Police Department Study Committee

8. Discussion about permanent building Committee for all upcoming capital building projects

9. Licenses/Appointments:

- A. 7:30 p.m. Eastwind Seafoods Inc. – Liquor License (formerly Wayho Grill)
- B. Surplus 1987 Non-Working Pumper Fire Truck
- C. MMA liquor license (4.26.15)
- D. Republican Party Fundraiser – waiver of fees
- E. Courtyard Gives Back Fundraiser

10. Selectmen's Business

- A. Board – 2015 Override necessity vote - and Town Administrator's commencement to work on reductions if not successful.
- B. Discussion on topics to bring forward to meeting with Lt. Governor on 5.14.15
- C. Consideration of Executive order on the Open Space Committee

11. Town Administrator's Report

- a. Request to fill Health Agent's position due to retirement
- b. Question regarding Heather Hill property on Auction

12. Selectmen's Reports

13. Other business

14. Adjourn

2015 APR 24 PM 2 48  
TOWN CLERK'S OFFICE  
BOURNE, MASS



**Town of Bourne Board of Selectmen  
Executive Session  
Meeting Minutes**

April 30, 2015

2015 JUL 29 PM 4 21  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Members Present:** Selectman Mealy, Selectman Zeurn, Selectman Ellis, Selectman Meier.

**Also Present:** Town Administrator Guerino

**Excused:** Selectman Pickard

**Mr. Mealy made a motion** to enter into Executive Session to discuss labor contracts and return to Open Session. **The motion was seconded by Ms. Zuern.** Roll Call Vote 4-0. **Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes**

- Mr. Guerino explained that both the LIUNA Union and the Bourne Employee's Association rejected the selectmen's offer for a one year extension of the contract with a 1% COLA. A discussion relative to the difficulty of negotiations and what other Town employees/other bargaining units are receiving transpired.

**Ms. Zuern made a motion** to offer a 2% COLA for a 1 year extension of the contract with all other issues in the contract remaining as is for FY 2016. **Mr. Mealy seconded the motion.** Roll Call Vote 4-0. **Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes**

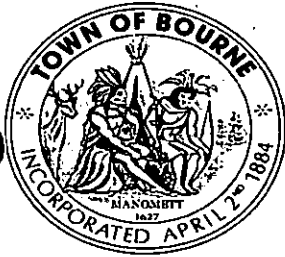
**Ms. Zuern made a motion** to return to Open Session. **Mr. Mealy seconded the motion.** Roll Call Vote 4-0. **Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes**

**Executive Session adjourned at 6:53 PM**

Respectfully Submitted,

*Thomas M. Guerino*

Town Administrator



# Board of Selectmen Meeting Notice AGENDA



## Executive Session – 6:40 – Labor Contracts

<u>Date</u>	<u>Time</u>	<u>Location</u>
Thursday April 30, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

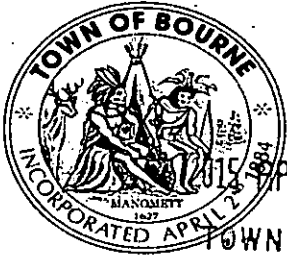
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1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 4.7.15
  
5. Correspondence
  
6. Glenn Cannon – Cape Cod Commission – MBTA Buzzards Bay Study
  
7. Police Department Study Committee
  
8. Discussion about permanent building Committee for all upcoming capital building projects
  
9. Licenses/Appointments:
  - A. 7:30 p.m. Eastwind Seafoods Inc. – Liquor License (formerly Wayho Grill)
  - B. Surplus 1987 Non-Working Pumper Fire Truck
  - C. MMA liquor license (4.26.15)
  - D. Republican Party Fundraiser – waiver of fees
  - E. Courtyard Gives Back Fundraiser
  
10. Selectmen's Business
  - A. Board – 2015 Override necessity vote - and Town Administrator's commencement to work on reductions if not successful.
  - B. Discussion on topics to bring forward to meeting with Lt. Governor on 5.14.15
  - C. Consideration of Executive order on the Open Space Committee
  
11. Town Administrator's Report
  - a. Request to fill Health Agent's position due to retirement
  - b. Question regarding Heather Hill property on Auction
  
12. Selectmen's Reports
13. Other business
14. Adjourn

2015 APR 28 AM 10 35  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice



APR 28 AM 9 07 AGENDA

Executive Session – 6:40 – Labor Contracts

TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Tuesday  
April 30, 2015

Time

7:00 p.m.

Location

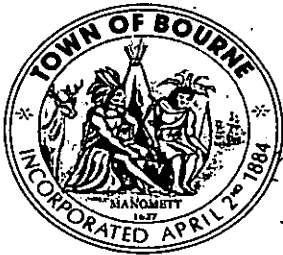
Bourne Veterans' Memorial  
Community Center  
239 Main Street, Buzzards Bay

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# Board of Selectmen Meeting Notice AGENDA



2015 APR 27 PM 2 33

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Joint Meeting with Finance Committee,  
Moderator, Town Counsel, Board of Selectmen, Town Planner, Planning  
Board, Town Administrator, Finance Director, Town Clerk**

Date  
Thursday  
April 30, 2015

Time  
3:00 p.m.

Location  
Bourne Town Hall  
Lower Conference Room  
24 Perry Avenue  
Bourne, Massachusetts

1. Review, Discussion and on Special and Annual Town Meeting Articles

**Town of Bourne Board of Selectmen  
Executive Session  
Meeting Minutes**

April 30, 2015

2015 JUL 29 PM 4 21  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Members Present:** Selectman Mealy, Selectman Zeurn, Selectman Ellis, Selectman Meier.

**Also Present:** Town Administrator Guerino

**Excused:** Selectman Pickard

**Mr. Mealy made a motion** to enter into Executive Session to discuss labor contracts and return to Open Session. **The motion was seconded by Ms. Zuern.** Roll Call Vote 4-0. **Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes**

- **Mr. Guerino explained** that both the LIUNA Union and the Bourne Employee's Association rejected the selectmen's offer for a one year extension of the contract with a 1% COLA. A discussion relative to the difficulty of negotiations and what other Town employees/other bargaining units are receiving transpired.

**Ms. Zuern made a motion** to offer a 2% COLA for a 1 year extension of the contract with all other issues in the contract remaining as is for FY 2016. **Mr. Mealy seconded the motion.** Roll Call Vote 4-0. **Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes**

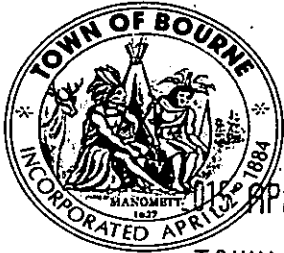
**Ms. Zuern made a motion** to return to Open Session. **Mr. Mealy seconded the motion.** Roll Call Vote 4-0. **Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes**

**Executive Session adjourned at 6:53 PM**

Respectfully Submitted,

*Thomas M. Guerino*

Town Administrator



## Board of Selectmen Meeting Notice

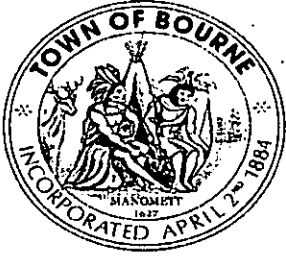


APR 27 PM 2 35  
TOWN CLERK'S OFFICE  
BOURNE, MASS

### AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday May 4, 2015	6:15 p.m.	Bourne High School Auditorium Stage Area 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special Town Meeting each session until the conclusion.
3. Designation of Public Safety Official in accordance with Chapter 487 of the Acts of 2014 relative to recess and continue a town meeting.
4. Adjourn



## Board of Selectmen Meeting Notice



2015 APR 28 PM 4 08

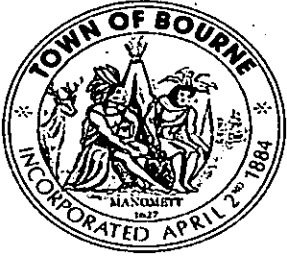
TOWN CLERK'S OFFICE  
BOURNE, MASS

### AGENDA

### AMENDED

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday May 4, 2015	6:00 p.m.	Bourne High School Auditorium Stage Area 75 Waterhouse Road Bourne

1. Call Meeting to Order
2. Vote regarding FY16 override
3. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special Town Meeting each session until the conclusion.
4. Designation of Public Safety Official in accordance with Chapter 487 of the Acts of 2014 relative to recess and continue a town meeting.
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## Board of Selectmen Meeting Notice



### AGENDA

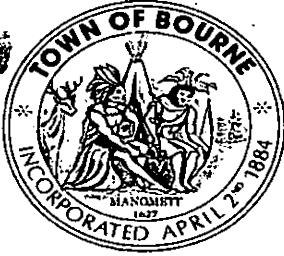
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5. Approve and Sign Warrant for Annual Town Election
6. Adjourn

2015 APR 30 AM 9 01  
TOWN CLERK'S OFFICE  
BOURNE, MASS





# Board of Selectmen Meeting Notice



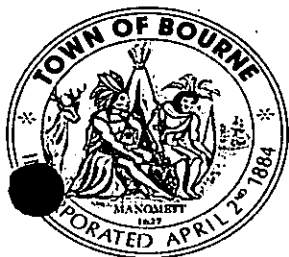
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TOWN CLERK'S OFFICE  
BOURNE, MASS~~

## AGENDA AMENDED

<u>Date</u>	<u>Time</u>	<u>Location</u>
-- Monday May 4, 2015	6:00 p.m.	Bourne High School Library 75 Waterhouse Road Bourne

2015 MAY 1 AM 10 55  
TOWN CLERK'S OFFICE  
BOURNE, MASS

1. Call Meeting to Order
2. Vote regarding FY16 override
3. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special Town Meeting each session until the conclusion.
4. Designation of Public Safety Official in accordance with Chapter 487 of the Acts of 2014 relative to recess and continue a town meeting.
5. Approve and Sign Warrant for Annual Town Election
6. Discussion and vote on motion for Article 20.
7. Adjourn



# Board of Selectmen Meeting Notice AGENDA



Date  
Tuesday  
May 12, 2015

Time  
7:00 p.m.

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

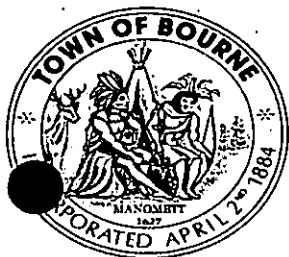
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1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 4.14.15
5. Correspondence
6. Presentation by Joint Base Cape Cod – Brief update on base military mission and initiatives (30 minute presentation with powerpoint)
7. Report and recommendation of the Transportation Committee on the MBTA ballot question
8. Licenses/Appointments:
  - A. Election Workers
  - B. Dunkin' Donuts Common Victualer License
  - C. MMA – 2 One Day Liquor Licenses at Beachmoor
  - D. Cataumet Club – Street Closure
9. Selectmen's Business
  - A. Town Administrator's Evaluation & Merit Increase Review
  - B. Discussion of Town Meeting and Special Election for FY15 Override
  - C. Discussion and Vote on Amended Executive Order for Open Space
  - D. Annual Town Meeting Recap.
  - E. Discussion of reciprocity of allowing Bourne residents to purchase Sandwich town beach stickers at resident rate.
  - F. Summer Schedule (proposed – 5/26 - 6/9,23 – 7/14,28 – 8/11,25 – 9/8,22)
10. Town Administrator's Report
  - A. Police Building Committee
11. Selectmen's Reports
12. Other business
13. Adjourn

2015 MAY 7 PM 4 00  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA AMENDED



Date  
Tuesday  
May 12, 2015

Time  
7:00 p.m.

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

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  - C. MMA
    1. [2] One Day Liquor Licenses at Beachmoor
    2. [1] One Day Liquor License at MMA – Pande Dining Hall
  - D. Cataumet Club – Street Closure
  - E. Seasonal License Renewal – Cataumet Light Mini Golf
9. Selectmen's Business
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2015 MAY 8 PM 12 42  
TOWN CLERK'S OFFICE  
BOURNE, MASS

5

**Board of Selectmen  
Minutes of Tuesday, May 12, 2015  
Bourne Community Building  
Bourne, MA 02532**

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2016 JAN 10 PM 11 38

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

**Selectmen**

Peter Meier, Chairman  
Don Pickard, Vice-Chairman  
Stephen Mealy, Clerk  
Don Ellis  
Linda Zuern

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:00 pm.

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

**Public Comment – Non-Agenda Items**

Mary Lou Daxland, President Republican Assembly. They came before the board at the last session get a permit to use the park and now they are being told they need insurance, it wasn't on the application. They are a nonprofit private organization, chartered through the NFRA. They are not associated with Mass DOT. They would like it to go back on the agenda, because they don't have insurance.

Tom Guerino stated it will be put on the agenda for May 26<sup>th</sup> for discussion relative to the insurance.

**4) Minutes 4.14.15:**

**Voted** Don Pickard moved and seconded by Linda Zuern to approve the minutes from April 14, 2015 as presented. Vote 5-0.

**5) Correspondence**

Stephen Mealy brought the committee up to date on the correspondence.

- A. Email from Dick Anderson seeking appointment to the Charter Review Committee (now 5 applicants Joseph Carrara, David Pelonzi, Dick Conron, and Mark Catarius) Tom Guerino stated that we also have Dennis White.
- B. Letter from Attorney Losordo regarding Hoxie School; with an interested in developing the school if the sale doesn't go through.
- C. Letters from DEP upholding Harbormaster's decision for a 10a permit for John Maneikis and Thomas A. McDonald mooring #35-T.
- D. Letter from BHA thanking the town for all the help during this past winter at their locations.
- E. Received a copy of the Board of Appeals meeting notice for May 6, 2015.
- F. Letter from the Acting Director, Anthony Rassias, Department of Revenue regarding estate of Helen F. Clarke
- G. Received an invitation to the 48<sup>th</sup> Memorial Day observance at Otis Memorial Park, Joint Base Cape Cod to be held on May 21<sup>st</sup>.
- H. ABCC decision on Sadiq Corporation d/b/a One Stop Convenience Store
- I. Notified by the DEP about shellfish closure from North Fisherman's Cove, in adjacent to Buttermilk Bay.
- J. Received a letter from the Bourne Housing Partnership – Guide To Housing Programs
- K. Received a copy of the agenda for the Pollution Tasks Force for 5.11.15
- L. Email from Jeffery Rose regarding the litter accumulating on MacArthur Blvd and Sandwich Road.

Tom Guerino stated the landfill staff has contacted the Sheriff's department and they are going to be working on the area to clean up MacArthur Blvd.

Don Ellis questioned if we can ask Mr. Guerino to write a letter to the Commonwealth to see they can accelerate the cleanup in the centerline.

Linda stated that there is also trash on 25/495. Mr. Guerino will ask them to clean that area as well.

**6) Presentation by Joint Base Cape Cod – Brief update on base military mission and initiatives (30 minute presentation with powerpoint)**

**Joint Base Cape Cod  
 Commanders Update Briefing  
 &  
 Bourne Board of Selectmen  
 May 2, 2015**



**Joint Base Cape Cod  
 Military Organizations and Commanders**



Massachusetts National Guard – JBCO Executive Director  
 COL Francis "Frank" Magurn



Army National Guard – Camp Edwards  
 COL William O'Brien



Air National Guard – 102nd Intelligence Wing  
 Col James LeFavor



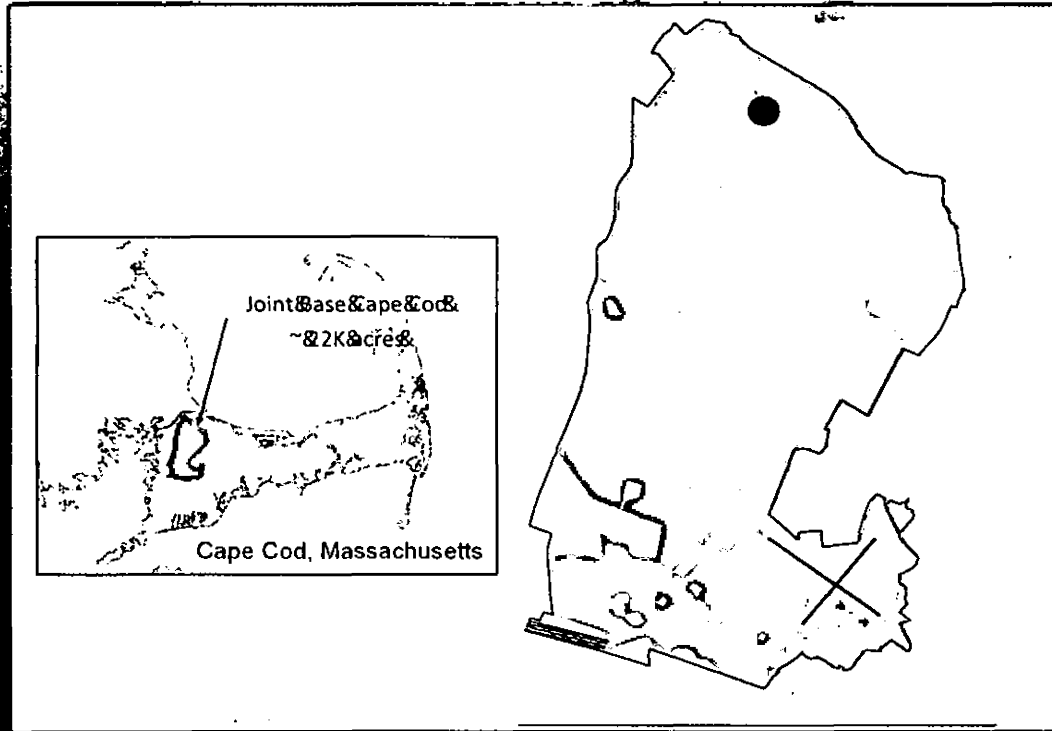
Air Force – 6th Space Warning Squadron  
 Lt Col David Anderson



Coast Guard – Base Cape Cod (Air Station Cape Cod)  
 CAPT Andy Clyburn (CAPT Steve Torpey)

&

# Joint Base Cape Cod



## Massachusetts Military Installations Economic Impact

### ✍ Ft. Devens

- ✍ 3,027 total employees
- ✍ \$156,162,007 total economic impact

&

### ✍ Westover Air Reserve Base

- ✍ 3,795 total employees
- ✍ \$323,966,628 total economic impact

&

### ✍ Barnes Air National Guard Base

- ✍ 1,648 total employees
- ✍ \$197,720,739 total economic impact

### ✍ Hanscom Air Force Base

- ✍ 19,714 total employees
- ✍ \$6,086,408,579 total economic impact

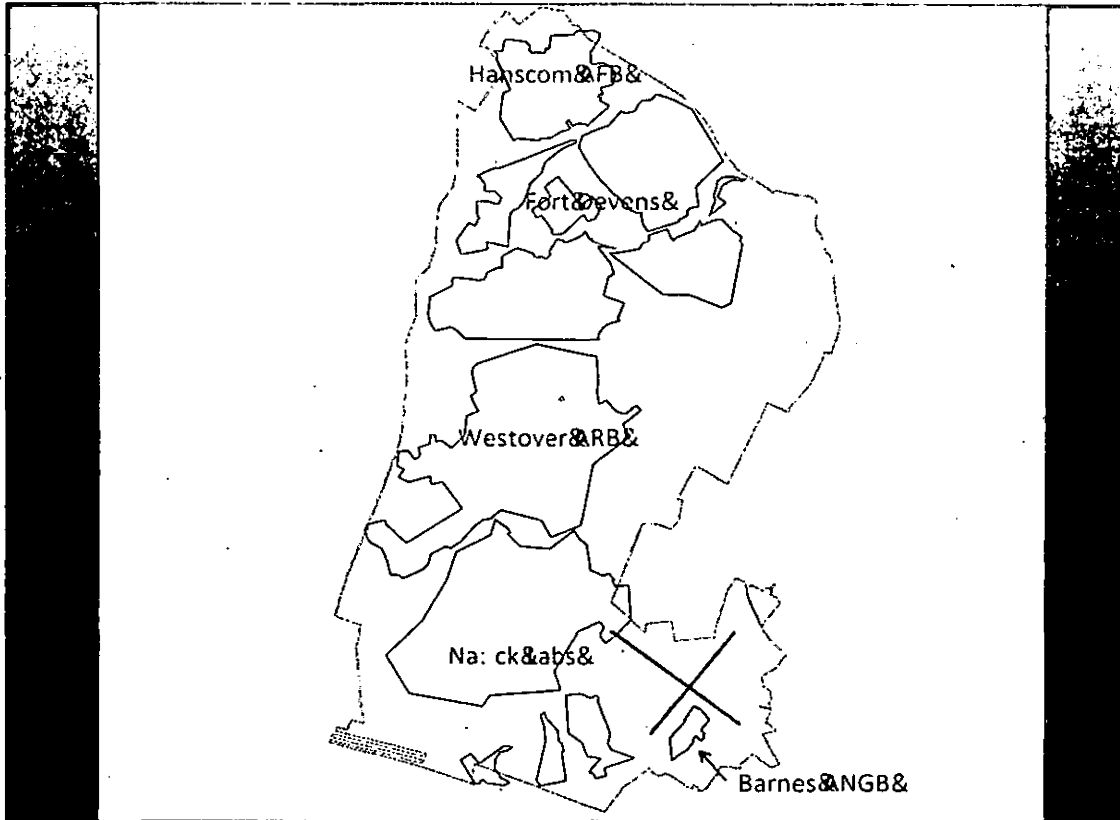
### ✍ US Army Natick Soldiers Systems Center

- ✍ 14,479 total employees
- ✍ \$5,543,937,864 total economic impact

### ✍ Joint Base Cape Cod

- ✍ 3,789 total employees
- ✍ \$330,858,217 total economic impact

Total 2013 Economic Impact: \$12.6 billion and over 46,000 jobs

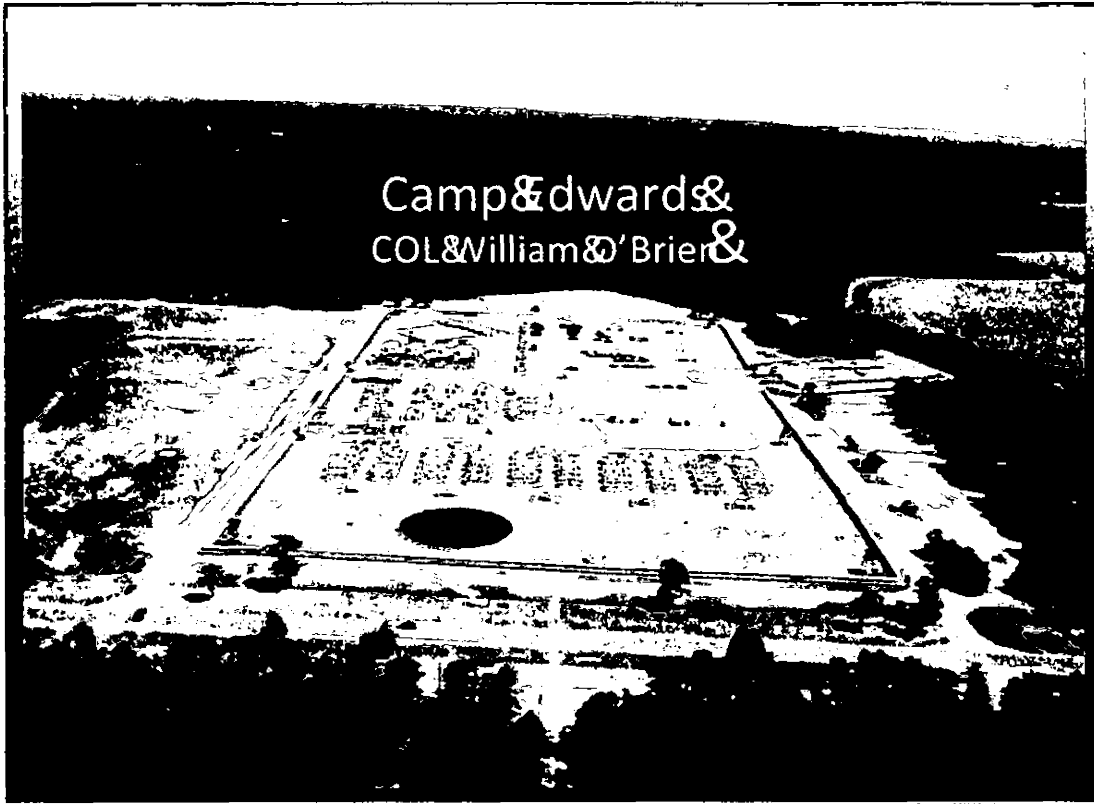


### Joint Base Cape Cod Management Structure

- Joint Installation Partnership Agreement
- Joint Oversight Group
- Inter-agency cooperation
- Future vision for the JBCC







## Camp Edwards

The Largest Military Training Site in  
New England



**Mission: Provide realistic, relevant, compatible and essential training & support facilities in support of Military Unit and Individual Soldier Readiness**

- Over 15,000 acres, Cantonment Area/Training Area/Upper Cape Water Supply Reserve
- Mission Essential Training for unit and Soldier readiness
- Military, law enforcement, emergency first responders
- Army Aviation Support Facility
- Unit Equipment Training Maintenance Shop
- Regional Training Institute
- Over \$45 Million in federal investment in FY 13 and FY 14

# Highlights

- Range Operations
  - Pistol Range Improvements
  - FY20 MPMG
- Increase Sustainability
  - 6-10 Megawatt Photovoltaic System
- Security
  - Training Area Gate Improvements
  - Public Safety Message
  - Training and Impact Area Signage
  - SupporterAng&public&safety!&

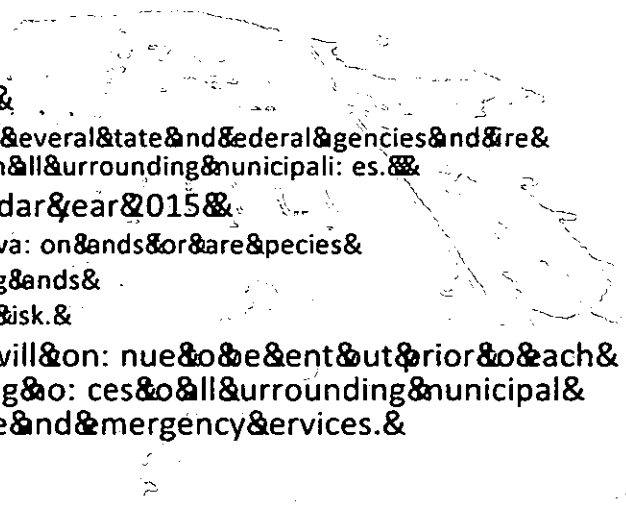
# Safety & Security





- Physical Security
  - Entry Access: Camp Edwards is a Restricted Area
  - ARNG will Increase Signs for public awareness
  - Requesting your support to advise populace that Camp Edwards Training Area is not open for ATV/Dirt bike recreation







# Natural Resources

- Recreational Hunting
  - Deer
  - Turkey
- Controlled Burns
  - Prescribed Burns
    - coordinate with several state and federal agencies and fire departments from all surrounding municipalities.
  - 600 acres calendar year 2015
    - Improving conservation lands for rare species
    - Improving rangelands
    - Reducing wildfire risk.
  - Pre-burn notices will be sent out prior to each operation including notices to all surrounding municipal leadership and fire and emergency services.









•Future Projects

- Solar Array
- Energy storage
- WWTP/Water Divestiture
- Downsizing Real Estate Foot print

**JOINT BASE CAPE COD**





# 102d Intel Wing Fed Missions

## • Intelligence

- AN/GSQ-272 Sentinel (DGS-MA)
- 24/7 deployed in garrison
- Fully Operational this Fall-4 years late

## • Command & Control

- AN/USQ-163 (CNAF)
- 24/7 intermittently
- DIVESTED 31 Mar 2016

## • Combat Communications

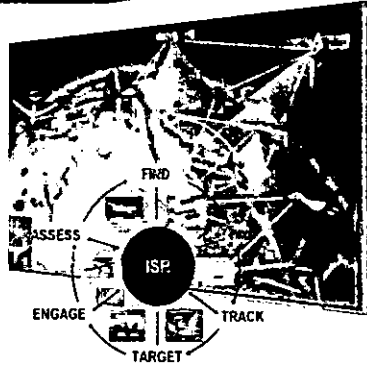
- Squadron DIVESTED 31 Mar 16

## • Engineering and Installation

- Relocated to 102IW FY15

## • Regional PMEL-civilian

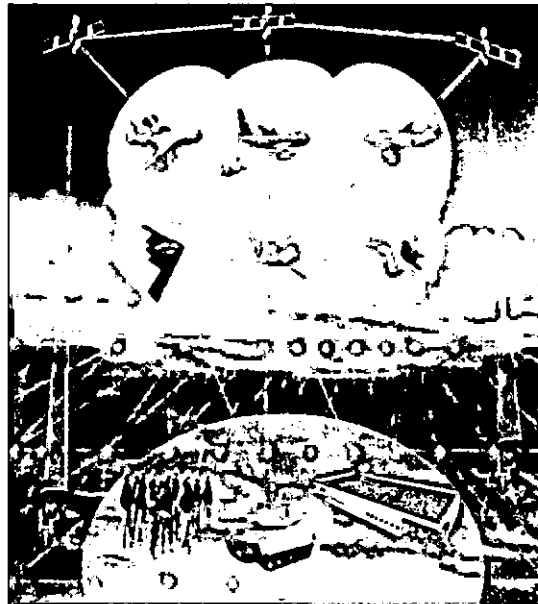
## • CERF-P - Medical




# Cyberspace Mission Our Newest Warfighting Domain

**Cyber Intelligence,  
Surveillance, and  
Reconnaissance (Cyber  
ISR) Group**

- New Mission Initiative
- Awaiting announcement
- 206 people






## Cape Cod Air Force Station



Home of the 6th Space Warning Squadron









- North America's sole East Coast early warning radar
  - Primary mission: missile warning
  - Secondary mission: satellite tracking
- Bi-national (US & Canada) active duty squadron
- Headquarters at Peterson AFB in Colorado
- 135 military, civilian, and contractor members
- 24/7 & 365-day operations since 1980
- Track ~20 launches & 3M satellite passes per year
- Motto: "EVER AWARE"

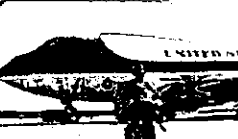








## Cape Cod Air Force Station




Home of the 6th Space Warning Squadron









- Current and / or completed projects
  - ✗ \$9.5M wind turbine installation
  - ✗ \$2.0M water chiller replacement
  - ✗ \$2.9M security upgrade
  - ✗ \$125M Upgrade-Early Warning Radar
- Maintain \$4.1M operating budget
- Community service and partnerships
  - MWR program with US Coast Guard
  - Support agreements with fire & law enforcement
  - Support to / from clubs, businesses, schools, & charitable organizations









**Homeland Security**

**U.S. Coast Guard**


## Coast Guard Air Station & Base Cape Cod


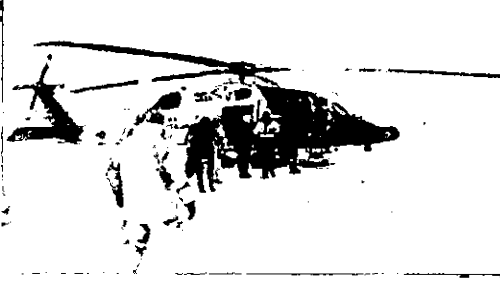






**CAPT Stephen Torpey**  
**Commanding Officer**


**Homeland Security**

**U.S. Coast Guard**


## Air Stations Milestones


- Air Station Transition/Base Cape Cod Standup – August 2014
- Blizzard Case; recovery of Aussies from V SEDONA
- Baby Gabriella Medevac from Martha's Vineyard
- Medevac from Queen Mary II
- POTUS visit
- Upcoming Airfield Events
  - Air Show
  - FAA PED EX







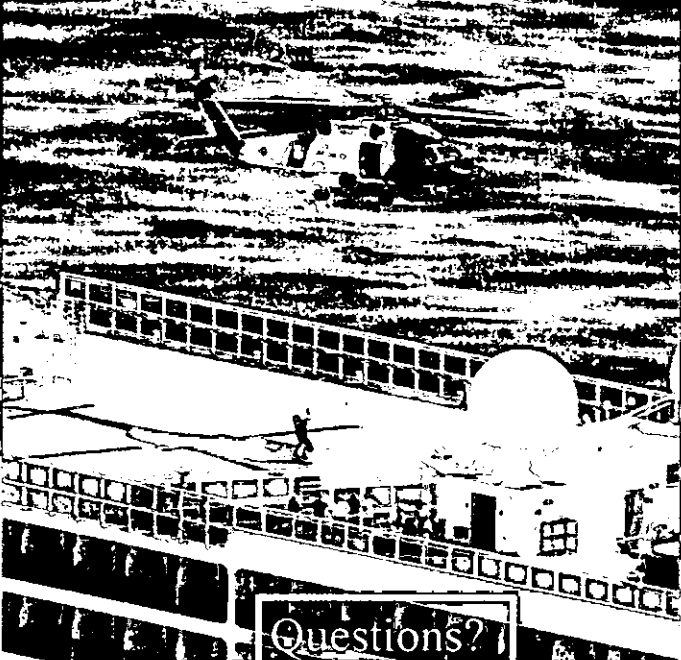
 **Homeland Security**  **U.S. Coast Guard** 

### Base Cape Cod Milestones

- Stood up unit on 12 Aug 2014
- \$9M construction of new barracks
- Best MWR program in CG for 2014
- Kaehler Medical Clinic gained accreditation by Assoc for Ambulatory Health Care
- Coast Guard Consolidation efforts
  - 26 support mbrs this summer
  - Additional moves summer '16



 **Homeland Security**  **U.S. Coast Guard** 



Questions?

Frank McGurn (Commander at Massachusetts Army National Guard) started the presentation for the Joint Base Cape Cod military mission and initiatives.

- a. Mass Military Installations
  - Economic Impact
- b. Joint Base Cape Cod Management Structure
  - Joint Installation Partnership Agreement
  - Joint Oversight Group
  - Inter-agency cooperation
  - Future vision for the JBCC

Mr. McGurn wanted to invite or re-invite a representative from the Board of Selectmen or Mr. Guerino to attend the JOG. It is a once a month meeting, the first Thursday of every month. Where all the commanders get together, MA State Police, the FAA sends a Representative, the USDA usually sends a representative. They are able to put on the table issues that are affecting the community at that time, security, moral support, or services and deal with it. The meetings are at 7:30AM at the Coast Guard Dining Facility on Joint Base Cape Cod.

Major Nathan Wilder (Army National Guard) continued the presentation for the Camp Edwards, the largest military training site in New England

- a. Mission – Provide realistic relevant training
- b. Highlights – Range Operation
  - Increase sustainability
  - Security – Supporting Public Safety
- c. Safety and Security – Physical Security
  - Natural Resource
  - Programs - Recreational Hunting
  - Controlled Burns

Col. Virginia Doonan (Vice Commander of the 102nd Intelligence Wing, Otis Air National Guard Base) continued the presentation on the 102d Intelligence wing

- a. Military Construction
- b. Future Projects
- c. 102d Intelligent Wing Federal Missions
- d. Cyber Intelligence Surveillance Reconnaissance

Lt. Col. Dave Anderson (Lieutenant Colonel at United States Air Force) continued the presentation on the Cape Cod Air Force station.

- a. Home of the 6<sup>th</sup> Space Warning Squadron
- b. North America's sole East Cost early warning radar
- c. Bi-national active duty squadron
- d. Head quarters at Peterson AFB in Colorado
- e. Personnel
- f. Current and completed projects
- g. Maintain a 4.1M operating budget



Captain Steve Torpey (Commanding Officer of Air Station Cape Cod) finished the presentation.

The Mission

Air Station Milestones

Base Cape Milestones

**Voted** Linda Zuern moved and seconded by Don Pickard to take a few minute recess at 7:54 PM. Vote 5-0.

**Voted** Don Pickard moved and seconded by Stephen Mealy to reconvene at 8:00 PM Vote 5-0.

### **7) Report and recommendation of the Transportation Committee on the MBTA ballot question**

Wesley Ewell, Chairman Transportation Advisory Committee, Briefly updated the committee on the following:

- a. Parking garage/lot spaces
- b. Traffic situation 1-2 trains in the morning and 1-2 trains in the afternoon
- c. Economic impact on the town
- d. Property value increase
- e. When it will start
- f. Joint between Bourne and the MBTA

Mr. Ewell also stated there will be no assessment to the town of Bourne until the service is here. He is confident there will be a positive economic impact to the town.

Mr. Ewell stated the Committee met last Thursday. The motion was set and voted on. It was a unanimous vote to join the MBTA. The motion was:

Our research has convinced us that bringing commuter rail service to Buzzards Bay will provide the catalyst needed to trigger redevelopment of underutilized properties along Main Street and create a vibrant downtown for Bourne. These enormous benefits to be gained by the entire town from this action with very little financial liability and few potential problems. The Transportation Advisory Committee supports a positive vote to join the MBTA in order to send a strong signal to our elected official and potential developers and investors that Bourne wants commuter rail service.

Peter Meier stated that he agrees with the outcome and thinks it will be an economic generator to the area once it is built. There are more benefits than detriments to voting yes on the ballot.

Linda Zuern stated that if we became a member she thought we should get a seat on the Advisory Committee, and heard that that was rescinded. The DOT that we don't become a member at this time, and there are other organizations that have said the MBTA has to fix itself first.

Don Pickard stated appreciates all the work that committee has put into this and hopes the town votes to join, and sometime down the road we will experience economic growth and increased values to our residents in that area.

Stephen Mealy stated that on May 19, our town will have an opportunity to redirect the future of the Buzzards Bay village. The Ballot of May 19 contains a question asking the voters if they would like to join the MBTA.

During the public meeting that was held at the Upper Vocational High School on May 6, Mr. Thomas S. Cahir, Director of the Cape Cod Regional Transit Authority provided several pieces of information, that we have heard this evening, that supports Bourne joining the MBTA.

Mr. Cahir assured the meeting that no assessment would be levied against Bourne until actual train service started. He discussed the financial support that has been highlighted by intermittent service due to heavy snow and the cost of trying to repair or fix the T. Mr. Cahir stated that in the past the Commonwealth has made up the differences with subsidies and feels that the acts of the Legislature and not requiring the ridership nor the member communities will continue to support the T in this financial burden that they face.

The Town's assessment you have heard this evening, for FY17 is approximately \$48,000 if service were to start next year. The rails, switches and crossing and the infrastructure are already in place and no additional work needed to be done other than the construction for some type of platform here in Buzzards Bay.

Following the vote at the winter Special town Meeting, in which the town voted to put this on the ballot, the Town Planning office received four inquiries about land in and around Buzzards Bay for development. Just the act of discussing commuter rail service to Buzzards Bay has people willing and interested in providing infrastructure and calling on our community.

The Transportation Advisory Committee has spent nearly a year reviewing the impacts of bringing commuter rail to Buzzards Bay, together with planning and traffic engineers from the Cape Cod Commission. Based upon this work, the Committee voted unanimously to support joining the MBTA.

Initial service we talked about this evening will take about 120 parking spaces. These spaces are already available and will not infringe on town or private parking areas. Additional paid parking could be made available by public or private land.

Bourne has worked hard getting ready for this service. We have adopted a "Growth Incentive Zone", allowing development without further review by the Cape Cod commission. We have adopted smart growth zoning to control how development will take place. We have new architectural regulations in place to control how that development will look.

There are challenges before us: Parking controls on Main Street, increased traffic at certain times of day the train's arrival and departure, and the need for wastewater treatment to support the incoming development. These will not be easy, but we can address those. We continue to talk about Economic Development and the need to bring additional revenue to our town.

We continue to point to Buzzards Bay, a village that seems to be waiting for something to happen to allow the village to become our economic center as it was decades earlier, and it all started with trains. I ask the public to support the town joining the MBTA and help kindle the revitalization of Buzzards Bay allowing our residents' access to the Boston medical community, alternative employment opportunities and new growth it will bring to the town. I ask all voters to support the Ballot Question to join the MBTA. I am going to vote for it on the ballot.

Don Ellis thanked Mr. Ewell for an outstanding job. Would appreciate it if he could give the motion and the vote to Mr. Guerino so the board members could get a copy of it for their permanent file. Wanted to remind the people, when they do vote, that they need to understand there will be an assessment from the MBTA that will be charged against them. We have an assessment placed against us from the Cape Cod Rail Transportation Group at this present time that we combined. They will offset but they will be combined. I have asked this question a number of times but still haven't gotten an answer, If we join the MBTA and we become a voting member does that make us subject to the deficit of the MBTA? I am concerned that it will be thrust upon the people of the town of Bourne, in lite that we may not get service for a short time. They will be paying to bail them out of a disastrous winter that the just had. That's not to say that it can't improve the town and do a lot of good things that will happen. Will we be assessed to take a piece of the deficit?

Mr. Ewell stated we don't have an absolute answer to that but the consensus is that whatever the debit the T has is built into their fee structure and fair structure. No one stated there will be a one-time charge.

**Voted** Don Pickard moved and seconded by Stephen Mealy to accept and endorse the recommendation of Transportation Committee on the MBTA ballot question. Vote 4-1.

Mr. Mulvey stated his concerns. He doesn't think the town is ready for the rail to come into Bourne. He thinks Wareham is a better place because they have the space and parking. Look at all the ramifications; the town isn't ready for it at this time.

Peter Meier stated this won't happen overnight. There will be a plan in place before this is implemented. This will bring in a service that has been missing for a long time. It is a risk worth taking.

Neil Angelo stated to embrace it. The earlier you embrace it the more opportunities you have to design it so it benefits the community.

Linda Zuern agrees with Mr. Mulvey to have it in Wareham because they have the space and parking. It will cause a lot of problems and we have to work those problems out. This isn't the time to join the MBTA.

#### 8) Licenses/Appointments:

- A. Election Workers
- B. Dunkin' Donuts Common Victualer License
- C. MMA

1. [2] One Day Liquor Licenses at Beachmoor
  2. [1] One Day Liquor License at MMA – Pande Dining Hall
- D. Cataumet Club – Street Closure
  - E. Seasonal License Renewal – Cataumet Light Mini Golf

8. A Don Pickard stated we have a request from the Honorable, Town Clerk, Mr. Barry H. Johnson to appoint individuals as election workers with these appointments expiring on June 30, 2015.

**Voted** Don Pickard moved to approve the following individuals for a term expiring June 30, 2015.

Beverly Arbo: Election Officer  
Thomas Aitken: Election Officer  
Kathleen Fritzell Election Clerk and Officer  
Mary Ann Gavin: Election Officer  
Barbara Gill: Election Officer  
Ann Gratis: Warden/Clerk  
George Hammerle: Election Officer  
Jane Heckler: Warden/Clerk/Officer  
Carol O'Sullivan: Election Officer  
Judith Sullivan: Election Officer  
Patricia Wahlberg: Election Officer

**Voted** Don Pickard moved and seconded by Linda Zuern to amend the motion to change the term checker to officer on all parties. Vote 5-0.

8. B. Don Pickard went over the Dunkin Donuts Common Victualer food license application.

We have a routing slip with an application for a common victualer food license. I don't see any notation on page one for any insurance. Property location is at 2 Bourne Rotary. The application is not complete. There is not photograph and one applicant has not listed the place of origin and whether or not the party is male or female.

Building inspector indicated they will need an occupancy permit, the licenses have been paid they need a pre-opening inspection by the Board of Health. Board of Health has indicated they need to know the onsite manager. The Police Chief made a notation; is there an opportunity to close the entrance/exit on the Bourne Bridge. The business certificate was filed with the town Clerk on April 28<sup>th</sup> and the following party is identified as the residence of Eduardo Correia at 10 Whitecliff Road in Buzzards Bay, is that an owner? He is a manager, yet it states the manager is Donna Snarsky.

Peter Meier stated we are under very limited scope. We are here for a common victualer license. Under 2220 on the intensity of use it is going from a restaurant to a restaurant, so there is no change of use. What is the pleasure of the Board? Do they wish to approve it subject to an updated license picture? Mr. Pickard stated that there are a number of different names on the application.

Can you approve it with a condition that we provide those licenses to you. It will take several months for us to open. Probably around the end of August we will be able to open. So we can get started doing the work; can it be approved subject to our giving you the two photos.

Stephen Meier questioned is there anything preventing them from starting to undertake the work without a common victualer license, is that a restriction? Can we correct the form this evening? Would the Board be interested in supporting the application with the understanding that by the end of this week the missing information will be supplied by the applicant. Mr. Meier stated he can hold off on his signature until Friday when everything comes in he will sign it.

Mr. Ellis requested Mr. Pickard make a list of what is required?

Mr. Pickard stated there are two different managers according to the paperwork. On that application on page one there is missing info one Jose Couto and there is another manager listed as Donna Snarsky. On the business certificate the manager is Mr. Eduardo Correia. Mr. O'Connor explained that they are both managers within his operation.

Can you approve the application license with Mr. Carrera as the manager and we will provide you with the two photos and delete Miss Snarsky's name.

**Voted** Stephen Mealy moved and seconded by Linda Zuern to approve the common victualer license with the understanding that the license will be signed after the missing information or incorrect information is provided to the Town. Vote 5-0.

8 C. 1. Don Pickard went over the requests from the Mass Maritime Academy. The first one is for 2 one-day liquor licenses to be held at the Beachmoor at MMA on July 5, 2015 from 3:00 p.m. to 9:30 p.m. all alcoholic Social/Robinson Ceremony Reception; and on July 25, 2015 from 4:00 p.m. to 9:30 p.m. all alcoholic license for the Limerick/Mulhern Ceremony/Reception.

**Voted** Don Pickard moved and seconded by Stephen Mealy to approve the 2 one-day all alcoholic licenses. Vote 5-0.

8 C. 2. Don Pickard went over the requests from the Mass Maritime Academy for the Pande Dining Hall and the adjacent patio and grounds at 101 Academy Drive, Buzzards Bay for the 1 day liquor license for the MMA Sunset Reception on June 19, 2015 from 5:00 p.m. to 11:00 p.m. There are no notations from any department heads.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve the one-day all alcoholic licenses. Vote 5-0.

8 D. Don Pickard stated that Mr. Fisher, the Cataumet Club President has requested that Grasslands Lane, Cataumet on August 1, 2015 from 2:00 to 10:30 p.m. with a rain date of August 2, 2015. An associate is celebrating its' 100 birthday and having a biannual clambake. The request is to seat members and guests at tables up along the street. All residents of Grasslands Lane and the two adjoining streets, Maple & Elm Avenues, are members of the Club and will be

participating in the festivities. They are requesting the road closure during that time to all traffic except for emergency vehicles and have a plan in place to clear the area if necessary.

**Voted** Don Pickard moved and seconded by Don Ellis to approve based on the completed application. Vote 5-0.

8 E. Don Pickard stated under the 2015 Seasonal General Amusement License Renewal Cataumet Light Mini Golf, Manager David Ariagno with a location of 1370 County Road, Route 28A, Cataumet is requesting a general amusement license.

**Voted** Don Pickard moved and seconded by Don Ellis to approve. Vote 5-0.

**9) Selectmen's Business -**

**A. Town Administrator's Evaluation & Merit Increase Review**

**B. Discussion of Town Meeting and Special Election for FY15 Override**

**C. Discussion and Vote on Amended Executive Order for Open Space**

**D. Annual Town Meeting Recap.**

**E. Discussion of reciprocity of allowing Bourne residents to purchase Sandwich town beach stickers at resident rate.**

**F. Summer Schedule (proposed - 5/26 - 6/9, 6/23 - 7/14, 7/28 - 8/11, 8/25 - 9/8, 9/22)**

9 B. Tom Guerino stated that he has an email from the Town Clerk and that speaking with the Assessor's Office in the ability to establish a tax rate, make a recommendation if the Board is prepared to do this tonight relative to the override question and the special Town Meeting that would include an override question and other articles, that we establish the election on October 6<sup>th</sup> with the town meeting on the 19<sup>th</sup>.

Don Pickard questioned we are going to have the ballot question before Town Meeting?

Tom Guerino explained if the ballot question failed we will have to amend the budget, if the ballot question was later then we will have to have another Special Town Meeting to reduce the budget. If it passed at Town Meeting and failed at the ballot we would have to have another Town Meeting to reduce the budget. The last time we did this we did the ballot question first and the Town Meeting subsequently.

Stephen Mealy stated as there were two articles on the Special Town Meeting following the ballot question. One was to approve the override question. The second was that if the override question had failed at the ballot box then there was a new budget, or if it failed at Town Meeting.

Tom Guerino explained that is you have it first you will know what you have to do. If you have it second you don't know what you will have to do and you will have to have another Town Meeting. If you have the Town Meeting first and it passes and it goes to the ballot and it fails you would have to have another Town Meeting to reduce the budget. If you have the election first and it passes and you go to Town Meeting and it fails, at that Town Meeting you can have a contingent budget to reduce.

Don Pickard questioned could it be done in one Town Meeting prior to the ballot vote that you go in with two questions, one for the override question. In the event that that one fails you would then have question two which would be cutting the budget. Mr. Pickard stated that it would be prudent if we had a little more time to study this based on just having received the email from the Town Clerk. Perhaps we should have input from the moderator.

**Voted** Don Pickard moved and seconded by Linda Zuern to continue this in June. Vote 5-0

9 C. Peter Meier explained we voted to approve and waive third reading last time but we never signed it. This is a motion for us to sign it.

**Voted** Don Pickard moved and seconded by Linda Zuern to approve Executive Order Amended No. 15-01 for the Open Space Committee, which was first adopted on June 29, 1999 by Executive Order 99-01 and amended this day May 12, 2015 by Executive Order 15-0. Vote 5-0.

9 D. Peter Meier requested this to be put on the agenda because there were some things that happened at the last Town Meeting. One of them was the Bourne Rural resolution was omitted from the Town Meeting Warrant. Going forward we have to do some cross checks so we don't have these problems again. We need to get back in focus.

Linda Zuern stated at the last Town Meeting things were rushed, motions were being written at the last minute.

Tom Guerino stated motions are usually written as a last minute because they usually change.

Don Pickard stated we have noticed things slip through the cracks. We need to tighten up a lot.

Tom Guerino stated we will be meeting with the Finance Committee in June.

9 E. Peter Meier stated this was a request from a couple residents of the town. The time has come to allow the Bourne residents to purchase Sandwich beach stickers at the resident rate.

Joe Carrara wanted to ask the assistance of the Board to correct a situation that has been in effect for over 100 years. When the town of Bourne and Sandwich were separated over 100 years ago the agreement stated that the residents of Sandwich would be allowed to use Bourne beaches. The Sandwich resident would pay the same fee as the Bourne residents pay with no reciprocity for the Bourne residents. Requesting to make the Sandwich beaches available to the Bourne residents with the same fee the Sandwich residents pay. It will include Ocean Beach, Sandwich Beach, Town Neck Beach, Sandy Neck Beach, as well as numerous fresh water ponds such as Peters Pond recreational area.

**Voted** Don Pickard moved and seconded by Linda Zuern to endorse the request by Mr. Carrera and others to investigate the possibility of Bourne residents being permitted to

purchase Sandwich town beach stickers at the resident rate and further to ask the Town Administrator to initiate the discussions with his counterpart in Sandwich. Vote 5-0

Don Ellis suggested we should go on record as supporting the movement of any sand that gets dredged out of there to be deposited on Sandwich beach to help them with their problem and reclamation of beaches. So the sand that is being removed at the entrance of Buttermilk Bay will be used in a forthright way.

Linda stated she thinks it is a great idea and questioned what the cost is for a beach sticker. Mr. Carrera stated he thinks it is \$105 for non-residents as opposed to \$35 for residents.

Don Ellis stated he feels comfortable in making the suggestion to go along with it. He also suggested that Mr. Guerino ask the Department of Natural Resources how many non-residents licenses for shellfishing Sandwich draws every year.

Tom Guerino stated he will move forward with the request as the Board has directed.

9 F. Peter Meier read the proposed summer schedule for the Bourne Selectmen's meetings. June 9, June 23, July 14, July 28, August 11, August 25, September 8, and September 22 for the regular schedule.

**Voted** Don Pickard moved and seconded by Linda Zuern to adopt the schedule as presented in our agenda amended in 9F. Vote 4-1.

Stephen Mealy doesn't think we should be locked into specific dates.

9 A. Peter Meier stated the Board did their reviews, he has the calculation sheet and summary. He wants to go through the numbers first.

Tom Guerino stated the history has been to provide a summary sheet of the composite scores and then Selectmen 1, 2, 3, 4, 5. If I could ask the Chair that the composite rating, I believe was a satisfactory rating over all, and that the Chairman could prove the written narrative to the public by weeks end so everyone is on the same page and has the opportunity to review.

Don Pickard suggested we table this until the next meeting at which time the Chairman should have the summary completed. The narrative becomes public. If you have changes it would be my respectful recommendation that you redo this and do it at the meeting on the 26<sup>th</sup>. We are not prepared to provide the Town Administrator with his evaluation at this point.

Linda stated that it is in their policy to have anything they are discussing in their packets by the Thursday before the meeting. We have been getting a lot of things after the Thursday. Our packets are supposed to be done so we can pick them up on Friday afternoon.

**Voted** Don Pickard moved and seconded by Stephen Mealy to table the Town Administrators report until the next meeting which is on May 26<sup>th</sup>. Vote 5-0.



**10) Town Administrator's Report  
Police Building Committee**

Tom Guerino stated as the Town Administrator it's time we start to look at a Police Building Committee. It is a function of the Town Administrator under the charter, I'm letting the board know that I'm establishing such a committee and am providing you the makeup of the committee, similar to the DPW Building Committee. It will be a 7-person committee including the Police Chief, the Facilities and Public Works Director, a member of the Finance Committee, a member of the Capital Outlay Committee, and three members at large. Mr. Guerino will serve as an ex-officio and be present as required or requested.

Linda Zuern reminded the Town Administrator that Don Ellis requested to be on that committee.

Mr. Guerino stated if a selectman requested to be on the committee they can be one of the three members at large.

**11) Selectmen's Reports**

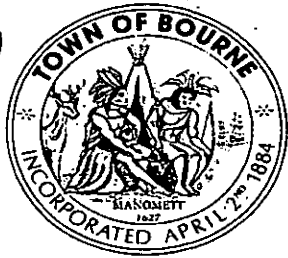
**12) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, May 26<sup>th</sup> at 7:00 P.M.

**10) Adjourn**

**Voted** Don Pickard moved and seconded by Linda Zuern to adjourn. Meeting adjourned.  
Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



# Joint Meeting Board of Sewer Commissioners and Board of Selectmen Meeting Notice



## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday May 26, 2015	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

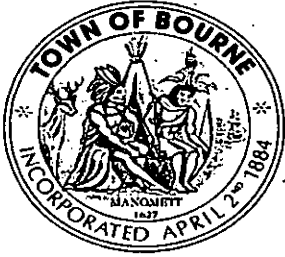
All agenda items herein may be subject to a vote by or other action of the of Board of Sewer Commissioners

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

### Call to order

1. Reorganization Board of Sewer Commissioners
2. Other Business
3. Adjourn

2015 MAY 21 PM 3 36  
TOWN CLERK'S OFFICE  
BOURNE, MASS



**Board of Selectmen and  
Board of Sewer Commissioners  
Meeting Notice  
AGENDA  
AMENDED**



Date

Tuesday  
May 26, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (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: April 30, 2015
  
5. Correspondence
  
6. Reorganization of the Board of Selectmen
  
7. Reorganization of Board of Sewer Commissioners
  
8. Joint Meeting with Conservation Commission, Planning Board and BOS to discuss and vote on public auction of unit 25G Hideaway Village
  
9. Licenses/Appointments:
  - a. Request waiver of insurance for Massachusetts Republican Assembly Fundraiser
  - b. One Day Liquor – Marconi Club Annual Clambake @ Sagamore Boosters
  - c. Bourne Bridge 24 Hour Taxi, Inc. – Request for a Livery License
  - d. Hoxie School – Entertainment License
  
10. Town Administrator's Report
  - a. Health Agent Appointment
  - b. Wings Neck Road Zoning Violations ( Weddings)
  - c. Police Facility Building Committee
  
11. Selectmen's Business
  - a. Town Administrator's Evaluation
  - b. Establish Goals setting session(s)
  - c. Establish Date for Joint session with Finance Committee RE: Town Meeting review
  
12. Selectmen's Reports
13. Other business
14. Adjourn

2015 MAY 22 AM 9 18  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of Tuesday, May 26, 2015  
Bourne Community Building  
Bourne, MA 02532**

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2015 AUG 13 PM 1 22

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Meier called the meeting to order at 7:00 pm.

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

Peter Meier wanted to recognize and welcome Michael Blanton as the new member of the Board of Selectmen.

**Public Comment - Non-Agenda Items**

William Nelson wrote a letter to the Cape Cod Times about the Commuter Rail to Buzzards Bay. He stated the entry into the MBTA will give us all the identified issues but no clear definition of what the benefits are, which is something that needs to be determined and that needs to be led by the Selectmen. They need to make sure all the facts and options are presented to the town. Mr. Nelson also stated his concerns for the Cape Flyer. The times of the trains doesn't coincide with the peak hours of the traffic. He stated the information they were given is completely contrary to the information he has to justify the cost for the station and the siding. He stated that steps should be taken to take it off the table completely.

Amy Kullar, Outreach Director for the Bourne Democratic Committee, wanted to make the Board aware of an event that they are putting on, which is a screening of a documentary that focuses on addiction on Cape Cod, on June 11 at the Bourne Community Center from 6-8 pm. The subject matter deals with 8 recovering addicts who are local to Cape Cod.

# Screening and Q&A 6 p.m. Thursday, June 11



*What Happened Here:*  
*The Untold Story of Addiction on Cape Cod*  
is a full-length documentary film that tells the stories of addicts, families, law enforcement, clinicians, and community leaders who are affected by addiction and recovery on the Cape.

**FREE ADMISSION AND REFRESHMENTS**

**6 PM: RECEPTION, 6:30: SCREENING**

**7:30: Q&A with producers and members  
of the Recovering Youth Coalition**

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

**PROUDLY PRESENTED TO THE COMMUNITY BY THE BOURNE DEMOCRATIC TOWN COMMITTEE**  
Need more information? Please contact us at [bournedemocrats@gmail.com](mailto:bournedemocrats@gmail.com)

Joe Agrillo Sr. brought up the parking and speeding on Chester Park. In regards to speeding, Mr. Agrillo is asking the Board, to prevent anything happening to anyone on that street, to investigate it and get the proper signs that tell people that children live there and

to slow down. The other issue is the parking. There is limited parking on the Avenue. The winter people park their cars there maybe a day, 2 days or more. So when our local citizens come down there is no place to park. He would like the Board to look into putting a time limit parking there and have no overnight parking.

Tom Guerino stated that this issue was brought up last year, late in the season, and the Board opted not to take any action. He agrees we should look into the speed in that area.

Don Pickard asked for an agenda item a couple weeks out after Mr. Guerino has had a chance to look into it. Maybe on June 9<sup>th</sup>, so that we can have a report by the police department.

#### **4) Minutes: April 30, 2015**

**Voted** Stephen Mealy moved and seconded by Don Ellis to approve the minutes from April 30, 2015 as submitted. Don Pickard and Michael Blanton abstained. Vote 3-2-0.

#### **5) Correspondence**

Stephen Mealy brought the committee up to date on the correspondence.

- A. Received a 2015 Cooperative Procurement Program – Public Service Vehicles
- B. Cape Light Compact activity report as of March 2015
- C. Letter from Bristol County Agricultural High School regarding non-resident student tuition, rates will remain unchanged from last year at \$18,860.00 per student
- D. Analysis of Substance Abuse on Cape Cod: A Baseline Assessment that was undertaken and provided by the Barnstable County of Human Services
- E. Received letters of interest from Wesley Ewell and Dennis White to serve on the Charter Review Committee
- F. District Department of Veterans' Services FY 2016 Assessment to the Town of Bourne for \$29,197.18 based on Bourne's share of 6.08% for cost of services
- G. Division of Marine Fisheries: Special Permit for Transplanting Contaminated Shellfish from the Taunton River to be placed in Fisherman's Cove, Phinneys Cove, and Red Brook Harbor and limited to 1500 bushels of quahogs
- H. Cape Cod Regional Transit Authority Fiscal Year 2016 Operating Budget and Budget Message
- I. Necessary documents to process one day special permits applications for liquor licenses

**Voted** Don Pickard moved and seconded by Stephen Mealy to take 10B out of order which is under the Town Administrators: Wings Neck Road Zoning Violations followed by 11A Town Administrators Evaluation so that we might accomplish that while Mr. Meier's chairmanship is still in progress. Vote 5-0.

#### **10) Town Administrator's Report**

##### **B. Wings Neck Road Zoning Violations (Weddings)**

Peter Meier stated that this is an issue that was brought to us by Town Counsel and the Building Inspector.

Tom Guerino brought the committee and the public up to date on this issue relative to Weddings being performed for a fee at Lighthouse Point. It is in direct violation of the Towns Zoning Bylaw. Mr. Guerino stated we have sent certified letters that have not always been picked up so we served the folks with sheriff summons. We thought this year it would have been taken care of given the actions we have taken over the past several years. It came up again and the police had noted it and wrote a report and forwarded it to Town Counsel. The next action, if the Board so chose, would be of a formal civil complaint in court and that has to be done in a public session. The Town has no other steps it can take. Counsel recommended it be brought before the Board of Selectmen for their disposition on whether to move forward with civil action through Counsel.

Don Pickard questioned if there has been any communication between Attorney William Rosa from Wynn & Wynn and Attorney Troy. We don't have any idea what should be placed in reserves to initiate a suit on behalf of the town.

Michael Blanton stated this has been an ongoing problem for a number of years. It is true there could be a cost to the town. We owe the residents to have their rights protected.

Don Ellis stated that this is a quality of life issue and that is why we have Zoning Bylaws. If the bylaws have been ignored then we should support the residents and in the best interest for all this board should stand up and get this straightened out.

Paula Meriden, who lives at the end of Lighthouse Point, stated her complaints. In 2005 was the first wedding. Christine, who owns the lighthouse and is part of the association, said she would not do it again. In two years she advertised for public events. It is the commercial events in the residential area that bother us. In 2007 she had 4 weddings. It is very disruptive. Last year after the cease and desist order was sent out there was a wedding; we called the police. In 2012 there was another wedding. They not only breached our property they breached the Corp. of Engineers property also. The Corp. of Engineers had to come out and tell them to move all their stuff. It isn't just a few events. It is out of control. It is illegal to use a property for commercial use in a residential area. I have documentation and pictures.

Don Pickard stated that copies should go to Town Counsel.

Tom Guerino stated not only did we send a letter that was not picked up we served them. Once served, the party has the opportunity to appeal the Building Inspector's decision, and the opportunity to appeal the Building Inspector was not done.

Don Pickard suggested contact be made between Attorney Rosa of Winn & Winn and Attorney Troy to find out why they haven't abided by the cease and desist order. Try to settle this with the lease amount of fees. Absent that we will have to take it to court.

Tim Cronan, part of Lighthouse Point Association stated that this has been going on for years and now she is renting it by the day or by the weekend.

Peter Meier stated he will support to go on to a civil matter. We need to defend the action and protect the bylaws we have in place. Mr. Meier suggested to see if we go to court and we get an action in our favor if the defendant could be responsible for all reasonable attorney's fees in this matter since it is her negligence that caused it.

Don Ellis stated that this is a national historic site and that should be part of the consideration.

Michael Blanton agrees that we should engage Town Counsel; also brought up that this could be a Board of Health concern if they are using the property as a hotel, and there could be an IRS issue as well.

Tom Guerino stated the issue before the Board of Selectmen is the violation of the zoning bylaws.

**Voted** Stephen Mealy moved and seconded by Don Pickard to have the Town Administrator work with Town Counsel to undertake a civil action to enforce the zoning bylaws relative to the alleged violation that has been documented on Lighthouse lane.  
Vote 5-0.

Tom Guerino stated he will contact Counsel in the morning.

## **11) Selectmen's Business**

### **a. Town Administrator's Evaluation**

Peter Meier went over the Town Administrator's performance evaluation. Mr. Meier read the summary review.

The following is a summary of the composite of the 2014/15 performance evaluation of the Town Administrator. It is a consolidation of the overall Satisfactory rating for the Town Administrator during this review period.

All of the Selectmen had areas which they cited as needing improvements and well as areas where the Town Administrator has performed well. The major topics, which the Board believed were areas of concern included:

Lack of utilizing staff to the extent whereby, "his trying to do everything himself, has resulted in errors being made." This has created complications, added unnecessary costs, and the need for corrective action after the fact, making other priorities fall behind schedule." The Town Administrator should utilize departmental staff more fully.



In attempting to keep all members of the Board "happy" there can be an appearance of some members not receiving all of the same information at the same time. The Board recognizes that there are widely varying views amongst themselves and this makes for complicated relationships, but the Town Administrator should endeavor to be more removed from the controversy that Board members may find themselves in. This will bring a better sense of mutual respect between the Board and the Town Administrator.

Some members commented that the Town Administrator should have been more "out front" of the Town's budgetary issues. Some believe that more should have been on the need for an override with better explanations of problems with reserves. Some believe that staff additions that were requested in the Board's Goals should have been included in the budget as priority, with other positions being eliminated to achieve this. Other members feel the Town Administrator did not explain the full rationale for the elimination of the Director at the Bourne Veterans' Community Building. While there is disagreement among the Board on this particular position, the Town Administrator should have been more concrete with his rationale to all members.

The long-term financial plan did not receive the attention some members believe it should have, especially given the current financial position of the Town.

The Town Administrator is sometimes "too accessible" to staff and the public. He should seriously consider amending the open door policy to one that is more restrictive.

The Town Administrator should provide more material in report form and further provide greater detail when making presentations to the Board. Materials need to be organized so there are not multiple mailings via email. A more consolidated approach must be attempted. This will help the Board to come to better decisions in a more timely manner. Meeting materials must be complete void of supplemental materials each week.

The above being noted and of concern to the Selectmen, the Town Administrator had many notable accomplishments. Some of these include:

The direct and positive results in clearing up many issues at the DPW. While the Town Administrator was in the lead on this issue, he utilized professional staff within the DPW and Facilities Department to address longstanding issues which came to light.

The progress on the Boards goals was quite satisfactory, though as stated above there are differences within the Board members.

The closing of the loop on the Town's Solar Power Purchase agreement which is anticipated to save the Town approximately \$250,000 per year is a substantial success.

His ability to be agile with the requests of the Selectmen regarding further reductions to the FY16 budget is noteworthy, notwithstanding there are differences amongst the Board members regarding budget specifics.

The Town Administrator's team approach to bigger items such as the Harvest Power Agreement, DPW facility construction, are good examples of strengths the Town Administrator brings to the community.

The Town Administrator's ability to represent the Town of Bourne and the Selectmen's positions to the Legislature, State and County leaders, and community groups is commended. He has continued to work well with the Town's eight bargaining units during difficult financial times.

As stated above, the overall review rating is that of a satisfactory performance. The Town Administrator will continue to work to improve and be more attentive to the areas of concern cited within this summary.

Respectfully,

Peter Meier, Chairman

The grade for satisfactory goes from 1.5 to 2.4; the score was a 1.58. It was satisfactory. There are improvements that need to be made and the Town Administrator is aware of those improvements and over the year he has a task ahead of him to make those improvements.

Don Pickard stated this was a difficult year for the Town Administrator. This evaluation is the lowest numerical score I have seen in 6 years. 1.5 out of 4.0 is the lowest score the Administrator can get and be considered Satisfactory. It is a fraction of a point higher than Needs Improvement. This is unacceptable in my opinion for a ten-year Administrator. In my opinion the town deserves better than satisfactory.

During this annual review process near the end I have been told by two members of the board that the Town Administrator mentioned that it is time for the board to consider buying out his contract. I was later told that the Administrator wants the remaining two years of his contract paid in order to leave.

If he is removed for reasons other than cause, which requires a 4-1 vote he will receive six months' severance and several other benefits. His contract also states that if the Administrator is removed for cause he gets no severance. In my opinion the Town Administrator has done a number of things over the last year that provides strong evidence that he could be removed for cause and receive no severance.

Based upon this evaluation, the Town Administrator's desire to have his contract bought out and my documentation of his actions over the past year, I believe it is time for the Town Administrator and the Chair to sit down and discuss an exit strategy.

If the Town Administrator and Chair cannot come to an agreement about the departure that conforms to the Town Administrator's contract by noon on June 4, 2015, I will request an agenda item which states "Removal of the Town Administrator for Cause". I will then present a preliminary report to the Board of why I believe the Town Administrator can be removed for cause based upon his actions since his last evaluation. Further, I will request that the Board vote on a preliminary resolution of removal as outlined in Section 4-5 of the Charter.

Stephen Mealy stated that it has been a tough year for the Town Administrator as well as the Board. I would ask that prior to the June 4<sup>th</sup> meeting the Chairman and the Vice-Chairman meet with the Town Administrator and go through a discussion about what the resolution would be if the Administrator were to depart but also if the Administrator would stay under what circumstances and what kind of goals would be set by the Board as a whole.

Don Ellis stated that the severity of this shouldn't be left to just the Chairman and the Vice-Chairman. All members of the Board should be involved. There may be a difference of opinion based on the three remaining members. It should be an open session that all of us attend and have the opportunity to have a discussion.

Don Pickard stated if it came to that, that's where the agenda item would be for the preliminary resolution for removal where everyone would get to hear it. It can be the chairman and one other member to come to some sort of conclusion. Have two people determine by meeting with the Administrator if we can go forward as a Board and an Administrator so the Town is served at the highest possible level. If it is the feeling by those three individuals that it can then some resolution is selected. If the resolution is agreeable it goes on from there. If it cannot then it goes by way of the Charter, which is 4.5.

Stephen Mealy stated if it is the pleasure of the Board to do a joint session I would support it. I think Mr. Ellis makes some valid points. My suggestion would not want to eliminate any further discussion by any members but to try to come to a conclusion quickly relative to any further action by the Board. It is a situation that needs to be addressed by all of us.

Michael Blanton agrees with Mr. Ellis. With his lack of history of having a working relation with the Town Administrator I wouldn't be able to make a decision to the best of my ability without some more experience. Having that discussion involving all the members of the board rather than having been called after the fact and make a decision without that due diligence. I'd appreciate being a part of that conversation for my education benefit and also to bring the fresh perspective from all of us from around the board to that discussion so we can decide what the best course is for the Town, the Town Administrator, the Board and the Citizenry.

## 6) Reorganization of the Board of Selectmen

Don Ellis would like to nominate Peter Meier for Chairman.

Don Pickard would like to nominate Stephen Mealy for Chairman. Michael Blanton will second the nomination.

**Voted** Don Pickard moved and seconded by Michael Blanton to close the nominations. Vote 5-0.

Peter Meier did a roll call vote for the new chairman.

Mr. Ellis voted for Mr. Meier

Mr. Mealy voted for Mr. Mealy

Mr. Blanton voted for Mr. Mealy

Mr. Pickard voted for Mr. Mealy

Mr. Meier voted for Mr. Meier

Vote 3-2.

Peter Meier stated that Mr. Mealy is now the new Chairman for the Board of Selectmen.

Peter Meier asked if there is a nomination for Vice Chairman for the Board of Selectmen.

**Voted** Stephen Mealy moved and seconded by Michael Blanton to nominate Mr. Pickard as the Vice-Chairman for the Board of Selectmen.

**Voted** Don Pickard moved and seconded by Michael Blanton to close the nominations. Vote 5-0.

Peter Meier stated on the motion to vote Mr. Pickard as the Vice-Chairman for the Board of Selectmen. Voted 5-0.

**Voted** Don Pickard moved and seconded by Stephen Mealy to nominate Mr. Blanton as the Clerk for the Board of Selectmen.

**Voted** Don Pickard moved and seconded by Stephen Mealy to close the nominations. Vote 5-0.

Peter Meier stated on the motion to vote Mr. Blanton as the Clerk for the Board of Selectmen. Voted 5-0.

Peter Meier spoke about his term as Chairman of the Board of Selectmen over the last year.

**7) Reorganization of the Board of Sewer Commissioners**

Don Pickard stated Ms. Zuern was the Chairman for the Sewer Commissioners and I am Vice-Chairman, I ask for nominations for the Chairman. I note that Mr. Blanton expressed an interest for Clerk of the Sewer Commissioners; he is the only one that expressed interest.

**Voted** Stephen Mealy moved and seconded by Peter Meier to nominate Mr. Blanton as the Clerk for the Board of Sewer Commissioners.

**Voted** Peter Meier moved and seconded by Stephen Mealy to close the nominations. Vote 5-0.

Don Pickard stated on the vote for Mr. Blanton as Clerk for the Sewer Commissioners. Vote 5-0.

Don Pickard stated we have one letter from Mr. Mealy requesting to be Vice-Chairman for the Sewer Commissioners.

**Voted** Michael Blanton moved and seconded by Don Pickard to nominate Mr. Mealy as the Vice-Chairman for the Sewer Commissioners.

**Voted** Peter Meier moved and seconded by Don Pickard to close the nominations. Vote 5-0.

Don Pickard stated all in favor of Mr. Mealy for Vice-Chairman for the Board of Sewer Commissioners. Vote 5-0

Don Pickard stated he expressed interest for the Chairman of the Board of Sewer Commissioners.

**Voted** Michael Blanton moved and seconded by Peter Meier to nominate Mr. Pickard as the Chairman for the Board of Sewer Commissioners.

**Voted** Peter Meier moved and seconded by Don Ellis to close the nominations. Vote 5-0.

Don Pickard stated all in favor of Mr. Pickard for Chairman of the Board of Sewer Commissioners. Vote 5-0.

**8) Joint Meeting with Conservation Commission, Planning Board and BOS to discuss and vote on public auction of unit 25G Hideaway Village**

This is going to get rescheduled for June 9, 2015. Planning Board and Conservation could not get a quorum for tonight.

**9) Licenses/Appointments:**

- A. Request waiver of insurance for Massachusetts Republican Assembly Fundraiser**
- B. One Day Liquor – Marconi Club Annual Clambake @ Sagamore Boosters**
- C. Bourne Bridge 24 Hour Taxi, Inc. – Request for a Livery License**
- D. Hoxie School – Entertainment License**
- E. Hoxie School – Arts & Creativity Festival – 2 tents -2 food vendors – estimated attendance 600**

9 A. This item has been withdrawn for this evening.

9 B. Don Pickard went over the request for a one day license for Sagamore Boosters Club, 90 Adams Street, Sagamore on the basement and grounds of Boosters Club. The attendance is estimated to be 350 people and event to be held on July 19, 2015. They are requesting a one-day liquor license for their annual clambake from 11 a.m. to 5 p.m. There are several notations. Board of Health noted issued has been addressed cooking done on grill. The operators do have ServSafe. Police and fire have both indicated roadways are not to be obstructed and noted not to have more than 99 people inside.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve based upon the completed application. Vote 5-0.

9 C. Don Pickard went over the request for a Livery License from the Bourne Bridge 24 Hr. Taxi, Inc. There is a completed application and it is an existing business, the insurance is in order, and the vehicle has been inspected and approved by the Police Department.

**Voted** Don Pickard moved and seconded by Peter Meier to approve based on the existing business and completed license. Vote 5-0.

Ken Sherman stated that every year they take vehicles off the road for the winter and put them back on during this season, so every year we will come back multiple times. There is another vehicle being worked on, once that is complete I will be back in a couple of week: Mr. Sherman explained that every time he puts a vehicle on the road he has to reapply for the license and come before the board for approval. Mr. Sherman questioned once we have the license can we just switch from one vehicle to another when we change them over?

9 D. Don Pickard went over the request for an Entertainment License from Hoxie Center, Arts & Crafts Festival at 30 Williston Road, Sagamore Beach on May 30 & 31, 2015 from 8:00 a.m. to 2:00 p.m. on Saturday and on Sunday from 8:00 a.m. to 6:00 p.m. The license is for Belly Dancing and Center Stage Students, Tiffany Prout,; Leitao Center Stage Dance Academy; Singer Brandon Manter; Irish Step Dancing, Colleen Kanaley; TCRG Kanaley School of Irish Dance Cape Cod; Karate, William French; Tumble Time Gymnastics; Juggling, overhead acts, New Bedford. There is a completed application. The Building Inspector indicated outside only no building occupancy. The Police Department indicated no liquor consumption, no road blockages at any time, and parking contained on site.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the application. Vote 5-0.

9 E. Don Pickard went over the request from the Hoxie Center for May 30, 2015 as well as May 31, 2015 for the Arts and Creativity Festival – 2 tents – 2 food vendors.

**Voted** Don Pickard moved and seconded by Peter Meier to approve based on the application. Vote 5-0.

Stephen Mealy wanted to note that the Fire Department stated they need a current inspection for the food truck and the roadways are to be kept open, no cooking under tents, if the tent is over 10 x 12 they need a permit from the Building Inspector.

### **10) Town Administrator's Report**

- a. Health Agent Appointment**
- b. Wings Neck Road Zoning Violations (Weddings)**
- c. Police Facility Building Committee**

10 A. Tom Guerino stated Cindy Coffin is retiring and we have posted the position internally. Had a panel consisting of two members of the Board of Health, HR, the Health Inspector from the town of Yarmouth, myself and the Finance Director meet in an formal interview setting on the internal application. Terri Guarino was the internal candidate and was unanimously recommended by the panel to be given the position. I offered the position to her pursuant to the Charter. She will be commencing at a grade M8 Step 1. She will have a one-year probationary period. She will not take over until July 1, 2015 so I am not requesting any waiver of the 15-day period that the Board has.

10 C. Tom Guerino stated pursuant to the Board's request I have made the changes including adding a member of the Board of Selectmen on that committee, Mr. Ellis has indicated an interest to serve on that committee. I have sufficient request from folks to successfully fill that committee and will do that pursuant to the charge.

Stephen Mealy read the first paragraph from the Town Administrator's Police Facility Building Committee Membership Charge.

The Town Administrator's Police Facility Building Committee shall be composed of 7 members, who possess knowledge, experience or interest in engineering, construction, finance and modern law enforcement management. Included in the Committee membership shall be one member of the Board of Selectmen, one member of the Finance Committee, one member of the Capital Outlay Committee, and four members appointed at large by the Town Administrator. The Town Administrator, Chief of Police, and the Director of Facilities and Public Works shall serve as ex-officio members. They shall attend meetings of the Committee as required and requested by the full Committee.

**11) Selectmen's Business**

**A. Town Administrator's Evaluation**

**B. Establish Goals setting session(s)**

**C. Establish Date for Joint session with Finance Committee RE: Town Meeting review**

11.B Tom Guerino explained that the Board must, under the Charter, establish their goals setting session within a defined period of time and be completed with those goals within, I believe, 45 days. The Board should establish dates as soon they can. Not on a regular Board scheduled evening, and have a professional facilitator.

Don Pickard questioned, if it is within the Charter, could each member of the board go over with the clerk within the week or 10 days their vision of what the goals should be?

Stephen Mealy suggested since we have new members that we take the last two years of goals to allow the membership to see what has been done in the past. Mr. Mealy will ask the Town Administrator's office to send out copies of the last two years goals. The membership can take a look at them and get back to the Board Clerk by June 5, 2015.

11 C. Stephen Mealy stated we need to establish a date with the Finance Committee to do a review of the Town Meeting.

**12) Selectmen's Reports**

**1. Board to authorize review of Taylor Point Marina financials and future disposition.**

**2. FY 16 Budget Discussion**

Peter Meier stated we need a discussion on the updated recreation plan. We should also contact the Capital Outlay Committee to see what's on their list, the long-term capital plans, to see if we can get that 5-year recreational plan going. The CPA Act expires in 2020 so we have 4 more fiscal years to possible get money out of the CPA funds for recreational purposes. For discussion purposes, we need to have the conversations of a third bridge. We should have a discussion on what the status is and what the people think.

Don Pickard suggested before the next meeting on the 9<sup>th</sup> to get a list of Committees the Board members serve on. Mr. Mealy and Mr. Guerino can work on what their best assessment of when the Board of Sewer Commissioners should meet.

Tom Guerino stated that you have to meet on the 9<sup>th</sup>. You have a request from Taylor Point relative to the new flood zone maps on the connections of homes to the waste water system. I know there are two other application pending. We have engaged Weston & Sampson to review the current sewer regulations to bring them up to date not only from their perspective of the flood zone change and also the velocity zone change on Taylors Point. Look at a review of the regulations we have in place.



Michael Blanton thanked the public for allowing him the opportunity to serve on the board. Mr. Blanton also stated that as the former town representative of the Cape Cod Commission I have informed them effective immediately I will no longer be serving in that capacity. That position will need to be posted in town. Mr. Blanton will send a copy of that letter to the Town Administrator.

Don Ellis stated he was pleased to represent the Board of Selectmen and the town at the Memorial Day Services that were held by the VFW and the American Legion Post.

Stephen Mealy stated there will be a new Selectmen workshop by the Massachusetts Municipal Association. It is not just for new members. Mr. Mealy stated he would like to go again and that Mr. Blanton should go. Mr. Mealy also stated he would like to establish a workshop one evening with the Town Counsel to take a quick look at our Charter. He would also like to extend his thanks to Mr. Meier and Ms. Zuern for their services this last year.

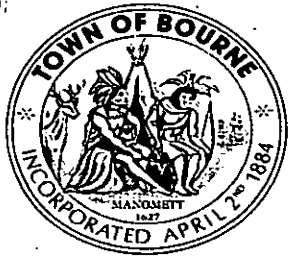
### **13) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, June 9<sup>th</sup> at 7:00 P.M.

### **14) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Meeting adjourned at 8:53 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



## Board of Selectmen

### Meeting Notice

### AGENDA



Date

Tuesday  
June, 2, 2015

Time

6:30 – 8:00 p.m.

Location

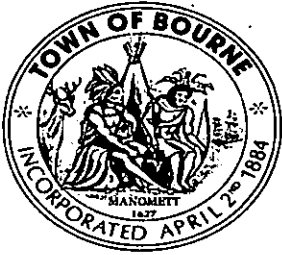
Bourne Veterans' Memorial  
Community Center  
239 Main Street, Buzzards Bay

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. **WORKSHOP Regarding the Selectmen's roles and responsibilities contained within The Town of Bourne Charter, as amended.**
2. **Review of the Open Meeting Law**
3. **Adjourn.**

2015 MAY 29 PM 1 39  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



2015 JUN 5 PM 3 00  
EXECUTIVE SESSION 5:30 P.M.  
Litigation and Collective Bargaining  
TOWN CLERK'S OFFICE  
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 9, 2015	6:15 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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:15 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Joint Meeting with Conservation Commission and Planning Board to discuss the sale of surplus property (25G) Hideaway Village)
5. Minutes:
6. Correspondence
7. Signing of Bond Anticipation Note (BAN)
8. Hoxie Historic Restriction
9. Hoxie Deed signing
10. Licenses/Appointments:
  - a. One Day Liquor - National Marine Life Center Event
    1. [7.4.15] – Cape Cod Beer – Wine & Malt
    2. [7.5.15] - National Marine Life Center –Wine & Malt
  - b. National Marine Life Center – Arts & Crafts Fair, food vendors, local business booths, music at the bandstand, kids activities (7 rides)
  - c. Three [3] One Day Wine and Malt Liquor Licenses for the Sagamore Beach Colony Club
  - d. 4<sup>th</sup> of July Parade
  - e. Bourne PTA – Request waiver of use of park fee – 10.4.15 Event
  - f. License for the Cataumet Club, Inc. for a seasonal wooden swim float in Squeteague Harbor
  - g. Bourne/Wareham Art Association request waiver of fees for both the use of the park and liability insurance.

## CONVENE JOINT SESSION WITH FINANCE COMMITTEE AND SCHOOL COMMITTEE

1. Review Annual
2. Discuss and establish dates for Override Ballot and Town Special Town Meeting
3. Discuss preliminary override amount and amount of FY16 (17) reductions if override question does not prevail.
4. Adjourn.

10 f) Mr. Guerino explained it is a 5-year license agreement, a renewal on the Cataumet Club to place a wooden float in Squeteague Harbor. Insurance is in place.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the request from the Cataumet Club to place a wooden float in Squeteague.

Mr. Mulvey questioned if it was approved by the Harbor Master.

**Amended Motion - Voted** Don Pickard moved and seconded by Michael Blanton to approve the placement of a wooden float in Squeteague Harbor by the Cataumet Club, Inc. for the upcoming beach season contingent upon the approval of the Harbor Master  
Vote 5-0.

10 g) Request from the Bourne/Wareham Art Association requesting waiver of fees for both the use of the park and liability insurance. Mr. Guerino recommended not to waive the liability insurance.

**Voted** Don Pickard moved and seconded by Michael Blanton for the Board of Selectmen to waive the \$100 fee for the Bourne Wareham Art Association. I further move the Board instruct the Town Administrator to collect the deposit, which is returnable upon the condition of the park being examined by the Department of Public Works, but not to waive any liability insurance and require liability insurance. Vote 5-0.

### **8) Hoxie Historic Restriction**

Tom Guerino explained this is part of the of the 3 or 4 contingencies relative to the transfer of the property at Hoxie going from the Town to the Hoxie Group. Should the Board approve this this evening, at the next meeting it is anticipated we will have a deed that Town Counsel will have prepared so that we can close this loop, and we will successfully be able to transfer this property.

Jon Nelson went over the Hoxie Historic preservation restrictions. MHC, Town Counsel, and the Hoxie Group has approved it.

**Voted** Peter Meier moved and seconded by Don Pickard to authorize to sign the Hoxie Reservation Restriction. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier take a 5-minute break.  
Vote 5-0.

7:20 Chairman Mealy called the meeting back to order.

### **9) Hoxie Deed signing**

CONVENE JOINT SESSION WITH FINANCE COMMITTEE AND SCHOOL COMMITTEE

#### **a. Review Annual**

**Board of Selectmen  
Minutes of Tuesday, June 9, 2015  
Bourne Community Building  
Bourne, MA 02532**

.....

2015 AUG 13 PM 1 22

TA Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise and Paul Gately Bourne Currier.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 6:34 pm.

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

**Public Comment - Non-Agenda Items**

None requested.

**4) Joint Meeting with Conservation Commission and Planning Board to discuss the sale of surplus property (25G) Hideaway Village)**

**Conservation Committee Members present were: Thomas Ligor, Bob Gray, Elizabeth Kiebala, and Paul Szwed.**

Tom Guerino went over the information on the property at 25G Hideaway Village. We are trying to get this property on the auction list. We need to get permission to sell this property from the Conservation Commission and the Planning Board.

**Voted** Don Pickard moved and seconded by Peter Meier to sell the surplus property known as at 25G Hideaway Village by Auction. Vote 5-0.

The Conservation Commission made a motion to put the property up for sale. The motion carried.

The Planning Board made a motion to put the property up for Auction, 25G Hideaway Village. The motion passed.

Conservation Commission and the Planning Board adjourned and left at 7:40 pm.

### 5) Minutes

Postpone until the next meeting.

### 6) Correspondence

Don Pickard brought the committee up to date on the correspondence.

- A. Letter of resignation from Thomas Armstrong as a member of the Board of Appeals
- B. Letter of interest from Kat Brennan requesting appointment to the Board of Appeals
- C. Public notice: US Army Corp of Engineers received permit application to conduct work in the waters at 101 Academy Drive, in Buzzards Bay
- D. Received a copy of a letter that was sent to Henry Donovan, President, Monument Beach Sportsman's Club to discuss the safety mitigation for Army personnel and their contractors that work within the down range area of their Long Rifle Range
- E. Town Administrator's Police Facility Building Committee – Membership and Charge
- F. Upper Cape Cod Regional Technical School submitted Total Assessment to the Town of Bourne in the amount of \$3,294,382.00
- G. DEP (Department of Environmental Protection) Affirms the Harbor Master's decision to deny a 10A permit application to Thomas McDonald
- H. Letter from DEP regarding 428 Barlows Landing Road, Pocasset
- I. Letter of interest from Timothy Sawyer requesting appointment to the Board of Appeals
- J. Letter of interest from Amy Kullar requesting appointment as Associate member to the Board of Appeals
- K. Mass Fiscal Alliance advocates for better fiscal policies that may affect the Town of Bourne
- L. Elder Services 3<sup>rd</sup> quarter meal statistics for January, February, and March 2015
- M. Division of Marine Fisheries: Closed to shellfishing – Monument Beach Marina, Pocasset Harbor (Barlows Landing), and Red Brook Harbor
- N. Letter from DEP regarding Queen Sewell, Provisional Approval of Hydrogeological Evaluation Report
- O. Amended Correspondence: Michael Blanton submitted letter of resignation as Bourne's Representative to the Cape Cod Commission

Stephen Mealy requested letter "E" to be read.

Tom Guerino read letter "E" Town Administrators Police Facility Building Committee Membership & Charge to understand the membership and charge.

Stephen Mealy briefly went over the dollar amount for the Upper Cape Cod Regional Technical School.

**7) Signing of Bond Anticipation Note (BAN)**

Tom Guerino went over the Bond Anticipation Signing and what it will cover, roadway and retaining wall - \$220,000, equipment - \$95,000, school repairs (elevator) - \$60,000, school feasibility study - \$50,000. He recommends the Board of Selectmen accept the bid from Century Bank.

**Voted** Don Pickard moved and seconded by Peter Meier to accept the bid from Century Bank as described in the memorandum from the assistant treasurer dated June 5, 2015. Vote 5-0.

**10) Licenses/Appointments:**

- a. **One Day Liquor - National Marine Life Center Event**
  - 1. [7.4.15] - Cape Cod Beer -- Wine & Malt
  - 2. [7.5.15] - National Marine Life Center -Wine & Malt
- b. **National Marine Life Center - Arts & Crafts Fair, food vendors, local business booths, music at the bandstand, kids activities (7 rides)**
- c. **Three [3] One Day Wine and Malt Liquor Licenses for the Sagamore Beach Colony Club**
- d. **4th of July Parade**
- e. **Bourne PTA - Request waiver of use of park fee - 10.4.15 Event**
- f. **License for the Cataumet Club, Inc. for a seasonal wooden swim float in Squeteague Harbor**
- g. **Bourne/Wareham Art Association request waiver of fees for both the use of the park and liability insurance.**

Don Pickard went over the licenses.

10 a-1) Cape Cod Beer, Inc. (Caterer) in Hyannis having a function on July 4<sup>th</sup> from 10am to 6pm, at the National Marine Life Center Event, for a beer tent. Permission to allow sale of alcoholic beverages on town property at an event to be catered by Cape Cod Beer. The comments are DPW: They need to make arrangement for trash removal. Police Department: They must comply with all liquor laws. Detail officers are required. Mr. Guerino stated that the beer will only be served from noon to 6 pm.

**Voted** Don Pickard moved and seconded by Peter Meier to approve based on a completed application. Vote 5-0.

10 a-2) National Marine Life Center for a one day wine and malt beverage license for an enclosed area in a tent to be held on July 5<sup>th</sup> from 11am to 6pm. Application appears to be complete. We have the insurance binder. Board of Health: The only comments are that any food vendors will need to be licensed thru the BOH. Stephen Mealy stated that there is also a comment that an officer will be required.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve based on a completed application. Vote 5-0.

10 b) National Marine Life Center arts and craft fair food vendor, local business booths, music at the bandstand, kids activities and tents. On July 3<sup>rd</sup> setup at 8:00, Saturday July 4 from 7am to 8pm and on Sunday July 5 from 7am to 6pm. Estimated attendance of 2,000 people. The police Department had written comments.

**Voted** Don Pickard moved and seconded by Don Ellis to approve based on a completed application with diagram as well as the certificate of liability. Vote 5-0.

Peter Meier questioned having food vendors in front of the food business.  
John Ford explained who the food vendor are and where they will be located.

10 c) Sagamore Beach Colony Club annual request for 3 one-day liquor licenses for beer and wine only. It will be on 7-18-15 from 5:00pm to 11:00pm for a family night, on 8-14-15 from 6:00pm to 11:00pm for a corn hole tournament and on 8-9-15 from 6:00pm to 11:00pm for Oktoberfest annual fundraiser. The application appears to be completed. The Fire Department's comment is "Has to be under 100 people or crowd manager and sprinkler system will be required".

**Voted** Don Pickard moved and seconded by Don Ellis to approve the one day liquor licenses for beer and wine only for the Sagamore Beach Colony Club. Vote 5-0.

10 d) July 4<sup>th</sup> parade submitted by Jennifer Kennedy. The parade will be from Academy Drive down Main Street to Perry Avenue. The Board of Health commented that any food vendors need to contact BOH for licenses. Anything to do with trash please contact Mr. Sala.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve based on a completed application. Vote 5-0.

Peter Meier questioned the placement of the banner. He was told by the organizer, the banner needs to be relocated, where it has been in years past it cannot be there anymore. Mr. Guerino stated he wasn't aware of that and he will try to accommodate as much as possible.

10 e) Bourne PTA request to waive the \$100 rental fee for the Buzzards Bay Park.

**Voted** Don Pickard moved and seconded by Michael Blanton for the Town of Bourne through the Board of Selectmen to approve the waiver of the fees of \$100 for the PTA for October 4<sup>th</sup> 5k Family Fun Day in Buzzards Bay but the Town will require a deposit which will be returned once the park is returned to its normal condition as identified by Mr. Sala. Vote 5-0.



- b. **Discuss and establish dates for Override Ballot and Town Special Town Meeting**
- c. **Discuss preliminary override amount and amount of FY16 (17) reductions if override question does not prevail.**
- d. **Adjourn.**

**a. Review Annual Town Meeting**

The Finance Committee didn't have a quorum, so they didn't call their meeting to order. Present for the Finance Committee were Chairman Mary Jane Mastrangelo, Vice-Chair John Redman, George Slade, Brian Lemee, Kathleen LeGacy, Bill Towne.

Present for the Bourne School Committee were Christopher Hyldborg, Anne-Marie Siroonian Heather DiPaolo, Laura Scena, and Judy Froman.

Stephen Mealy wanted to have a review of the Annual Town Meeting, relative to the preparation and the Town Meeting itself, and open the floor to any comments.

Mary Jane Mastrangelo stated that the budget support documents were helpful and should be included in the budget presentation. The updated sources and uses provided information that is useful and the free cash analysis was helpful, the long term projection model should be included at the budget presentation so we see the impact of the budget, and the FTE analysis was useful. The joint meeting with the Board of Selectman and the Finance Committee is helpful for communication.

Stephen Mealy also questioned if there is anything that could be added or should be added for the future.

Chris Hyldbord stated the Finance Project Working Group was good to help the superintendent and give him the feedback he needed to establish and inseminate the budget.

**b. Discuss and establish dates for Override Ballot and Town Special Town Meeting**

From the discussions with the Board of Selectmen, Finance Committee, and School Committee members the following is the calendar as adopted by the Board of Selectmen.

**Working Override Schedule**

June 09, 2015 as Adopted

May 28<sup>th</sup>

1. Department Heads meet with T/A to discuss override and reduction proposals to be brought back to the T/A in the amounts of 5, 10, and 20%.
2. This group to be advisory to the T/A on budget reductions.

June 8<sup>th</sup> –

1. Review time line and make recommendation to BOS.
2. Financial Project Working Group (FPWG) will review long-term projections and advise a preliminary override amount and preliminary reduction amount to be recommended to the BOS for their June 9<sup>th</sup> meeting.
  - a. Should this be a joint meeting with Override Working Group (OWG) to agree on starting-point and who is going to do what?

June 9<sup>th</sup>

1. Joint meeting with FinCom, School Committee and BOS to discuss above
2. BOS to vote on date of Ballot vote and STM.
3. BOS to vote on preliminary Override and Reduction dollar amounts
  - a. Currently 1.3 million (half year) or \$2.6 million full year reduction with a \$2.9 override
4. BOS adopts schedule for Override evaluation.

June 15<sup>th</sup>

1. FPWG to finish review of Financial Policies and vote recommendation to be presented to BOS/FinCom.

June 23<sup>rd</sup>

1. BOS reviews FPWG Financial Policy recommendation, 1<sup>st</sup> reading
  - a. Possible joint meeting with FinCom for Financial Policy review?

June 23<sup>rd</sup> – August 25<sup>th</sup>

1. Community Outreach

June 24<sup>th</sup>

1. School Committee Budget Workshop

June 29<sup>th</sup>

1. FPWG to review and discuss Long-Term Financial Plan (LTFP) and look at different scenario i.e., 5-year with OPEB and Capital vs. 3-year without OPEB and Capital
2. How to deal with military aide
3. Vote recommendation to be forwarded to BOS and FinCom.

July 13 -14<sup>th</sup>

1. FinCom and BOS Year End transfers and Reserve Fund closeout meeting.
  - a. Possible Joint meeting on either day.
2. BOS Preliminary Review of departmental Proposed Reductions presented by T/A
3. BOS Second Reading, discussion on Financial Policies
4. Initial discussion LTFP
  - a. Joint with FPWG or add School Committee?

July 15<sup>th</sup>

1. School Workshop

July 28<sup>th</sup> -

1. BOS second review of Proposed Reductions
2. BOS continued review of Long Term projections and Override amount
3. Third reading and vote on Financial Policy
  - a. Possible Joint meeting with FinCom for this purpose?

August 11<sup>th</sup>

1. FinCom/BOS Joint Meeting to review two new Sources and Uses
  - a. Sources and Uses with Override
  - b. Sources and Uses with reductions based on input from July 28<sup>th</sup> meeting and year end
2. BOS Vote on override dollar amount for ballot question

August 25<sup>th</sup>

1. BOS continue departmental reports on budget impacts
2. BOS votes on Proposed Reduction amount for FY16 budget if override doesn't pass (no later than September 8)

September 8<sup>th</sup> – October 6<sup>th</sup>

1. Public Education on Proposed override and Budget Reductions

September 8<sup>th</sup>

1. Reductions finalized if not already done and public informational presentations begin

October 6<sup>th</sup>

1. Special Town Election for Override Tuesday October 6, 2015

October 19<sup>th</sup>

1. Special Town Meeting Monday October 19, 2015

**Voted** Peter Meier moved and seconded by Michael Blanton to set the override election for October 6 2015 and the Special Town Meeting for Monday October 19, 2015.

**c. Discuss preliminary override amount and amount of FY16 (17) reductions if override question does not prevail.**

Stephen Mealy stated this is a proposed preliminary override in the amount of 2.9 million dollars. It would insure the ability of the town not to raise any additional funds by any additional overrides for the next five years.

Linda Marzelli went over the Financial Scenarios.



## Financial Scenarios

### Assumptions

- New Growth added to the tax base is 300,000 per year
- Local receipts increase an average of 1.7%, Cherry Sheet revenues remain stable but Cherry Sheet charges increase 5%.
- Town Salaries increase at 2.5% and Expenses at 1.5%
- Bourne Public Schools increase at 2.25%
- Upper Cape Tech School increases at 8%
- County Retirement increases at 8%
- Group Health Insurance increases at 7%

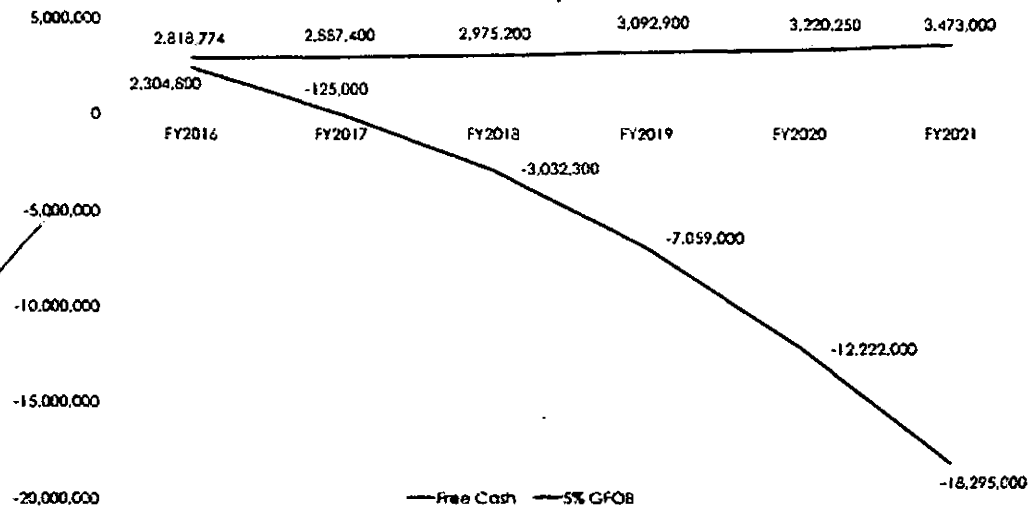
### Scenario 1 - Do Nothing

- Free Cash Estimated to be \$2,304,800 in FY16.
- Free Cash being used in FY16 for budget is \$1,792,345.
- The Towns Free Cash Policy is to have a free cash balance of 5% of GFOB. FY16 GFOB of \$57,674,883 equals free cash of \$2,883,744. Free Cash for FY16 is estimated at \$2,304,800 which equals 4% and is below policy.
- Free Cash necessary to balance FY17 is \$2,476,000. Using all available free cash of \$2,304,800 leaves a deficit of 125,000 and no free cash for future years.

### Scenario 1 - Do Nothing

BALANCE SURPLUS OR DEFICIT	Current Budget FY 15	Proposed Budget FY 16	Ass. Head Rate of Growth FY 17-21	Future Projected Years				
				FY 17	FY 18	FY 19	FY 20	FY 21
Revenue Sources	\$1,320,000.00	\$2,010,000.00		\$6,548	\$6,575	\$6,602	\$6,629	\$6,656
Expenses	\$1,080,000.00	\$1,680,000.00		\$2,551	\$2,578	\$2,605	\$2,632	\$2,659
Balance	\$240,000.00	\$330,000.00		\$3,997	\$3,997	\$3,997	\$3,997	\$3,997
Cumulative Balance				\$4,794	\$4,794	\$4,794	\$4,794	\$4,794
<b>BALANCE WITH AVAILABLE FUNDS</b>								
Free Cash for Expenditures	\$1,792,345.00	\$1,792,345.00		\$2,476	\$2,476	\$2,476	\$2,476	\$2,476
Free Cash for Assets	\$25,000.00	\$25,000.00						
Free Cash for Capital	\$200,000.00	\$200,000.00						
Balance	\$0.00	\$0.00		\$	\$	\$	\$	\$
<b>FUND BALANCE</b>								
Free Cash Only 15	\$87,316.00	\$2,304,800.00	2.80%	\$123	\$123	\$123	\$123	\$123
Investment (15-1)	\$1,704,484.00	\$1,704,484.00	2.80%	\$2,476	\$2,476	\$2,476	\$2,476	\$2,476
Total Balance	\$1,791,800.00	\$1,791,800.00		\$2,599	\$2,599	\$2,599	\$2,599	\$2,599
Free Cash % of GFOB	4.7%	4.0%		4.7%	4.7%	4.7%	4.7%	4.7%
Investment % of GFOB	3.0%	3.0%		3.0%	3.0%	3.0%	3.0%	3.0%
Other Free Cash of 15 (including 15-1)	\$1,556,700.00							
Free Cash with Question/Reduction		\$2,304,800.00						
Projected (21) Surplus/Deficit	\$1,320,000.00							
Scenario 1 - Do Nothing			4.0%					

### Free Cash Balance to Policy-Scenario 1



### Scenario 2 – 2.9 million override

- Override of 2.9 million would bring free cash in FY16 to \$5,204,800
- Free cash for FY16 would be above policy at 9% of the GFOB
- Free Cash would not be required to balance FY17's budget. Excess Revenues over expenses would increase free cash in the amount of \$396,000
- Free Cash would begin to be needed again to balance FY18's budget in the amount of 7,000 and in FY19's budget in the amount of \$993,000
- Free Cash would stay within policy almost through FY2020 when it would drop to 4.6% but would fall below policy in FY21 at .6%
- Tax Impact would be an additional .7081 cents per thousand. Average house in FY15 is \$290,200. Cost of override in year one estimated at \$205.49 or \$17.12 a month

## Scenario 2 – 2.9m Override

BALANCE		Current	Proposed	Assumed	Future Projected Years				
SURPLUS OF DEFICIT		Budget	Budget	Rate of Growth					
		FY 15	FY 16	FY 17-21	FY 17	FY 18	FY 19	FY 20	FY 21
Revenue Sources		61,539,899.00	65,816,084.00		\$65,018	\$67,477	\$69,322	\$70,914	\$72,341
Expenditures		65,092,650.00	64,856,776.00		\$65,621	\$66,458	\$67,285	\$67,815	\$68,189
Balance		-3,552,751.00	0.00		\$-503	\$-981	\$-963	\$-901	\$-848
Cumulative Balance					\$1,044	\$1,068	\$68	\$1,916	\$4,608

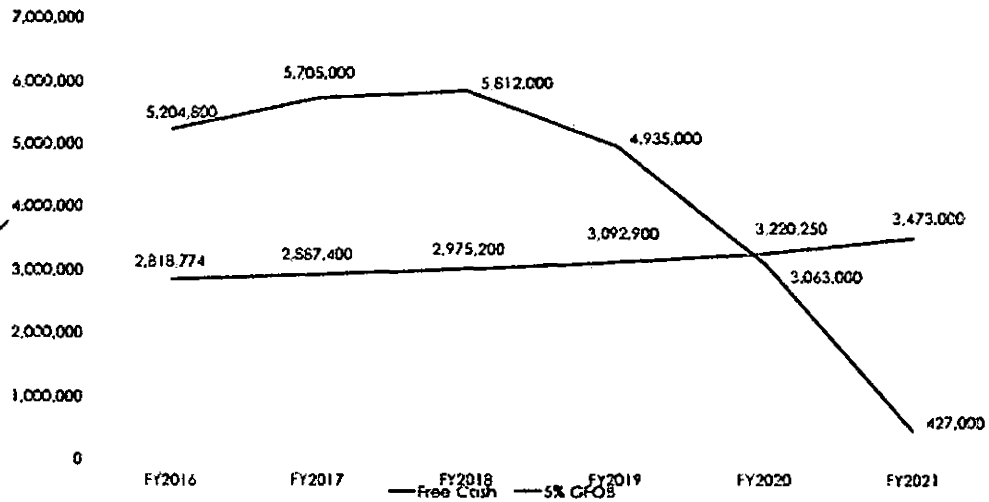
  

BALANCE WITH AVAILABLE FUNDS		Current	Proposed	Assumed	Future Projected Years				
		Budget	Budget	Rate of Growth					
		FY 15	FY 16	FY 17-21	FY 17	FY 18	FY 19	FY 20	FY 21
Free Cash for Expenditures		3,139,000.00	1,792,345.00		-33%	\$7	\$93	\$1,971	\$2,087
Free Cash for APFOS		373,934.00	73,300.00						
Free Cash for Capital		25,000.00	25,000.00						
Balance		0.00	2,900,000.00		\$	\$	\$	\$	\$

RESERVES		Current	Proposed	Assumed	Future Projected Years				
		Budget	Budget	Rate of Growth					
		FY 15	FY 16	FY 17-21	FY 17	FY 18	FY 19	FY 20	FY 21
Free Cash (July 1)		4,697,346.00	2,314,100.00	7.00%	\$3,705	\$5,612	\$4,916	\$1,063	\$427
Stock System (July 1)		3,512,245.00	3,023,184.00	7.00%	\$3,427	\$3,751	\$3,824	\$3,820	\$3,810
Total Reserves		8,209,591.00	5,337,284.00		\$7,132	\$9,363	\$8,740	\$4,883	\$8,037
Free Cash % of GFOR		8.7%	4.0%		9.1%	9.4%	7.9%	4.0%	0.6%
Stock System % of GFOR		6.3%	4.3%		6.1%	6.0%	5.9%	5.2%	5.7%
Other Free Cash of 2015 ending year		-1,556,921.00							
Free Cash with Override/Reservations			5,204,600.00						
Expenditures (FY 17-21) Revenue		1,000,000.00							
Scenario 2 2.9M Override			9.0%						

## Free Cash Balance to Policy-Scenario 2



### Scenario 3 – Cuts

- Cuts would be made in FY2016 in the amount of \$1,300,000 and \$2,600,000 in FY17 forward.
- Free Cash would be above policy FY16-18 but would begin to fall below policy in FY19 at 3.7% and down to negative .2% and negative 5% in FY20 and FY21 respectively.
- Cuts would reduce costs on the employee benefit side of expenses (health insurance, medicare tax and retirement benefits) but increase costs for unemployment insurance.
- Additional cuts beyond the 2.6 million would be necessary beginning in FY19

### Scenario 3 – Budget Cuts

BALANCE SURPLUS OR DEFICIT	Current Budget FY15	Proposed Budget FY 16	Assumed Rate of Growth FY 17-21	FY 17	FY 18	FY 19	FY 20	FY 21
Revenue Sources	61,028,997.00	62,416,625.00		53,545	56,573	56,177	54,773	61,468
Expenditures	62,754,870.00	63,554,750.00		53,572	56,623	56,210	54,773	61,225
Balance	-2,525,873.00	-938,125.00		\$124	-524	\$1,366	\$2,427	\$1,243
Committed Expenses				\$613	-1,116	\$3,488	\$4,964	\$4,186

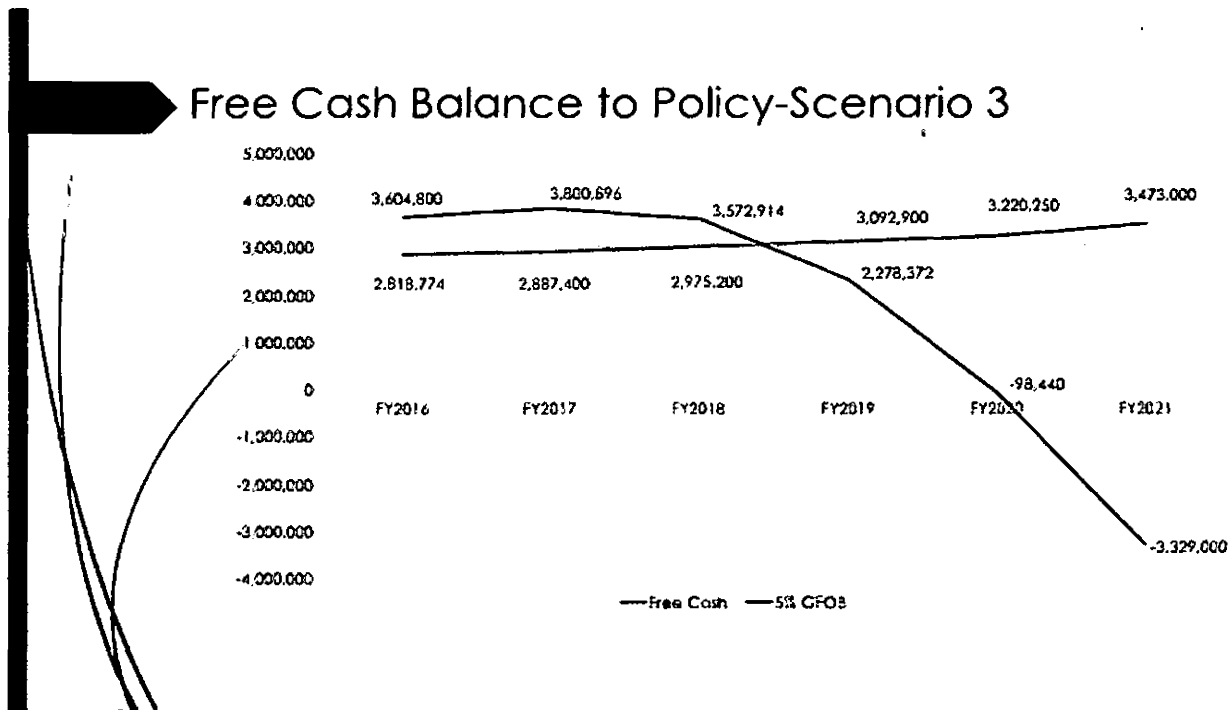
  

BALANCE WITH AVAILABLE FUNDS	Current Budget FY15	Proposed Budget FY 16	Assumed Rate of Growth FY 17-21	FY 17	FY 18	FY 19	FY 20	FY 21
Free Cash for Expenditures	5,154,020.00	1,792,348.00		-5124	3406	\$1,366	\$2,422	\$1,251
Free Cash for Assets	573,971.00	78,974.00						
Free Cash for Debt	20,000.00	20,000.00						
Balance	5,448,000	1,308,000		\$	\$	\$	\$	\$

LEISURES	Current Budget FY15	Proposed Budget FY 16	Assumed Rate of Growth FY 17-21	FY 17	FY 18	FY 19	FY 20	FY 21
Free Cash % of OPE	8.7%	4.1%	2.0%	3.3%	3.5%	3.2%	3.4%	-1.0%
Free Cash % of OPE	4.3%	4.3%	2.0%	3.3%	3.5%	3.2%	3.4%	-1.0%
Other Free Cash of OPE	1,664,971.00	6,939,441.00		27,424	27,225	36,306	33,624	34,528
Free Cash with Over to Policy		3,624,970.00						
Expected FY16 Unfunded Reserve	1,308,000.00							
Scenario 3 cuts no service		4.4%						





George Slade suggested we explain what free cash is and how it affects the Town's budget?

Don Ellis suggested we have to state how we got into this position and how we are going to prevent it from happening again.

Stephen Mealy asked the Board members to take a vote for a preliminary override figure of 2.9 million and a recommendation for a preliminary cut in fiscal year 2016 for 1.3 million dollars and a preliminary cut in fiscal year 2017 for 2.6 million dollars as a starting point with the understanding that these numbers may change.

Don Pickard stated this is not an endorsement of the numbers it is just stating for the public that this is what the Financial Planning Working Group has brought forward at this time.

Mary Jane Mastrangelo stated this is the beginning of the process it is by no means the approval of that amount of override or that amount of cuts.

Stephen Mealy restated the suggested motion: for the Board of Selectmen to approve a preliminary override amount of 2.9 million dollars and a preliminary reduction in 2016 of 1.3 million dollars and a preliminary reduction in 2017 of 2.6 million dollars.

Don Pickard suggested to use the verbiage to acknowledge that this is the preliminary number necessary to move forward

Mary Jane Mastrangelo suggested to use recommend a preliminary number of 2.9 million.

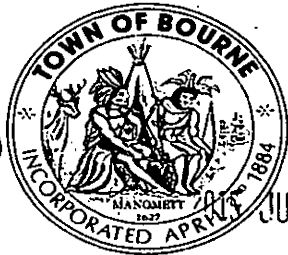
**Voted** Peter Meier moved and seconded by Michael Blanton to recommend a preliminary override amount of 2.9 million dollars and recommend a preliminary reduction in 2016 of 1.3 million dollars and recommend a preliminary reduction in 2017 of 2.6 million dollars. Vote 5-0.

**11) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Meeting adjourned at 8:54 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.

The next Bourne Selectmen meeting will be on Tuesday, June 23<sup>rd</sup> at 7:00 P.M.



# Board of Selectmen Meeting Notice AGENDA



JUN 12 AM 9 43

TOWN CLERK'S OFFICE **EXECUTIVE SESSION 6:00 P.M.**

BOURNE, MASS

To discuss complaints or charges brought against a public officer, employee, staff member or individual. The individual has received a 48-hour notice of this executive session and has not requested the session be in open session.

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

To discuss strategy with respect to collective bargaining. An open discussion may have a detrimental effect to the bargaining position of the public body.

The Board will re-convene in public session following the Executive Session.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 16, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:15 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
  2. Salute the Flag
  3. Public Comment – Non-Agenda Items
  4. Minutes: April 30, 2015
  5. Correspondence
  6. Hoxie Deed signing
  7. Licenses/Appointments
    - a. Request to install a 3'x24' Street Banner for the Canal Fest on July 4 & 5
  8. Town Administrator's Report
  9. Selectmen's Reports
    - a. Establish Goals setting session(s)
  10. Selectmen's Business
    - a. Discussion of possible future warrant article for Home Rule Petition to allow the Town to offer an early retirement program.
    - b. Discussion with the Town Administrator to prepare an incentive plan and meet with union representatives to determine if the Town can institute a bonus program for employees who provide cost saving ideas.
    - c. Open House at the Massachusetts Maritime Academy
10. Adjourn

Future Agenda Items

- Appointment of MBTA Representative
- Selectmen's Appointments
- Discussion of Public-Private Partnerships as it relates to funding for the Third Canal Bridge
- Presentation of the Third Bridge Plans and status of MassDOT review

**Board of Selectmen  
Minutes of Tuesday, June 16, 2015  
Bourne Community Building  
Bourne, MA 02532**

SEP 3 AM 9 54

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

**Selectmen**

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

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:12 pm.

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

**Public Comment –**

Mr. Agrillo brought up Chester Park with regard to the parking and the speed.

William Nelson spoke about the Commuter Rail to Buzzards Bay and the Cape Flyer. He would like to formally request this Board use its influence to see if we can't find some way to unequivocally and permanently kill those projects. He also spoke about the Dunkin Donuts on the Bourne Rotary. Don Pickard suggested Mr. Nelson write to the Town Administrator to get the items he wants to talk about on the agenda so we can spend more time discussing them.

**Voted** Don Ellis moved and seconded by Peter Meier to take item number 6 out of order for the next item to discuss.

**6) Hoxie Deed Signing**

Mr. Bob Troy brought the Hoxie deed to pass around, the Board has already voted to do this. Mr. Troy stated to comply with the open meeting law I wanted to do it in open session. When it is complete the notarization will have to take place at Town Hall, because the notary is not here. I will transmit it to the Town Administrator and she will notarize each of your signatures as you come in.

**Voted** Peter Meier moved and seconded by Michael Blanton to sign the deed. Vote 5-0.

**4) Minutes April 30, 2015:**

**Voted** Peter Meier moved and seconded by Don Ellis to approve the minutes from April 30, 2015 as presented. Don Pickard and Michael Blanton abstained. Vote 3-0-2.

**5) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

- a. Letter from Bennett Environmental Associates. David Bennett, President of Bennett Environmental Associates filed termination paperwork with Mass. DEP. He is no longer the license site professional for the waste cleanup at 428 Barlows Landing Road in Pocasset.
- b. A letter from Wayne and Lydia Manter from Bournedale; they wrote to Cape Cod Commission and copied the Bourne Board of Selectmen with regards for concerns they have with the wind turbine project being proposed by Future Generation Wind being installed in Plymouth, but in close proximity to the Town of Bourne border.
- c. A letter from Margaret Downey of the Cape Light Compact containing the April monthly energy efficiency report
- d. A letter from Richard Libin, Chair of the Shore Harbor Committee, expressing concerns over the use of the pier at Barlow's Landing in Pocasset
- e. Two emails, one from Vincent Michienzi, from Gray Gables and another from Richard Conron also from Gray Gables, both expressing interest in filling in the remainder of the term for the Bourne representative for the vacated position for the Cape Cod Commission
- f. Email from Wes Ewell expressed he is not seeking further appointment to the town's Transportation Advisory Committee

Tom Guerino believes the inspection of the regulatory team is meeting on that item, item b. The selectmen at some point will be asked to grant an easement. Mr. Guerino also stated the Cape Cod Commission unexpired term is on the agenda for next week.

**7) Licenses/Appointments:**

- a. **Request to install a 3'x24' Street Banner for the Canal Fest on July 4 & 5**

John Ford, representative for the Marine Life Center, they are asking to put up a 3' by 24' street banner that states "Cape Cod Canal Fest". It would go up at the same location as the Scallop Fest.

Peter Meier stated the normal area is not structural sound so they cannot be put up there anymore.

Tom Guerino stated they are looking for an alternate spot to put the banners up. He suggested the board vote to allow this if we can find a place for it to hang.

Jonathan Nelson, Facilities Manager for the town, stated the pole in front of St. Peter Church, the guide wire is on private property. We had issues with it last year where the guide wire snapped.

The church does not want us to put it back on their property. We are investigating other solutions to put up banners.

**Voted** Don Ellis moved and seconded by Peter Meier that we allow this to be installed under the discretion of Jonathan Nelson, representative of the town. Vote 5-0.

**8) Town Administrator's Report**

Tom Guerino stated they are primarily working on the work by the Financial Planning Working Group in an effort to put together the budget reduction numbers with the department heads relative to a scenario if the override fails.

**9) Selectmen's Reports**

**a. Establish Goals setting session(s)**

Stephen Mealy would like to establish a date for setting goals; it may take the place of the regular meeting. July 14<sup>th</sup> will be the date for the goal-setting meeting. Tom Guerino recommended a facilitator for that evening. Mr. Mealy agreed that a facilitator would be good for that evening.

Peter Meier for a future agenda item – for one of the board members to be certified in CPR.

Don Ellis would like to thank Jonathan Nelson and George Sala for their participation in a very comprehensive CPA project, at the Indian Cemetery on South Herring Pond. Mr. Ellis would also like to request through this board, Mr. Nelson and Mr. Sala to look into the problem of the trees that are being defoliated on town property because of the winter moth situation, and whether there will be an effect down the road and we will lose these trees. Should they be sprayed, looked at, or maintained, because there may be a possible safety issue involved.

Michael Blanton attended; a civic group in town organized, a screening of a documentary called, what happened here the untold story of opioid addiction on Cape Cod. It was well attended.

Stephen Mealy would like to recognize the Hospice Unit here in Bourne, The Life Choice Hospice Program for their Hospice Honors award. The Financial Project Working Group reviewed the financial policies and we will be looking at those next week at the Selectmen's meeting, in anticipation of review and adoption for use during the summer in preparation for the override. Mr. Mealy stated he also received a new population for the town of Bourne. The Town Clerk has released a population of 19,507 people as a result of the last census. This is a 3.6 reduction. The reduction may be attributed to the changes in population at Joint Base Cape Cod, at the two nursing homes, and at the Mass Maritime Academy. There will be a fall conference on October 3<sup>rd</sup> by the MMA, Mass Mutual Association, for selectmen.

**10) Selectmen's Business –**

**a. Discussion of possible future warrant article for Home Rule Petition to allow the Town to offer an early retirement program.**

- b. Discussion with the Town Administrator to prepare an incentive plan and meet with union representatives to determine if the Town can institute a bonus program for employees who provide cost saving ideas.**
- c. Open House at the Massachusetts Maritime Academy**

10 a. Don Pickard spoke about offering an early retirement program for the town employees to reduce the town's salaries. Ask Mr. Guerino to follow up with Town Counsel/Town Moderator and his department heads for a head count to find out how many people that would effect and come back with a recommendation what the item would be and if we want to bring it forward for discussion.

Michael Blanton concurs with Mr. Pickard. If the town is facing an override request we need to show the public and the voters we are making every effort to curb the budget.

**Voted** Don Pickard moved and seconded by Michael Blanton for the Board to direct the Town Administrator to investigate a possible home rule petition to allow for an early retirement program. Vote 5-0.

10. b. Stephen Mealy spoke about preparing some type of incentive plan so the town can institute a bonus program for employees that have cost saving ideas. Trying to improve the way we do things day to day.

Don Pickard stated there are a number of employees who can think of ways the town can become more efficient and save money. We will ask the Town Administrator to meet with the union representative to see if the town can do this without opening contracts. Mr. Pickard suggests that a committee of several department heads and several representatives of the bargaining units determine how it could best happen. I would recommend that if a person brings forward an idea it should go to a committee including management and representatives of the bargaining units who will evaluate and bring forward to the Town Administrator and the Board of Selectmen. The first step would be to discuss the incentive plan with the bargaining units.

Tom Guerino has discussed with some of his colleagues to see if any communities currently doing this.

**Voted** Don Pickard moved and seconded by Michael Blanton to direct the Town Administrator to initiate an initial investigation into instituting a bonus program regarding cost savings. Vote 5-0.

Mr. Blanton questioned Mr. Pickard if he has any conceptual ideas for what the bonus would be.

10 c. Stephen Mealy spoke about Mass Maritime's open house. Mass Maritime has held an open house for the residents of Taylors Point. In a recent meeting I had with Rear Admiral Gurnon I asked if he might extend that to other residents in the Town of Bourne. He suggested the academy hold an open house to all the residents of the Town of Bourne on August 8, 2015.

**Voted** Peter Meier moved and seconded by Michael Blanton to accept the invitation from Rear Admiral Gurnon. Vote 5-0.



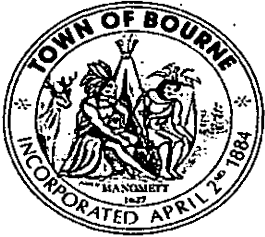
**10) Adjourn**

**Voted** Peter Meier moved and seconded by Don Ellis to adjourn. Meeting adjourned.  
Vote 5-0.

**Future Agenda Items**

- Appointment of MBTA Representative
- Selectmen's Appointments
- Discussion of Public-Private Partnerships as it relates to funding for the Third Canal Bridge
- Presentation of the Third Bridge Plans and status of MassDOT review

Respectfully submitted – Carole Ellis, secretary.  
I wrote from DVD



# Board of Selectmen Meeting Notice AGENDA



**Sewer Commissioners: Request permission to connect into town sewer system  
39 Buttermilk Way, Buzzards Bay**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 23, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes:
5. Correspondence
6. Licenses/Appointments:
  - a. Appeals Board reappointments - 1 regular & 2 associates
  - b. Annual Selectmen Committee Appointments
  - c. Charter Review Committee:
    1. Establish Committee Membership
    2. Appointments – 8 applicants
  - d. Cape Cod Commission Appointment – 1 vacancy - 2 applicants
  - e. Conservation Commission – reappointments 3 regular & 2 associates
  - f. Bylaw Committee – reappointments 2 regular
  - g. Cape Cod Regional Transit Authority – reappointment 1 regular
  - h. Capital Outlay – reappointments 2 regular
  - i. Constable – reappointments 5 regular
  - j. Council on Aging – reappointments 3 regular
  - k. Historic Commission – reappointments 3 regular & 4 associates
  - l. Recreation Committee – reappointments 2 regular
  - m. Registrar of Voters – reappointment
  - n. Shore and Harbor – reappointments 3 regular
7. Selectmen's Business
  - a. Upper Cape Transfer Station – Inter-municipal agreement
  - b. Discussion on regional recycling program at ISWM
  - c. First reading of proposed Financial Policy Amendments
8. Town Administrator's Report
9. Selectmen's Reports
10. Other business
11. Adjourn

2015 JUN 19 PM 3 05  
TOWN CLERK'S OFFICE  
BOURNE, MASS

## Future Agenda Items

- Appointment of MBTA Representative
- Discussion and presentation of Public-Private Partnerships as it relates to funding for the Third Canal Bridge
- Organizational Chart
- Cape Transportation Study

**Board of Selectmen  
Minutes of Tuesday, June 23, 2015  
Bourne Community Building  
Bourne, MA 02532**

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TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

**Selectmen**

Stephen Mealy, Chairman  
Don Pickard, Vice-Chairman  
Michael Blanton, Clerk  
Don Ellis  
Peter Meier was excused

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:04 pm.

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

Stephen Mealy stated Cape Cod Commission is down one member. Because of the request by that member to participate in that particular vote it will be postponed one week.

**Public Comment - Non-Agenda Items**

Margaret Burke spoke about the Future Generation Wind. Mrs. Burke and her neighbors have concerns with the wind project. Some of the concerns are the potential impact from infrasound, the sound below the level of human hearing, which has been associated with unsteadiness, vertigo, nausea, tinnitus, memory loss, stress, panic, and ear pressure among others. Also concerned with audible sound, which can disrupt sleep and can lead to serious life altering health problems. Please investigate the effects the wind farm may have on the Royal Cape Cod Nursing and Rehabilitation home. She also has concerns that they will exceed, at least some of the time, the Massachusetts Noise Regulation Air Pollution Regulation. Mrs. Burke is requesting the Board of Selectmen intervene on behalf of those Bourne neighbors bordering the project, who will go from a residential setting to an industrial one with all serious health effects associated with a large industrial wind turbine power plant.

Lidia Manter commented on the turbine project. It may not have an effect on the residents in close proximity on Head o the Bay Road. The Bourne Board of Health regulations say one thing and our By-Laws say one thing. There will be residents living within proximity of turbines that will be inconsistent with the Bourne By-Laws.

**4) Minutes:**

Will take these next week.

**5) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

Received a letter from Massachusetts School Building Authority with regard to the construction for the Peebles Elementary School and the MSBA did approve of Symmes Maini & McKee Associates to serve as the Owners Project Manager.

Received a letter from Jack Chepren; would like to have a Farmer's Market back in Buzzards Bay Park on Fridays. They did not want to coordinate that effort but would like the Board of Selectmen to get involved and attract an organizer and vendors.

Letter from the Coalition for Responsible Retailing regarding tobacco products. They were very concerned about a report that came from the Massachusetts Health Officers Association suggesting retailers were the source of tobacco issues. They would like to visit our Board and make a presentation at some point in the future.

Notice from the Cape Cod Commission – Notice of Public Review and Comment Period for 3 documents: the Regional Transportation Plan; the Transportation Improvement Program; and the Unified Planning Work Program. There are matters that pertain to the town of Bourne specifically.

Last correspondence that came in earlier today from Dr. Paul Corner from Pocasset that has expressed interest in being appointed to the Cape Cod Commission.

Stephen Mealy suggested we take agenda 7A & 7B out of order.

**7) Selectmen's Business**

**a. Upper Cape Transfer Station – Inter-municipal agreement**

**b. Discussion on regional recycling program at ISWM**

**7 a. Upper Cape Transfer Station – Inter-municipal agreement**

Tom Guerino thanked Dan Barrett and Phil Goddard for working on how this piece of land will move forward in future years as things have changed in our waste stream. Mr. Guerino recommends the selectmen endorse this.

Dan Barrett went over the Inter-municipal Agreement. The agreement is an instrument that keeps the four towns bound together. The IMA will dissolve as of June 30<sup>th</sup>. It was the

wish of the Board of Managers to continue the Inter-municipal Agreement, while we continue to investigate alternate uses for that facility. The Board of Managers decided to keep the Inter-municipal Agreement alive for a request for proposals to find an engineering firm to do a feasibility study. Weston & Sampson is currently working on a feasibility study, which should end probability at the end of September. The focus is going to be to keep utilization of the rail, to keep the rail alive as best we can. This is pretty much as it was back in 2008; it just extends the time out until 2018.

Don Pickard questioned if this is the same agreement we have been operating under or have there been any changes by any other municipality.

Dan Barrett stated Sandwich changed some of the language items; they were minimal. We reviewed them as a board and some we changed back. Each town passed it out to their Town Counsel. Counsel Troy has looked at it and approved it.

Stephen Mealy stated he'll note that we received a memorandum from Robert S. Troy, Town Counsel dated June 16, 2015. He has approved as to form the agreement in which we are discussing before us this evening.

Don Ellis questioned if the site is in use for any transfer. All the equipment is still there? Dan Barrett stated no it isn't now. The town of Falmouth was the lead town and they went in and did a close out on it approved by the Board of Managers. It is fully closed, secured, all fuels and liquids have been removed, equipment has been removed, and it has been fenced off to protect it.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the Inter-municipal Agreement among the towns of Falmouth, Sandwich, Mashpee, and Bourne Massachusetts for the maintenance and operation of regional municipal services facility at the Joint Base Cape Cod as presented today by Mr. Barrett of ISWM. Vote 4-0.

#### 7 b. Discussion on regional recycling program at ISWM

Dan Barrett stated the town of Bourne has been looking at switching their recycling act to single stream. It will be a lot more efficient, a lot safer, and will bring us up to date, and be cheaper for us to do. There are towns doing recycling down Cape and are losing their place to consolidate their load to be transferred. We were approached to see if we have some possibilities to anything within our facility. We can move the bailer out of the bailing building and convert that building to a transfer station for single stream recycling. It could possibility develop into something similar to what the transfer station means to us now. There will be not contracts signed. We will be a receiving facility. We are looking at paying a tipping fee back to the town. The long-term plan will be to develop this operation to a point where it may make enough money to support the addition to our existing transfer station. There is an opportunity to accommodate other towns, with minimal capital investment. We could take 2-3 years to develop this such that it will support an expansion to the transfer station, then have Harvest Power move into the old bailer building.

Tom Guerino questioned if there is a right for first refusal by a third party for this recycling and they opt to take it to a different location instead of the Bourne, is there a way we can capitalize on the work we are doing to the bailing building to market to other communities as a regional center if for some reason that waste was to go away.

Dan Barrett stated yes we can push it forward. This is a small operation we are only looking at 11-12 thousand tons a year, 4 or 5 additional trucks and 2 transfer trailers going out.

Don Pickard stated the Business Model Working Group meet last night, and based on the presentation by Mr. Barrett we concurred that it would be the best time to pursue that recycling operation for a couple of reasons; It gets us started for our pending single stream recycling; and DEP indicated the tonnage crossing the scale would not affect our daily amount of tonnage we are permitted. Mr. Barrett has to do some retrofitting for a misting system to make sure the Board of Health concerns will be met.

Dan Barrett stated the Board of Health was concerned with the potential for orders, so they wanted to see a missing system.

Michael Blanton questioned what our potential risks might be, what kind of exposure are looking at if for some reason it weren't to work.

Dan Barrett stated we are working on design ideas now. Looking at using the existing building.

Tom Guerino stated his concern was while loading the trucks sideways, just for a couple weeks, not impacting the Base should a bad wind come.

Dan Barrett stated if the winds wreak havoc while we are doing interim operations we would shut it down for a day and load out the next day.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the regional recycling program of ISWM as presented by Mr. Barrett, and studied by the Working Group, contingent upon Board of Health approval. Vote 4-0.

**6) Licenses/Appointments:**

- a. Appeals Board reappointments - 1 regular & 2 associates**
- b. Annual Selectmen Committee Appointments**
- c. Charter Review Committee:**
  - 1. Establish Committee Membership**
  - 2. Appointments - 8 applicants**
- d. Cape Cod Commission Appointment - 1 vacancy - 2 applicants**
- e. Conservation Commission - reappointments 3 regular & 2 associates**
- f. Bylaw Committee - reappointments 2 regular**
- g. Cape Cod Regional Transit Authority - reappointment 1 regular**
- h. Capital Outlay - reappointments 2 regular**
- i. Constable - reappointments 5 regular**

- j. Council on Aging – reappointments 3 regular**
- k. Historic Commission – reappointments 3 regular & 4 associates**
- l. Recreation Committee – reappointments 2 regular**
- m. Registrar of Voters – reappointment**
- n. Shore and Harbor – reappointments 3 regular**

Stephan Mealy stated that if any applicant would like to come before the board this evening to introduce themselves, feel free to do so.

**6 a. Appeals Board reappointments - 1 regular & 2 associates**

Stephen Mealy stated Mr. Sawyer is currently an associate and would like to serve as a full time member of the Board of Appeals.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve John E. O'Brien and Timothy Sawyer as full members of the Board of Appeals. Mr. O'Brien's term to expire on June 30, 2020 and Mr. Sawyer's term to expire on June 30, 2019. Vote 4-0.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve Kat Brennan and Amy Kullar as associate members of the Board of Appeals for terms both expiring on June 30, 2016. Vote 4-0.

**6 b. Annual Selectmen Committee Appointments**

Stephen Mealy read the list of committees for the Board of Selectmen. For the Affordable Housing Trust the current member of the board is Peter Meier. His term is going to expire on June 30, 2017. There is a vacancy on the Cape Cod Water Collection Collaborative for a member of the Board of Selectmen that will expire on May 2, 2017. Is there a member of the board that would be interested in replacing Mrs. Zuern and filling this term, if not I would be happy to represent the board in that position.

**Voted** Don Pickard moved and seconded by Michael Blanton to appoint Mr. Mealy on the Cape Cod Water Protection Collaborative. Vote 4-0.

Stephen Mealy stated he is currently serving as a member of the Main Street Steering Committee. Is there any other member that would like to participate in the Main Street Steering Committee? Mr. Blanton volunteered if Mr. Mealy wants to step down.

**Voted** Don Pickard moved and seconded by Stephen Mealy to have Mr. Blanton on the Main Street Steering Committee. Vote 4-0.

Stephen Mealy questioned is there a member of the board who would like to participate for the next year thru June 2016 for representing the board on the Bourne Financial Development Corporation?



**Voted** Stephen Mealy moved and seconded by Don Ellis to have Mr. Pickard represent the board for the Bourne Financial Development Corporation. Vote 4-0.

**6. c. Charter Review Committee:**

**1. Establish Committee Membership**

**2. Appointments – 8 applicants**

Stephen Mealy read from the Charter; the Charter acts as a means of reflecting that every five years a special committee shall be appointed by the Board of Selectmen for the purposes of reviewing the provisions of the charter and to make a report to the Town Meeting concerning any proposed amendments or revisions which the committee deems necessary. The committee shall be appointed immediately following an annual Town Meeting and shall make its report at the next annual Town Meeting. We have a number of individuals that have offered to serve. The committee shall be made up of 7 individuals. We have Mr. James Mulvey, Mr. Richard Anderson, Mr. Richard Conron, Mr. Joseph Carrara, Mr. David Pelonzi, Mr. Wesley Ewell, Mr. Dennis White, Mr. Mark Catarius, Mr. Daniel Douchette. Mr. Mealy questioned if any of those individuals would like to speak to the Board relative to being appointed to the Charter Review Committee. Mr. James Mulvey and Mr. David Pelonzi spoke before the Board.

Stephen Mealy asked each member of the Board to provide the names of each individuals. Don Ellis nominated Mr. Mulvey, Mr. Anderson, Mr. Carrara, Mr. Pelonzi, Mr. Ewell, Mr. White and Mr. Doucette.

Michael Blanton nominated Mr. Mulvey, Mr. Conron, Mr. Carrara, Mr. Pelonzi, Mr. Ewell, Mr. White and Mr. Doucette.

Stephen Mealy nominated Mr. Mulvey, Mr. Anderson, Mr. Conron, Mr. Carrara, Mr. Pelonzi, Mr. Ewell and Mr. White.

Don Pickard nominated Mr. Mulvey, Mr. Anderson, Mr. Carrara, Mr. Pelonzi, Mr. White and Mr. Doucette.

Stephen Mealy read the tallies. Mr. Mulvey received 4 votes; Mr. Anderson received 3 votes; Mr. Conron received 2 votes; Mr. Carrara received 4 votes; Mr. Pelonzi received 4 votes; Mr. Ewell received 3 votes; Mr. White received 4 voted; and Mr. Doucette received 3 votes.

Mr Guerino requested reappointment to the Regional Transit Authority thru April 30 2016.

**Voted** Michael Blanton moved and seconded by Don Ellis to extend Mr. Guerino nomination to include through April 30, 2016. Vote 4-0.

**6 e. Conservation Commission – reappointments 3 regular & 2 associates**

The Conservation Commission is for the reappointment of three regular and two associates.

**Voted** Don Pickard moved and seconded by Michael Blanton that Robert Gray, Melvin Peter Holmes and Susan J. Weston to be reappointed to the Conservation Commission as full members through June 30, 2018. Vote 4-0.

**Voted** Don Pickard moved and seconded by Michael Blanton to be associate members of the Conservation Commission, term expiring June 30, 2016, are Michael Gratis, Michael Leitzel and Paul Szwed. Vote 4-0.

**6 f. Bylaw Committee – reappointments 2 regular**

**Voted** Don Pickard moved and seconded by Don Ellis the appointments to full members of the Bylaw Committee, for terms expiring June 30, 2018, are Elmer Clegg and David T. Gay. There are three member at large terms that expire June 30, 2016, 2017, & 2018. They have been advertised. Vote 4-0.

**6 h. Capital Outlay – reappointments 2 regular**

**Voted** Don Pickard moved and seconded by Don Ellis to appoint John E. O'Brien as an at-large member for a term through June 30, 2018; and John Redman, who is a Finance Committee Member, for a term through June 30, 2018. There is also a vacancy for an at large position that has been advertised and that term expires June 30, 2016. Vote 4-0.

**6 i. Constable – reappointments 5 regular**

**Voted** Don Pickard moved and seconded by Don Ellis for the appointment of Constable by the Board of Selectmen. We have one elected Constable that is Mrs. Sundman. Would like to appoint Mr. Charles T. Devlin, Mr. Lee Gresh, Mr. Russell H. McAllister, Mr. Richard F. White and Chief Dennis Woodside, all for terms expiring June 30, 2016. Vote 4-0.

**6 j. Council on Aging – reappointments 3 regular**

**Voted** Don Pickard moved and seconded by Michael Blanton to appoint Estelle Blake, Mary C. Fuller, and Elizabeth M. Songer for terms that expire June 30, 2019. Vote 4-0.

Tom Guerino stated that Amy Kullar put in a request for an appointment. Stephen Mealy asked the Board if they should proceed with the three individuals that are seeking reappointment. Don Pickard suggested they go with the three

**Voted** Don Pickard moved and seconded by Michael Blanton to go with these three names and if there is another party wishing to be appointed that we take that up at another meeting if the position is available. Vote 4-0.

**6 k. Historic Commission – reappointments 3 regular & 4 associates**

**Voted** Don Pickard moved and seconded by Don Ellis to nominate Jean Campbell, Mary P. Reid and Mary Sicchio for terms expiring June 30, 2018. Vote 4-0.

**Voted** Don Pickard moved and seconded by Michael Blanton to nominate the following people to Associate Members of the Historic Commission for terms expiring June 30, 2016, Deborah Burgess, Blanche E. Cody, Sandra Goldstein and Frances E. Speers. Vote 4-0.

**6 l. Recreation Committee – reappointments 2 regular**

**Voted** Don Pickard moved and seconded by Michael Blanton to nominate for a three-year term the following full members Priscilla Koleshis and Kelli Orava for terms expiring June 30, 2018.

Don Pickard noted there two unexpired terms to fill, one through June 30, 2016, one thorough June 30 2018 and they have been advertised. Vote 4-0.

**6 m. Registrar of Voters – reappointment**

**Voted** Don Pickard moved and seconded by Don Ellis to nominate Adelaide M. Carrara who seeks reappointment for a term through June 30, 2018, she has been recommended by the Town Clerk, Barry Johnson. Vote 4-0

**6 n. Shore and Harbor – reappointments 3 regular**

**Voted** Don Pickard moved and seconded by Don Ellis to nominate the following three individuals who seek reappointment, for three-year terms, for terms expiring June 30, 2018, B. Paul Bushueff, Irving C. Salley and David Wiggin. Vote 4-0

Don Ellis stated to satisfy the question of Mark Catarius, we have two people interested in the position of the Cape Cod Regional Transit Authority. We have a letter from Mr. Guerino seeking reappointment to this position; we do not have a letter from the other person.

**Voted** Don Ellis moved and seconded by Don Pickard to reconsider the vote as previously taken. Vote 3-1.

Mr. Mealy offered because Mr. Caratius has come before us this evening without a letter requesting and without any background information from him. Mr. Mealy is hesitant to take another vote on this because we did not receive any kind of indication that you wanted to serve on this particular position.

Mr. Caratius questioned if there is a position on the Shore Harbor Committee? He also questioned is there an appointment that hasn't been filled yet? Mr. Mealy stated there are several of the committees that we appoint to that do have openings. Mr. Caratius wanted to know which positions they are. Mr. Mealy stated Capital Outlay has an opening and Recreation has two openings. Mr. Caratius stated he would like to serve on the Recreation Committee. Mr. Caratius spoke a little about his background history.

**Voted** Don Pickard moved and seconded by Don Ellis to appoint Mr. Mark Caratius to fill a vacant position on the Recreation Committee expiring in June 30, 2018. Vote 5-0.

**Voted** Don Ellis moved and seconded by Michael Blanton that we appoint, by an annual vote of this board, Thomas M. Guerino who seeks reappointment to the Cape Cod Regional Transit Authority with a term to expire June 30, 2016. Vote 5-0.

## **7) Selectmen's Business**

### **c. First reading of proposed Financial Policy Amendments**

This is a first reading of a proposed financial policy amendment. The changes are not significant. On page one where there is a definition of the General Fund Operating Budget. Defined as an operating budget (Town, Schools, Shared Costs and Debt Service). It does not include general articles, off-budget expenses, Enterprise Funds or Capital.

Tom Guerino suggested since this is first reading we can highlight those sections and compare them to the old one for the second reading. Mr. Mealy will make sure the members of the Board receive highlighted copies to compare.

## **8) Town Administrator's Report**

Tom Guerino spoke briefly on the group they are working with relative to the override and the deductions that the Board has voted to move forward with should we move in the direction of an override. We met with the Department heads. Looked at possible reductions. Tomorrow the Working Group, including some of the members of the Finance Committee, Mr. Redman and Mr. Slade, we will meet with the Department heads to advise me and to go over some of those numbers. We are working towards coming to the joint meeting on the 13<sup>th</sup> of July with a first review of these proposed reductions. The next meeting or the meeting after you will start receiving a weekly per meeting reports.

## **9) Selectmen's Reports**

Michael Blanton stated he went to the grand opening at Keystone place. It was very well received.

Stephen Mealy stated in addition in attending the Keystone grand opening, Mr. Ellis and I attended a meeting with the Lt. Governor this morning, it was held for the upper Cape towns. I reminded the Lt. Governor about the continuing need for reinstatement of the \$750,000 Military Mitigation Fund for educating our military families' children on Joint Base Cape Cod. Also spoke of the ongoing work taken on by both Mass DOT and the Canal Regional Area Transportation Study and the Corp. of Engineers on addressing the two aging bridges. I emphasized our frustration with the non-alignment between what the Corp. of Engineers is suggesting and that is some type of repair or replacement but that decision is not coming until 2017 and the area wide transportation study. There were other discussions about finding housing on the Cape and education funding.

**10) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, June 30<sup>th</sup> at 7:00 P.M.

**11) Adjourn**

**Voted** Don Pickard moved and seconded by Don Ellis to adjourn. Meeting adjourned at 8:35 pm. Vote 4-0.

Respectfully submitted - Carole Ellis, secretary.

**Board of Selectmen  
Minutes of Tuesday, June 30, 2015  
Bourne Community Building  
Bourne, MA 02532**

RECEIVED

2016 SEP 15 AM 9:56

TOWN CLERK BOURNE

TA Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order.

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

**Public Comment – Non-Agenda Items**

None requested.

Mr. Ellis apologized to the Board on a point of personal interest.

**4) Minutes:**

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the minutes from May 26, 2015 with correction. Vote 5-0.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the minutes from June 9, 2015 as presented. Vote 5-0.

**5) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

- A. Note from Council on Aging Director thanking the Selectmen for attending the Volunteer Appreciation Breakfast

- B. Letters of interest from Marie Oliva and Chris Farrell to be appointed to the Transportation Advisory Committee
- C. Letter of interest from Heather Alden to be appointed to the Commission on Disabilities
- D. Conservation Commission abutter notification for proposed gas main extension and service connection to 10 Studio Drive, Buzzards Bay
- E. Valerie Gudas submitted letter of resignation from the Board of Directors for the Council on Aging
- F. Letter from Housing Assistance Corporation regarding their President/CEO
- G. Conservation Commission abutter notification for proposed deck; addition and new septic system at 13 Emmons Road, Bourne
- H. Division of Marine Fisheries: Closed to Shellfishing - Riley Cove

Mr. Mealy requested Mr. Guerino to send a letter thanking Valerie Gudas for serving as the Director on the Council on Aging.

**6) Mr. Nelson - MBTA and Cape Flyer - related concerns**

Mr. Nelson spoke about the Station and platforms, how many people he has observed on current platform and the proposed platform. The three trains that use the tracks are the Garbage train, the Dinner train, and the Flyer, why you would need siding for the platform, and reasons why we shouldn't do the Cape Flyer.

Stephen Mealy said he asked questions at the meeting with Mr. Cahir that was held in February. There is discussions about the station's location. The siding will help lessen the problems we have now with idling trains.

Michael Blanton spoke about some of the pros to having the Cape Flyer.

**7) Licenses/Appointments:**

**a. Cape Cod Commission Appointment - 1 vacancy - 4 applicants**

**b. Annual Appointments:**

1.	Affordable Housing Trust	13.	Ethics Liaison
2.	Barnstable County Coastal Resources Committee	14.	Local Emergency Planning Committee
3.	Barnstable County Dredge Advisory Committee	15.	Open Space Committee
4.	Bourne Financial Development Corp	16.	Private Roads Acceptance Committee

5.	<b>Bourne Housing Partnership</b>	17.	<b>Selectmen's Energy Advisory Committee</b>
6.	<b>Bourne Human Services Committee</b>	18.	<b>Selectmen's Task Force on Local Pollution and Phase II Community Oversight Group for the Storm Water Management Group</b>
7.	<b>Buzzards Bay Action Committee</b>	19.	<b>Street &amp; Traffic Lighting Committee</b>
8.	<b>Cape and Vineyard Cooperative</b>	20.	<b>Transportation Advisory Committee</b>
9.	<b>Cape Cod Joint Transportation Committee</b>	21.	<b>Upper Cape Regional Transfer Station Board of Managers</b>
10.	<b>Cape Light Compact Committee</b>	22.	<b>Veterans' Graves Officer</b>
11.	<b>Central Information and Liaison Officer for Development</b>	23.	<b>Wastewater Advisory Subcommittee</b>
12.	<b>Commission on Disabilities</b>	24.	<b>Custodian Under MGL. Chapter 60, Section 77B for the Care, Custody, Management and Control of Town Property</b>

c. **Easement - 1 Trowbridge Road**

d. **Common Victualer License - Cataumet Coffee House**

**1a. Cape Cod Commission Appointment - 1 vacancy - 4 applicants**

Mrs. Azarfitze spoke briefly about representing the community with the Cape Cod Commission

Mr. Conron spoke briefly about his appointment with the Cape Cod Commission

Paul Corner spoke about his appointment with the Cape Cod Commission.

Mr. Michienzi

**Roll Call Vote:** Mr. Ellis - Mr. Michienzi; Mr. Blanton - Mr. Conron; Chair - Dr. Courneyer; Mr. Pickard - Mr. Michienzi; Mr. Meier - Mr. Conron.

**Roll Call Vote:** Mr. Meier - Mr. Conron; Mr. Pickard - Mr. Michienzi; Mr. Blanton - Mr. Conron; Mr. Ellis - Mr. Michienzi; Mr. Mealy - Mr. Conron.

Mr. Mealy said we have sufficient votes to appoint Mr. Conron to the unexpired term.

**Voted** Michael Blanton moved and seconded by Don Pickard to nominate all members that appear before us tonight: Mr. Conron, Dr. Corner, Mr. Michienzi, and Mrs. Azarfitze. Vote 5-0.



**Voted** Peter Meier moved and seconded by Michael Blanton to close the nominations. Vote 5-0.

**Roll Call Vote:** Mr. Ellis - Mr. Michienzi; Mr. Blanton - Mr. Conron; Mr. Mealy - Mr. Conron; Mr. Pickard - Mr. Michienzi; Mr. Meier - Mr. Conron. Vote: 3 Mr. Conron -2 Mr. Michienzi.

## **b. Annual Appointments**

### **1. Affordable Housing Trust**

Don Pickard went over the three individuals who seek reappointment for the Affordable Housing Trust for a term to expire June 30, 2017.

**Voted** Don Pickard moved and seconded by Peter Meier the reappointment of Judith A. Riordan, Susan R. Ross, and Stephen S. Walsh. Vote 5-0.

### **2. Barnstable County Coastal Resources Committee**

Don Pickard went over the individual who seek reappointment for the Barnstable County Coastal Resources Committee.

**Voted** Don Pickard moved and seconded by Peter Meier to appoint Tim Mullen for a term to expire June 30, 2016. Vote 5-0.

### **3. Barnstable County Dredge Advisory Committee**

Don Pickard went over the two individuals who are seeking reappointment for the Barnstable County Dredge Advisory Committee for a term of one year to expire June 30, 2016, they are William Curt Duane, B. Paul Bushueff, as an alternate.

**Voted** Don Pickard moved and seconded by Don Ellis to reappoint William Curt Duane and B. Paul Bushueff, as an alternate. Vote 5-0.

### **4. Bourne Financial Development Corp**

Don Pickard went over the two individuals who are seeking reappointment for the Bourne Financial Development Corp, Board of Directors, Marie Oliva and Michael Giancola for a term of one year to expire June 30, 2016,

**Voted** Don Pickard moved and seconded by Peter Meier to approve the two individuals Maria Oliva and Michael Giancola. Vote 5-0.

### **5. Bourne Housing Partnership**

Don Pickard went over the individuals who are seeking appointment/reappointment for to Bourne Housing Partnership Committee, for a term of one year to expire June 30, 2016,

they are Terri Guarino, Board of Health Non-Voting member; Al Hill, At Large Member; Coreen Moore, Town Planner; Susan Ross, and Barbara Thurston, Housing Director.

**Voted** Don Pickard moved and seconded by Peter Meier to appoint/reappoint Terri Guarino, Board of Health Non-Voting member; Al Hill, At Large Member; Coreen Moore, Town Planner; Susan Ross, and Barbara Thurston, Housing Director. Vote 5-0.

#### **6. Bourne Human Services Committee**

Don Pickard went over the two individuals who are seeking reappointment to the Bourne Human Services Committee, for a term of three years to expire June 30, 2018. They are Andrew E Murray and Richard Sylvestro

**Voted** Don Pickard moved and seconded by Peter Meier to reappoint Andrew E. Murray and Richard Sylvestro to the Human Services Committee. Vote 5-0.

#### **7. Buzzards Bay Action Committee**

Don Pickard went over the individual who is seeking reappointment to the Buzzards Bay Action Committee for a term to expire June 30, 2016. Brendan Mullaney is seeking reappointment.

**Voted** Don Pickard moved and seconded by Peter Meier to nominate Brendan Mullaney for a term to expire June 30, 2016. Vote 5-0.

#### **8. Cape and Vineyard Cooperative**

Don Pickard went over the individual, Jonathan Nelson, who is seeking reappointment to the Cape and Vineyard Cooperative for a one-year term to expire June 30, 2016.

**Voted** Don Pickard moved and seconded by Don Ellis to appoint Jonathan Nelson for a term to expire June 30, 2016. Vote 5-0.

#### **9. Cape Cod Joint Transportation Committee**

Don Pickard went over the individuals who are seeking reappointment as a member and one as an alternate member to the Cape Joint Transportation Committee for a term to expire June 30, 2016. They are George Sala as the member and Jonathan Nelson as the alternate member.

**Voted** Don Pickard moved and seconded by Don Ellis to reappoint George Sala as the member and Jonathan Nelson as the alternate member. Vote 5-0.

### **10. Cape Light Compact Committee**

Don Pickard went over the individuals who are seeking reappointment as a member and one as an alternate member to the Cape Light Compact Committee for a one-year term to expire June 30, 2016. They are Robert E. Schofield as the member and Elizabeth Caporelli as the alternate member.

**Voted** Don Pickard moved and seconded by Don Ellis to appoint Robert E. Schofield as the member and Elizabeth Caporelli as the alternate member. Vote 5-0.

### **11. Central Information and Liaison Officer for Development**

Don Pickard went over the individual who is seeking reappointment to the Central Information and Liaison Officer for Development for a one-year term to expire June 30, 2016.

**Voted** Don Pickard moved and seconded by Don Ellis to nominate Coreen Moore. Vote 5-0.

### **12. Commission on Disabilities**

Don Pickard went over the two individuals who are seeking reappointment to the Commission of Disabilities for a three-year term to expire June 30, 2018, Mr. Michael McHone and Donald Uitti.

**Voted** Don Pickard moved and seconded by Michael Blanton to nominate Michael McHone and Donald Uitti for a three-year term. Vote 5-0.

### **13. Ethics Liaison**

Don Pickard went over the individual Barry Johnson, who is seeking reappointment to the Ethics Liaison for a term to expire June 30, 2016.

**Voted** Don Pickard moved and seconded by Don Ellis to nominate Barry Johnson for a term to expire June 30, 2016. Vote 5-0.

### **14. Local Emergency Planning Committee**

Don Pickard went over the individuals who are seeking reappointment to the Local Emergency Planning Committee for a term to expire June 30, 2016. They are Edward Donoghue from School; Phillip Goddard from ISWM, Joseph Gordon from Barnstable County Sherriff's Department; Michael Leitzel from the Engineering Department; Marc Lieber, the community representative; Felicita Monteiro from the Council on Aging; Brendan Mullaney from Environmental; Timothy Mullen from DNR; Jonathan Nelson, Facilities Manager; David Pelonzi, Fire Department, John Pribilla from Owners and Operators; Lt. David Ransom from Mass Maritime Academy; Joe Reynolds from Owners and Operators; Ann Marie Riley from Council on Aging; George Sala, DPW; John Stofa,

Community Rep; John Stowe from the Police Department; Norman Sylvester, Fire Chief; George Tribou, Sewer Department; and Dennis Woodside, Police Chief.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following people for the Local Emergency Planning Committee: Edward Donoghue from School; Phillip Goddard from ISWM, Joseph Gordon from Barnstable County Sheriff's Department; Michael Leitzel from the Engineering Department; Marc Lieber, the community representative; Felicita Monteiro from the Council on Aging; Brendan Mullaney from Environmental; Timothy Mullen from DNR; Jonathan Nelson, Facilities Manager; David Pelonzi, Fire Department, John Pribilla from Owners and Operators; Lt. David Ransom from Mass Maritime Academy; Joe Reynolds from Owners and Operators; Ann Marie Riley from Council on Aging; George Sala, DPW; John Stofa, Community Rep; John Stowe from the Police Department; Norman Sylvester, Fire Chief; George Tribou, Sewer Department; and Dennis Woodside, Police Chief.  
Vote 5-0.

### **15. Open Space Committee**

Don Pickard went over the individuals seeking reappointment for the Open Space Committee for a one-year term. The first four are for a three-year term to expire June 30, 2018, they are Mardi Mauney, Penny Myers, Leslie Perry, and Richard Rheinhardt.

**Voted** Don Pickard moved and seconded by Peter Meier to reappoint for a three-year term Mardi Mauney, Penny Myers, Leslie Perry, and Richard Rheinhardt. Vote: 5-0.

Don Pickard went over the next three individuals who are seeking reappointment for a one-year term to expire June 30, 2016. They are staff members Michael E Leitzel, Coreen V Moore, and Brendan Mullaney.

**Voted** Don Pickard moved and seconded by Don Ellis to reappoint for a one-year term as staff members Michael E Leitzel, Coreen V Moore, and Brendan Mullaney.  
Vote: 5-0.

### **16. Private Roads Acceptance Committee**

Don Pickard went over the individuals who are seeking reappointment to the Private Roads Acceptance Committee for a one-year term to expire June 30, 2016. They are Michael Leitzel, Coreen Moore, and George Sala.

**Voted** Don Pickard moved and seconded by Peter Meier to nominate the following individuals for a one-year term Michael Leitzel, Coreen Moore, and George Sala.  
Vote 5-0.

**17. Selectmen's Energy Advisory Committee**

Don Pickard went over the individuals who are seeking reappointment to the Selectmen's Energy Advisory Committee for a one-year term to expire June 30, 2016. They are Elizabeth Caporelli, Thomas Gray Curtis Jr., Frank Kodzis, Paul O'Keefe, and Robert E. Schofield.

**Voted** Don Pickard moved and seconded by Peter Meier to nominate Elizabeth Caporelli, Thomas Gray Curtis Jr., Frank Kodzis, Paul O'Keefe, and Robert E. Schofield.

Mr. Guerino said this is an eleven member committee and suggested asking the members of the committee to come before the Selectmen so the Selectmen may consider reducing the size of this committee back down to seven or nine members. Vote 5-0.

**18. Selectmen's Task Force on Local Pollution and Phase II Community Oversight Group for the Storm Water Management Group**

Don Pickard went over the Selectmen's Task Force on Local Pollution, one-year terms to expire June 30, 2016. The following members seek reappointment Stewart Bell, Jennifer Cheyne, Christine Kane, Elaine Cook-Graybill, James Mulvey, Leslie Perry, and Mort Toomey.

**Voted** Don Pickard moved and seconded by Peter Meier to nominate Stewart Bell, Jennifer Cheyne, Christine Kane, Elaine Cook-Graybill, James Mulvey, Leslie Perry, and Mort Toomey. Vote: 5-0.

Don Pickard went over the Phase II Community Oversight Group for the Storm Water Management Group for a one-year term to expire June 30, 2016, they are Stewart Bell, Jennifer Cheyne, Christine Kane, Elaine Cook-Graybill, James Mulvey, Leslie Perry, and Mort Toomey.

**Voted** Don Pickard moved and seconded by Peter Meier to nominate Stewart Bell, Jennifer Cheyne, Christine Kane, Elaine Cook-Graybill, James Mulvey, Leslie Perry, and Mort Toomey. Vote: 5-0.

**19. Street & Traffic Lighting Committee**

Don Pickard went over the Street & Traffic Lighting Committee members that are seeking reappointment for a one-year term to expire June 30, 2016, they are Norman Sylvester Jr., Dennis Woodside, Robert Schofield, and George Sala. NSTAR has not provided a liaison for that committee.

**Voted** Don Pickard moved and seconded by Peter Meier to nominate for a one-year term, Norman Sylvester Jr., Dennis Woodside, Robert Schofield, and George Sala. Vote 5-0.

## **20. Transportation Advisory Committee**

Don Ellis said this Board tonight has an opportunity to get this committee reassigned and redesigned so that everyone on it is from the Town of Bourne. Would put forward that John Carroll, Daniel Doucette, Robert W. Parady, Cynthia Parola, Ann Maria Olivia, Chris Farrell, George W. Sala and Dennis Woodside be appointed.

**Voted** Don Ellis moved and seconded by Don Pickard to appoint/reappoint John Carroll, Daniel Doucette, Robert W. Parady, Cynthia Parola, George W. Sala and Dennis Woodside. Ann Maria Oliva, Chris Farrell for a one-year term

Michael Blanton wanted to state and bring attention to the significant contributions over the years that Mrs. Sally Riggs has contributed to this committee. Also questioned are we able to, within the Charter, appoint members to these committees regardless of the citizenship in the Town of Bourne. Mr. Meier and Mr. Pickard said yes we can. Vote 3-2.

## **21. Upper Cape Regional Transfer Station Board of Managers**

Don Pickard went over the Upper Cape Regional Transfer Station Board of Managers, Mr. Dan Barrett and Mr. Phil Goddard are seeking reappointment for a one-year term to expire June 30, 2016.

**Voted** Don Pickard moved and seconded by Peter Meier to reappoint Mr. Barrett and Mr. Goddard to the Upper Cape Regional Transfer Station Board of Managers. Vote 5-0.

## **22. Veterans' Graves Officer**

Don Pickard went over the Veterans' Graves Officer appointment for Mr. Thomas Barclay for a one-year term to expire June 30, 2016.

**Voted** Don Pickard moved and seconded by Don Ellis to reappoint Thomas Barclay to the Veterans' Graves Officer. Vote 5-0.

Don Ellis went over what this person does.

## **23. Wastewater Advisory Subcommittee**

Don Pickard went over the Wastewater Advisory Subcommittee appointment for Mary Andrews, Elmer Clegg, Judith Conron, Terri Guarino, Nolan LeRoy, William W Locke, Sallie Riggs, and Kathy Zagzebski for a one-year term to expire June 30, 2016

**Voted** Don Pickard moved and seconded by Peter Meier to reappoint for a one-year term Mary Andrews, Elmer Clegg, Judith Conron, Teri Guarino, Nolan LeRoy, William W Locke, Sallie Riggs, and Kathy Zagzebski.

Mr. Guerino pointed out this has to wait for a Sewer Commissioners Meeting. Peter Meier withdrew his second and Don Pickard withdrew his motion.

**24. Custodian Under MGL. Chapter 60, Section 77B for the Care, Custody, Management and Control of Town Property**

Don Pickard went over the member seeking reappointment whose term to expire December 31, 2015, Nancy J Sundman.

**Voted** Don Pickard moved and seconded by Don Ellis to nominate Nancy Sundman. Vote 5-0.

**a. Easement - 1 Trowbridge Road**

Stephen Mealy read the first paragraph for background on the easement. Mr. Guerino said this easement has been approved at Town Meeting and Mr. Michienzi and Holmes and McGrath have been working on this for a long period of time to bring this easement forward. It has been approved by counsel and has been reviewed by Coreen Moore. Hope the Board would fulfill the request of Town Meeting article 14 of 2013 of the October meeting and allow this easement to move forward.

**Voted** Peter Meier moved and seconded by Don Pickard to approve the signing of the easement.

Stephen Mealy wanted to remind members that you will have to appear before Mrs. Sundman, notary public, with identification in order to sign the easement in the office to have it notarized. Vote 5-0.

**b. Common Victualer License - Cataumet Coffee House**

Don Pickard went over the Common Victualer License for an entity owned by Kathryn Tulloch d/b/a Cataumet Coffee House, 1337 County Road, PO Box 548, Cataumet. The application has been filled out. Mr. Guerino said they have their license from the Board of Health. Mr. Mealy said there is a comment by the Fire Chief on working with the owner on the fire alarm system, but he does concur.

**Voted** Don Pickard moved and seconded by Don Ellis to approve. Vote 5-0.

**8) Selectmen's Business -**

**a. 208 Program**

**b. Endorse petition to NOAA and Division of Marine Fisheries**

Mr. Mealy gave a short update on the 208 meeting that was held last Wednesday. Bourne is unique because we don't have a member of the Cape Cod Commission to our north. We have Plymouth. The Cape Cod Commission has assured the town that they will assist us in that regard.

Mr. Mealy said this came from the June 12<sup>th</sup> meeting of the Cape Cod Selectmen and Counsel's Association. It was asked each of the membered towns of the Cape to endorse a petition to NOAA and the Mass. Division of Marine Fisheries to extend the near coastal protection zone to include a 12 mile territory water south of Boston along the outside of the Cape and around Nantucket and south Martha's Vineyard. Mr. Mealy went over the request.

Mr. Pickard explained why it affects the local fisherman. Will be happy to work and formulate a letter to the right entities, suggest we copy the legislation delegation both on the federal and the state level.

Mr. Mealy questioned the board members if they wanted to act on this tonight or have the petition drafted and before the Board formally again. Peter Meier said he would like to see what they are signing. Mr. Mealy suggested to push this off and will get a formal letter for the Board to review.

### **9) Town Administrator's Report**

Tom Guerino went over his report, Override issues and meetings; the reductions; the few positions that need to be filled; the Financial Project Working Group. Mr. Mealy also spoke about the Financial Project Working Group.

### **10) Selectmen's Reports**

Don Pickard reminded the committee about the Bourne on the 4<sup>th</sup> of July Parade.

Peter Meier spoke about missing the last meeting and apologized, Admiral Gurnon's retirement, Town of Sandwich Board of Selectman and allowing Bourne resident's beach stickers at the Sandwich resident rate. Mr. Mealy said, on behalf of this Board, he is going to request this Board be put on the Sandwich Board of Selectmen's agenda to make the request again. Mr. Ellis brought up the Sandwich shellfish permits, dollar amount and raising the dollar amount.

Peter Meier also spoke about the lack of pride on the fourth of July around town and what we can do to make it better.

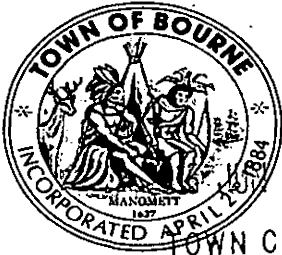
The next Bourne Selectmen meeting will be on Tuesday, July 7<sup>th</sup> at 7:00 P.M.

### **11) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.





# Board of Selectmen Meeting Notice AGENDA



26 PM 3 25  
TOWN CLERK'S OFFICE

Date BOURNE, MASS  
Tuesday  
June 30, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

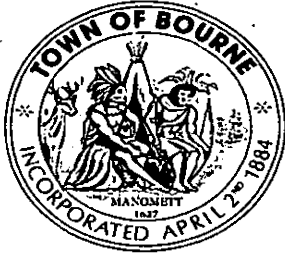
1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: May 26, June 9
5. Correspondence
6. Mr. Nelson – MBTA and Cape Flyer - related concerns
7. Licenses/Appointments:
  - a. Cape Cod Commission Appointment – 1 vacancy - 4 applicants
  - b. Annual Appointments:

1.	Affordable Housing Trust	13.	Ethics Liaison
2.	Barnstable County Coastal Resources Committee	14.	Local Emergency Planning Committee
3.	Barnstable County Dredge Advisory Committee	15.	Open Space Committee
4.	Bourne Financial Development Corp	16.	Private Roads Acceptance Committee
5.	Bourne Housing Partnership	17.	Selectmen's Energy Advisory Committee
6.	Bourne Human Services Committee	18.	Selectmen's Task Force on Local Pollution and Phase II Community Oversight Group for the Storm Water Management Group
7.	Buzzards Bay Action Committee	19.	Street & Traffic Lighting Committee
8.	Cape and Vineyard Cooperative	20.	Transportation Advisory Committee
9.	Cape Cod Joint Transportation Committee	21.	Upper Cape Regional Transfer Station Board of Managers
10.	Cape Light Compact Committee	22.	Veterans' Graves Officer
11.	Central Information and Liaison Officer for Development	23.	Wastewater Advisory Subcommittee
12.	Commission on Disabilities	24.	Custodian Under MGL, Chapter 60, Section 77B for the Care, Custody, Management and Control of Town Property

- c. Easement – 1 Trowbridge Road
- d. Common Victualer License – Cataumet Coffee House
8. Selectmen's Business
  - a. 208 Program
  - b. Endorse petition to NOAA and Division of Marine Fisheries
9. Town Administrator's Report
  - a. Override Update
10. Selectmen's Reports
11. Adjourn

## Future Agenda Items

- Appointment of MBTA Representative
- Discussion and presentation of Public-Private Partnerships as it relates to funding for the Third Canal Bridge
- Organizational Chart
- Cape Transportation Study
- Goals – July 21 (location to be determined)



2015 JUL 6 PM 10 19  
**Board of Selectmen**

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Joint session with  
Finance Committee and  
School Committee**



**Meeting Notice**

**AGENDA**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday July 13, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen and Finance Committee.

The Board of Selectmen will hold a joint public meeting with the Finance Committee on Monday July 13, 2015 at 7:00 PM at the Community Building.

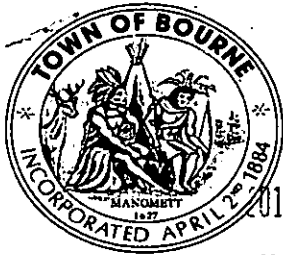
7:00 p.m. Call to order Joint Meeting of Finance Committee and Board of Selectmen

1. FY15 Reserve Fund Transfers (Finance Committee)
2. FY15 Year End transfers and closeout (Board of Selectmen and Finance Committee)

Recess and reconvene to Joint Meeting with Board of Selectmen, Finance Committee and School Committee

Call Joint meeting to order

3. Override Proposed Reductions and Discussion
4. Financial Policy Discussion
5. Next Steps
  - a. Updated Proposed Override Schedule Calendar
  - b. Public Outreach Discussion
6. Adjourn Board of Selectmen and School Committee – Recess Finance Committee



# Board of Selectmen Meeting Notice AGENDA



Date  
Tuesday  
July 14, 2015

TOWN CLERK'S OFFICE  
BOURNE, MASS. Time  
6:15 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, they need to acknowledge such at this time.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:15 p.m. Call to order in Open Session

1. Executive Session. To conduct strategy session with respect to litigation as an open meeting may have a detrimental effect on the litigation position of the public body. The Chairman declares that such open discussion will have a detrimental effect to the litigating position of the public body.

Roll call Vote to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7 P.M.

Roll call Vote to reconvene in open session.

Approximately 7:00 P.M. returning to Open Session

2. Moment of Silence for our Troops and our public safety personnel
3. Salute to our Flag
4. Public Comment on Non-Agenda Items
5. Minutes from Meeting(s): June 23, 2015
6. Correspondence
7. Wind Turbine – temporary easement – Head of the Bay Road – Mann Bogs
8. Licenses and Appointments
  - a. Council on Aging
  - b. Commission on Disabilities
  - c. Recycling Committee
  - d. SWOP
9. Selectmen's Business
  - a. Override discussion – preliminary reductions
  - b. Goals – Request for submission by BOS members
  - c. Selectmen's calendar
  - d. Letter from Board to NOAA Fisheries and Massachusetts Division of Marine Fisheries requesting the Extension of the Near Coastal Protection Zone
10. Town Administrator's Report
  - a. DPW vacancy
  - b. Override work update
  - c. Visit DPW
11. Selectmen Reports
12. Other business that may legally come before the Board
13. Adjourn

## Future Agenda Items

- A. Update by Cape RTA regarding the Cape Flyer Platform and Siding on south side of Canal
- B. Reduction of Energy Committee Membership
- C. Appointment of MBTA Representative
- D. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- E. Cape Canal Area Transportation Study Update
- F. Town Organizational Chart
- G. August 5, 2015 Selectmen's Goals Workshop
- H. Second Reading of Proposed Financial Policies

**Board of Selectmen  
Minutes of Tuesday, July 14, 2015  
Bourne Community Building  
Bourne, MA 02532**

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2015 AUG 13 PM 1 22

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

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

**Public Comment – Non-Agenda Items**

None requested.

**5) Minutes from Meeting on June 23, 2015:**

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the minutes from June 23, 2015 as presented. Peter Meier abstained. Vote 4-0.

**6) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

A. (no date); A letter from Ms. Patricia Anderson, praising Police Dennis Woodside for his personal response to a health emergency 911 call on May 6, 2015.

B. 7-2-15; A letter from Amy Sharpe of Monument Beach expressing interest in an appointment by the BOS to the Recycling Committee.

C. 6-27-15; An email from Ron Beaty in which he filed an Open Meeting Law (OML) Complaint that the BOS convened the meeting of Tuesday, June 16, 2015 first in Executive

Session, rather than convening first in Open Session and then moving to Executive Session. He goes further to point out that the list of topics of the Executive Session were not sufficiently specific so as to reasonably inform the public of the issues to be discussed.

D. 6-16-15; A letter from the Division of Marine Fisheries regarding the Closures of Riley Cove and Mashnee Island due to a prior fuel spill; they are now Open to Shellfishing.

E. 6-25-15; Another letter from the Division of Marine Fisheries regarding Squeteague Harbor are Closed to Shellfishing due to unacceptable water quality.

F. 7-10-15; Public Notice of Environmental Review of the Pumping Station and Well #5 off Bournedale Road. Copies of the Environmental Notification Form (ENF) are also being sent to the Conservation Commission, Planning Board, and Board of Health where they may be inspected.

G. 7-2-15; The monthly summary from the Cape Light Compact for May 2015.

- a. 89 residents and/or businesses in Bourne participated in the program
- b. \$108,457.86 in incentive dollars were distributed to those participants
- c. 244,681 kWh were saved through implementation of these energy efficient
- d. Through May 2015 your town has spent 28.1% of its town allocated measures annual budget.

H. Letter from EMS of New England re. Caron's Texaco Station at 372 Barlow's Landing Road in Pocasset. The Remedy Operation Status Inspection and Monitoring Report has been submitted to the MA DEP and is available for review on their website.

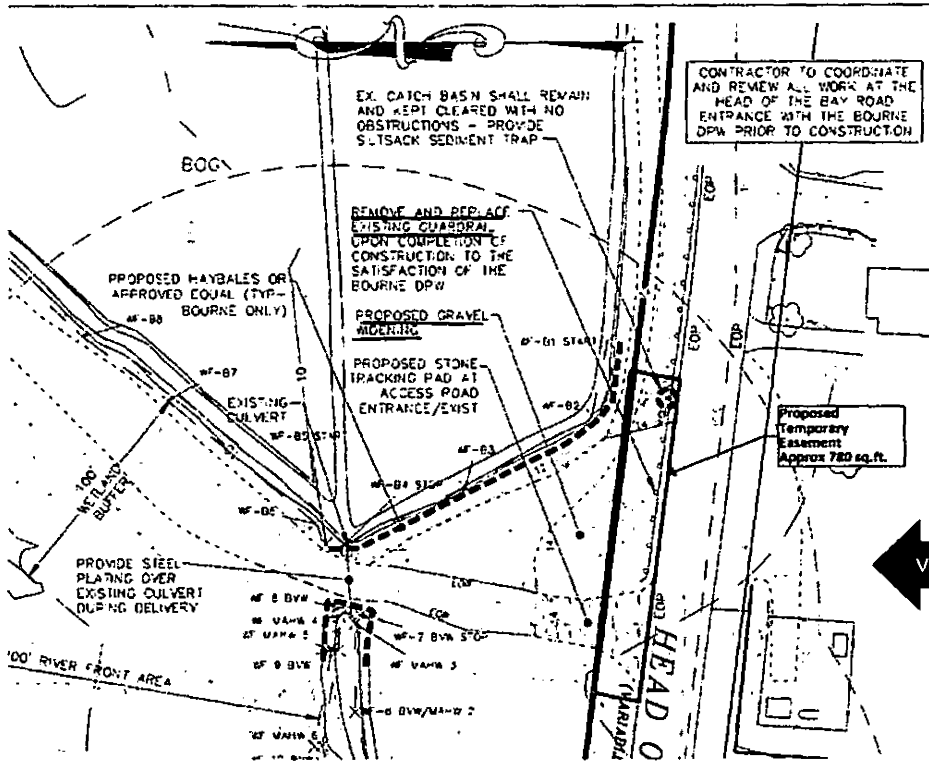
Stephen Mealy addressed agenda item 6C the Open Meeting Law Complaint. Mr. Mealy stated there will be a response sent to Mr. Beaty, it is being prepared by Mr. Mealy and Town Counsel.

Don Ellis suggested the committee ask Mr. Beaty, from West Barnstable to address the Board.

**7) Wind Turbine - Temporary Easement - Head of the Bay Road - Mann Bogs**



View A



FUTURE GENERATION WIND PROJECT  
PLYMOUTH, MASSACHUSETTS

Temporary Easement for alteration of roadway for transport of turbine equipment – Prepared by C. Moore 7/14/15  
For presentation to the Board of Selectmen



**Recommended Bond: \$200,000**

- A. All sewer lines and manhole covers along Head of the Bay Road especially sewer lines under "Redbrook Harbor" bridge (if necessary repair or replace)
- B. Replacement of guard rail (if not replaced by applicant)
- C. Pavement and/or drainage repair (possible damage due to heavy loads)

**Recommended Conditions:**

- A. Timeline: release after six months after transport is completed
- B. Release of Bond upon confirmation of:
  - a. Restoration of roadway
  - b. Replacement of guard rail
  - c. Inspection of sewer lines and other related equipment along Head of the Bay Road, release only upon the satisfaction of Sewer inspector & the DPW Director

George Sala gave a breakdown on the wind turbine going up on the Mann Bogs off Head of the Bay Road. The DPW was asked to assist. They need access to the driveway of the Mann Bog. They need approximately 10 sections of the guardrail removed. We called a code enforcement meeting twice with George, the Sewer Dept., Planning Dept., and Building Inspector. The company is asking for a Temporary Easement. There is a large amount of traffic involved; trucks that weigh approximately 280 thousand pounds and up to about 198 feet long. There are between 40 to 60 trucks. We met with the Police Chief and the Fire Chief and they have expressed their concerns, and the sewer department has expressed their concerns. The original travel was to come down from New Bedford down onto the highway come through 6 and 28 through Wareham and come down Head of the Bay Road through Red Brook Harbor. We will come in West to East. There is a bridge where Red Brook Harbor is and there are still concerns because no one will say who owns the bridge. We have a sewer line running directly under that bridge, which is George's concern. We are recommending a \$200,000 cash bond. The other route option is down 25 up Head of the Bay to the Rotary. If you grant the temporary easement to remove the guardrails we are asking them to restore the guardrails back to the original prior to being removed. The pavement, roadways, drainage, and sewer lines will be inspected by the Sewer Department and George Sala, upon completion of the project.

Sherrie Maurer, Project Manager for Ganesa, the delivery service, stated the trucks will have 13-14 axels. Stephen Mealy questioned the weight calculations for what is going to be put on the ground per square foot. Sherrie will get that information for the Selectmen. Mr. Mealy: Is Ganesa recommending the road is suitable for this type of weight loading for transport? Ms. Maurer: Yes. Bayside Engineering inspected the entire route. The only concern is the bridge that has the sewer line and a gas line. They will get the Bayside Engineering report for the Selectmen.

Mr. Guerino stated we need a drafted temporary easement for Counsel to review. Michael Blanton stated he concurs with Mr. Meier and would feel more comfortable moving forward with access to the Bayside report and knowing the septic, gas line, and sewer line

are going to be protected during the move. Ms. Maurer stated they will not take that route until they know who owns the bridge so they will know the restrictions and weight limitations of the bridge, if they could put steel plates over it or/and what reinforcements it may possibly need to make sure it is safe. We wont go forward with that route until be have Bayside Engineering to confirm the bridge is safe.

Joe Hein, with the contractor, installing the access, questioned if the easement isn't granted tonight, we cannot install that access and be ready for deliveries, is there a way to separate the two construction deliveries. Mr. Guerino stated he doesn't think so, the easements have to be granted. Mr. Hein stated the deliveries are slated for next week, the construction is slated for August.

Mr. Mealy stated once the easement is drafted we have to send it to our Town Counsel for review and that will take about one week. He also questioned if it has been surveyed. Mr. Hein stated it has been surveyed by Atlantic Engineering.

Don Pickard stated that for the future we need a routing slip to go through the Town Administrator, the Planning Board, the DPW, and Counsel and anyone that needs to approve a project.

George Sala said the wind turbines are in Plymouth and we were not involved until about 7 weeks ago, and told they need access. We have met twice now and have heard the concerns from the Police and Fire Department. It is up to the Selectmen now to grant the temporary easement.

Will Coombs would like a timeline so he can recalculate and re-plan the trucks for release. If we get the paperwork by the end of the week, what is the time limit, so we can start moving trucks? Mr. Mealy stated until Bayside Engineering states the bridge will support the trucks the Committee will not grant an easement.

Don Ellis would like to ask the petitioners for a complete set of plans, site plans, engineering plans, and easement plans for the record so if something happens down the road, we have a set of records for the date as submitted so we know where we stand when we make a decision whether or not we grant this.

Stephen Mealy read the list of items the town will need: the Bayside Engineering report, including the weight calculations, temporary easement document, we can give them a template, and a set of site plans and engineering plans. It can be delivered to the Town Administrator, Tom Guerino at Town Hall. Mr. Guerino asked for one full size print for the record. Mr. Guerino also has a concern of a 6-month release after transport is completed. There will be a lot of stress put on that road. We wont know the full effect of anything that is happening under ground that we can see or if the meckaden is compromised until after the next frost, at a minimum I would like a 12-month release. That way we will know what the road condition is after the winter. While you are there we are going to have a fire watch and a police watch and if for some reason the road is compromised they will

continue to have a fire watch and a police watch there until the road is able to be traveled by emergency vehicles and we want that written in the conditions of the easement.

Joe Hein questioned if the cash bond amount was satisfactory for the Selectmen. Stephen Mealy questioned George Sala how he arrived at the \$200,000 cash bond. Mr. Sala stated It was arrived at by the Sewer Department, Coreen Moore, and Mr. Sala, if any damage was done that would be the replacement cost.

Mr. Hein questioned what the road right-a-way is. Mr. Sala stated he believes the road right-a-way is somewhat in a 60 foot right-a-way, we can provide that information. Mr. Hein also wanted to make sure the draft easement will be from edge of the existing private drive down to 10 sections of guardrail down the road.

Stephen Mealy questioned the selectmen if they are comfortable with the cash bond of \$200,000, a release after 12 months, and during construction having a fire watch and a police watch onsite. Mr. Sala stated the Fire Department is requesting a detail be present due to Hide-a-way Village and the Police Departments request was there be no staging of any trucks on Head of the Bay Road. The other concern from the Fire Department was the width of the trucks and Hide-a-way Village; they wanted to make sure there wasn't an issue staging a fire truck and a detail there. The other concern was the timeline the deliveries will be made. Will Coombs stated as of now the delivery time line is between 1:00 am and 5:00 am. and the trucks leaving around 5:00 am – 7:00 am.

Peter Meier stated he would like the release to read "may be released". He wants the board to have the discretion to keep it longer than the 12 months if needed.

Michael Blanton questioned if there is a mechanism to inspect the area to see if there was any damage or integrity issues. If we run through the 12 months, release the bond, and then we find out there is an issue. Mr. Sala stated that George said that the Sewer Department will inspect the sewer system prior to releasing the bond back. The water Department has no concerns at this time.

Mr. Mulvey stated it would be good to know the one corporate entity that is responsible. If anything goes wrong whom would you be dealing with. Also a time certain that it will happen. How long is the bonding for and does it cover unforeseen events? Notification for fire dept., police dept., and the schools incase it runs into school hours.

Mr. Heins brought up his request for a building permit for two temporary job trailers for work that is taking place in Plymouth, the trailers will be parked in the town of Bourne. He was denied by the BOH for the Building Permit for modular trailers because the easement wasn't granted yet. Mr. Mealy stated if the plans show the easement for the removal of the guardrail and the reconstruction of the entrance and the trailers where they are going to be located then the easement will have to be large enough to include the location of the trailers. Mr. Hein stated the job trailers will be down the private driveways. The guardrails don't have to be taken out for the job trailers to go down the private driveway.

Don Pickard questioned from the time the easement is signed, you will be delivering the items between 1 am and 5 am, can you give an estimate of how many truck and trailers you will need. Will Coombs stated as of now they are planning on 4 days a week, given they are going to have a delay it may go to 6 days a week. The schedule was going to be on Monday 2 trucks, Tuesday 6 trucks, Wednesday 2 trucks, and Thursday will be 6 trucks, then on Monday it will start again, and that will go on for 3 weeks.

Don Pickard questioned if you are talking 2 or 6 trucks what is the necessity for a fire truck to be on site. Mr. Sala stated the concern was the width of the trucks because they go over the centerline. Because of the number of homes in Hide-a-way Village, if something were to happen, they are looking at it from a safety standpoint. Mr. Coombs stated he will be staggering the trucks going in.

**Voted** Peter Meier moved and seconded by Don Pickard to continue the discussion until July 21, 2015, with the concerns listed by the Chairman. Vote 5-0.

**8) Licenses/Appointments:**

- a) Council on Aging
- b) Commission on Disabilities
- c) Recycling Committee
- d) SWOP

Tom Guerino requested item 8a. be deferred one week.

**Voted** Peter Meier moved and seconded by Michael Blanton to defer item 8a until July 21, 2015. Vote 5-0.

**b) Commission on Disabilities**

**Voted** Don Pickard moved and seconded by Michael Blanton to appoint Heather Alden for the unexpired term. Vote 5-0.

**c) Recycling Committee**

Don Pickard read there are two vacancies on the Recycling Committee. One expires June 30, 2016; the other expires June 30, 2018.

**Voted** Don Pickard moved and seconded by Michael Blanton to fill the June 30, 2018 vacancy with Amy Sharpe. Vote 5-0.

**d) SWOP**

Don Pickard read the Special Workshop Opportunities Program established by Article 78 of the 1973 ATM seven members to be appointed by the Board of Selectmen annually. These are one-year terms. We have 5 people seeking reappointment, and we have two vacancies.

**Voted** Don Pickard moved and seconded by Peter Meier to place in nomination for appoint the following individuals who seek reappointment through June 30, 2016:

Andrew D. Cormier, Susan E. Cronin, Patty Duffy, Janet P. Hughgill, and Judith Shorrock. Vote 5-0.

## **9) Selectmen's Business**

- a) Override Discussion - preliminary reductions**
- b) Goals - Request for submission by BOS members**
- c) Selectmen's Calendar**
- d) Letter from Board to NOAA Fisheries and Massachusetts Division of Marine Fisheries requesting the Extension of the Near Coastal Protection Zone**

### **9 a) Override Discussion - preliminary reductions**

Stephen Mealy stated this is a discussion for preliminary reductions for the override taking place this fall. This was a discussion that was held last night at the joint meeting of the Finance Committee and the School Committee and the Board of Selectmen. This is a brief presentation so anyone who didn't see it last evening can see it this evening. This is the impact to the services as we know now if an override in the fall does not pass.

Tom Guerino briefly went over the presentation and reductions for the following Departments: Department of Natural Resources, Police Department, Fire Department, Recreation Department, Library, Council on Aging, Town Hall/Administration, Community Building Operations, DPW, and the Bourne Public Schools. Overall view there is a 2.3 million dollar reduction, which is a substantial reduction. If the override is successful we are just looking to maintain and provide a similar base of operations and services as we have now. Mr. Mealy stated this is just a preliminary overview of work that has been done by department heads for their recommendation in order to meet a reduction should the override not pass this fall. It is just a draft. It will be reviewed again by the Finance Committee, the Financial Project Working Group, as well as this board. The town website has a page now dealing with the override and this presentation. As time goes on the website will have firmer numbers and more detail so the residents will understand what is being proposed. There is also going to be a community outreach so the community members will have an opportunity to speak one-on-one with members of the Board of Selectmen or the Finance Committee.

Peter Meier questioned why the Upper Cape Regional Technical School has not been mentioned for any cuts. The Bourne public schools have to sacrifice a lot, why can the Upper Cape Technical School see if they can help and take a cut like the other departments, schools, and community members have to. Also find a way to not to have to close the Fire Station in Sagamore and preserve the essential services in that village. Mr. Mealy suggested the members list their priorities and try to make recommendations on how things might be able to be adjusted to accommodate the important items.

Don Pickard stated if the Upper Cape Tech can make any changes in their budget it has to be made by the five towns. An example would be that in Bourne we charge athletic fees and the Upper Cape Tech School does not. Based on this time in our lives we need to keep the 4

police car funded. This Board should identify their priorities and identify what to do, because there are nice to haves and need to haves.

Don Ellis stated he has a problem with closing the Sagamore Fire Station and the reduction in the police department. It was also stated in the list of reductions is streetlights in the town. Then you put more pressure on the Police Department and if you cut that department down from 4 to 3 cruisers that will be a problem. Mr. Meier questioned if the street light do have to be cut out, would the property owners effected have the option of paying for that street light. Mr. Guerino will look into that option.

Michael Blanton stated he does have concerns with the cuts in the emergency services and closure of the fire station in Sagamore is not a good way to go. He is also concerned with the dramatic cuts in the schools, and the level of education and possible loss of accreditation of the school. We will not be providing the level of education we should be providing to the families and kids of Bourne. The budget would not give us any future economic development that would help us to grow revenue so we would not be in this type of situation down the road.

Stephen Mealy stated these are preliminary numbers. The proposed override is a request to the residents in town to increase the attainments of taxes, which we have not done on a general override in 10 years. This is to put us on a sound financial position that would allow us to operate the town as it is today for the next five years. The last time we asked for an override in 2005 was going to last for 5 years and through diligent efforts of the members of the management team of the town we were able to extend that to 10 years.

Peter Meier stated we have to communicate what the benefits of the override will provide to the town, which is stability. The benefits of stability need to be communicated to the voters.

#### **9 b) Goals – Request for submission by BOS members**

Stephen Mealy would like the members to submit ideas for goals for the coming year. The Town Administrator and Mr. Mealy are putting together a workshop to go over the goals. Please submit ideas you may have for goals.

#### **9 c) Selectmen's Calendar**

Mr. Mealy stated the calendar is to provide an understanding of the meetings for the BOS, the Financial Planning Working Group, the School Committee, and the Finance Committee. Mr. Mealy will continue to update it and include as much detail as he can and send it out to the board members. It will be updated as needed. The calendar with some information and dates will be posted on the Town website.

#### **9 d) Letter from Board to NOAA Fisheries and Massachusetts Division of Marine Fisheries requesting the Extension of the Near Coastal Protection Zone**

Don Pickard went over the letter from concerned fisherman to the BOS to join and support petitioning NOAA and Mass Division Marine Fisheries to extend the near coastal protection zone from Boston North and out to include a 12 mile territory of water from Boston South

along outside of the Cape and Nantucket to Martha's Vineyard to western Massachusetts as it was done originally in 1999. A number of large draggers with mesh mobile gear with opening less than 6.5 inches are causing a lot of other fish and forage food to get caught in that mesh. The Barnstable County Commissioners did support this and drafted a letter, I made some changes and forwarded it out to the Chairman and the Town Administrator to send it to the board. If no changes need to be made we can sign it tonight and will send it out to Congressman Keating, Senator DeMacedo, Senator Wolf, and Cape and Island Reps. Mr. Guerino suggested to also send it to other Congressional Delegation that have coastal areas; Stephen Lynch, Michael E. Capuano, and Seth Moulton.

**Voted** Peter Meier moved and seconded by Don Pickard to instruct the Board of Selectmen to sign the letter dated July 14, 2015 to NOAA Fisheries and the Commonwealth of Massachusetts Division of Marine Fisheries. Vote 5-0.

## **10) Town Administrator's Report**

- a. DPW Vacancy**
- b. Override Work Update**
- c. Visit DPW**

### **10 a) DPW Vacancy**

Tom Guerino stated due to the hiring freeze the Selectmen have imposed on anytime we need to go outside that aren't internal hires and we have the need to replace a laborer at the DPW. We only have 1 or 2 laborers. I am requesting the Selectmen to allow us to fill that laborer position. George Sala stated why the DPW needs a laborer. Don Pickard stated this will be one of the first position to be cut if the override does not go through. He is concerned with bringing in someone for a few months. Also concerned that we are requesting an override of somewhere between 2.6 and 2.9 million dollars from the public. We have to see if we can get by without filling this position to show that we are trying to be prudent in our hiring practices and our expenditures so the voting public knows that we are doing the best we can. Michael Blanton stated that is prudent but we are still operating under the current budget and would like to hear from Mr. Sala whether this person is necessary. Mr. Sala stated the vehicle maintenance department is running with 2 personnel and one of them is out on workmen's comp. The sanitation recycling takes 15 personnel, which leaves us with approximately 7 between highway and maintenance. Now the department is running short and we still have to do our job. Don Ellis stated that this should be one that we can grant but this person should be notified that he may be let go.

**Voted** Don Ellis moved and seconded by Michael Blanton to go along with the request from the Highway Superintendent to add a laborer in light of his discussion. Vote 4-1.

### **10 b) Override Work Update**

Tom Guerino stated he feels the committee is up to date between the calendar and what has been discussed this evening. The Advisory Committee and the Town Administrator will continue to meet, as with the department heads and the Boards.

**10 c) Visit DPW**

Mr. Guerino wanted to invite the board to visit the new DPW facility. We are at substantial completion. We could take a site visit before one of our meetings. Perhaps on July 28<sup>th</sup> the Selectmen could do a 6:00 site visit. Peter Meier suggested go through the archives and get pictures to show how the DPW has been evolved throughout the years. Mr. Guerino stated it will be posted as a site visit.

Mr. Guerino wanted the board to know they are look at retirement programs and incentive programs. He also brought up the beaches, the lifeguards are there to watch the waters and make sure the water is safe, and are asking parents to make sure they are watching their children. He also brought up beach sticker parking. In the past we have been flexible but going forward we are going to be stricter; police are limited in the number of bodies and if they are taking the time to write citations we are going to enforce the citations. The Police Department's Facebook page has been helpful in getting a really good messages out to the public. Peter Meier stated people have questioned getting tickets for overnight parking and are having trouble finding the regulation that governs that. Is that a local bylaw or a Mass. General law? Mr. Guerino stated in the towns general traffic regulation there is no all night parking on any municipal street. Mr. Meier questioned if someone as a beach sticker and are fishing the tide, that they bought a license for, can they park and go fishing over night? Mr. Blanton stated that someone address him and questioned if they pay taxes in town, pay excise taxes on their boat, pay for a boat slip, when they went to drop their boat in the water they were told by an official they couldn't use the ramp because they didn't have a beach sticker.

**11) Selectmen's Reports**

Michael Blanton stated that the Town of Sandwich holds a summer meeting forum specifically so the summer residents in town can have some exchange with their municipal leadership. Is that something we want to consider at some point?

Don Pickard got an email about the Massachusetts Clean Energy Center in Boston awarded 1.1 million in clean energy project in three communities are going to be hosting different projects; Bourne, Freetown, and Hadley. Bourne will receive \$400,000 for the developers that are going to design and build an anarogue digester to process wastewater treatment, sludge, food waste, fats, oils, and grease. The other two communities that will benefit are Stop & Shop is going to have a constructed digester located in their distribution center in Freetown, they are receiving \$400,000 as well. BG Energy in Hadley will receive \$309,716; they are building a 300 kW anarogue system.

Peter Meier thanked the committee in getting a great parade off, and we were asked to judge.

Stephen Mealy wanted to recognize a group of folks who have doing something for many years. This is Sharing the Waterways.

Approximately 148 children ages 7 through 13 from the Crossroads for Kids program



took to the water last Tuesday with 24 boat owners who volunteered their time and vessels for the outing at Parker's Boat Yard in Cataumet. Over 75 volunteers traveling from Parker's Boatyard, Taylor's Point Marina, Kingman Yacht Center and Pocasset River, all from Bourne supported the day on the water. This was the 18th year of the annual event, originally started by Raz Parker.

Each summer, the Share the Waterways program at the boatyard has partnered with the nonprofit Crossroads for Kids program to help at-risk kids learn about boating.

Dave Foynes of Sagamore Beach has been organizing the event for the last 15 years, with support from many local people and businesses. Cooking was done by Chefs Nick Sheehan, Griffin Howe and our own Don Pickard.

Bruce Rodman of Sagamore Beach, owner of Cambridge Packing donated food for lunch for all the children and volunteers. EJ Cubellis from the Meza Luna provided temporary storage of all the food; the Lobster Trap donated many of dozens of cookies for desert, and both Parker's Boatyard and Kingman Marina supplied launch services to bring the children to and from the boats.

Crossroads for Kids has facilities in Brewster, Duxbury and Ashby, that provide at-risk young people from 130 eastern Massachusetts cities and towns with opportunities for enrichment and a stable support system, according to the group's website.

A wonderful way to share a day on the water. We extend our thanks to all in making the event possible and continuing a wonderful tradition.

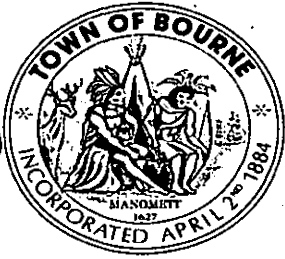
## **12) Other Business That May Legally Come Before The Board**

The next Bourne Selectmen meeting will be on Tuesday, July 21<sup>st</sup> at 7:00 P.M.

## **13) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Meeting adjourned at 9:30 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday July 21, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

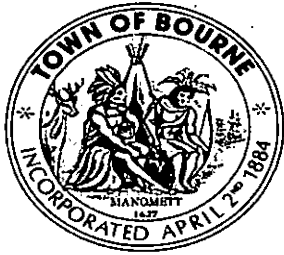
7:00 p.m. Call to order in Open Session

1. Moment of Silence for our Troops and our public safety personnel
2. Salute to our Flag
3. Public Comment on Non-Agenda Items
4. Correspondence
5. Continuation of Request for temporary easement for Mann Farm Turbines off Head of the Bay Road
6. Selectmen's Business
7. Town Administrator's Report
8. Selectmen Reports
9. Other business that may legally come before the Board
10. Adjourn

## Future Agenda Items

- A. Update by Cape RTA regarding the Cape Flyer Platform and Siding on south side of Canal
- B. Reduction of Energy Committee Membership
- C. Appointment of MBTA Representative
- D. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- E. Cape Canal Area Transportation Study Update
- F. Town Organizational Chart
- G. August 5, 2015 Selectmen's Goals Workshop

2015 JUL 17 AM 11 45  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen

## Meeting Notice

AGENDA

2015 JUL 24 PM 3 31

TOWN CLERK'S OFFICE

BOURNE, MASS



Date

Tuesday  
July 28, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: July 14, 2015
5. Correspondence
6. Licenses/Appointments:
  - a. Pan Mass Challenge – One Day Liquor
  - b. Custodian for the Care, Custody, Management and Control of Town Property appointment related to upcoming Town Property Auction
  - c. Council on Aging Appointment to fill one vacancy
  - d. Cataumet Civic Association request for Fireworks Display on 8.1.15
7. Selectmen's Business
  - a. Second reading on Financial Policy proposed changes
  - b. Second review of proposed reductions should Proposition 2 ½ question fail
  - c. Dan Barrett – Surplus Property – Sale of 3 recycling balers
  - d. Discuss support to maintain Cape Cod Chamber of Commerce Visitor's Center – Sagamore and Cape Cod Center
  - e. Vote to appoint member of Board of Selectmen to attend first meeting of Charter Review Committee to read charge and election of officers under Board of Selectmen Rules of Procedure XIV. Board of Selectmen New Committee Procedures as amend and adopted February 24, 2015.
8. Town Administrator's Report
9. Selectmen's Reports
10. Other business
11. Adjourn

Future Agenda Items

- A. Update by Cape RTA regarding the Cape Flyer Platform and Siding on south side of Canal
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- C. Appointment of MBTA Representative
- D. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- E. Cape Canal Area Transportation Study Update
- F. Town Organizational Chart
- G. August 5, 2015 Selectmen's Goals Workshop

**Board of Selectmen**  
**Minutes of Tuesday, July 28, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

TOWN CLERK'S OFFICE  
BOURNE, MASS

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TA Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times and Paul Gately Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

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

**Public Comment**

Margaret Burk spoke briefly about the industrial size wind turbines and the effect it has on humans. She handed out an article from experts about residents living too close to the turbines.

7/28/2015

Safe setbacks: How far should wind turbines be from homes? | Kirby Mountain

8+1 1

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# Kirby Mountain

Wednesday, July 30, 2008

## Safe setbacks: How far should wind turbines be from homes?

Let's start with what one manufacturer considers to be safe for its workers. The safety regulations for the Vestas V90, with a 300-ft rotor span and a total height of 410 feet, tell operators and technicians to stay 1,300 feet from an operating turbine -- over 3 times its total height -- unless absolutely necessary.

That already is a much greater distance than many regulations currently require as a minimum distance between wind turbines and homes, and it is concerned only with safety, not with noise, shadow flicker, or visual intrusion.

In February 2008, a 10-year-old Vestas turbine with a total height of less than 200 feet broke apart in a storm. Large pieces of the blades flew as far as 500 meters (1,640 feet) -- more than 8 times its total height.

The Fuhrlander turbine planned for Barrington, R.I., is 328 feet tall with a rotor diameter of 77 meters, or just over 250 feet (sweeping more than an acre of vertical air space). According to one news report, the manufacturer recommends a setback of 1,500 feet -- over 4.5 times the total height. In Wisconsin, where towns can regulate utility zoning for health and safety concerns, ordinances generally specify a setback of one-half mile (2,640 ft) to residences and workplaces.

But that may just be enough to protect the turbines from each other, not to adequately protect the peace and health of neighbors. When part of an array, turbines should be at least 10 rotor diameters apart to avoid turbulence from each other. In the case of the proposed 77-meter rotor span in Barrington, that would be 770 meters, or 2,525 feet. For the Gamesa G87, that's 2,850 feet; for the Vestas V90, 2,950 feet -- well over half a mile.

<http://kirbymntn.blogspot.com/2008/07/safe-setbacks-how-far-should-wind.html>

Not 30.  
Not 5.  
Average US  
CEO pay is  
**350x**  
av. wage worker's

Animal Agriculture  
is the *leading cause*  
of:  
Global Warming  
Deforestation  
Species Loss  
Water Depletion  
Ocean Dead Zones

PRINT

### Links



swindle

NO BIG WIND

Petillon: 2 km (1 1/4 mi)  
wind turbine setback

1/4

7/28/2015

Safe setbacks: How far should wind turbines be from homes? | Kirby Mountain

Since the human ear (not to mention the sensory systems of other animals or the internal organs of bats, which, it is now emerging, are crushed by the air pressure) is more sensitive than a giant industrial machine, doubling that would be a reasonable precaution (at least for the human neighbors -- it still doesn't help wildlife).

Jane and Julian Davis, whose home is 930 m (3,050 ft) from the Deeping St. Nicholas wind energy facility in England, were forced by the noise to rent another home in which to sleep. In July 2008 they were granted a 14% council tax reduction in recognition of their loss. It appears in this case that the combination of several turbines creates a manifold greater disturbance.

Sound experts Rick James and George Kamperman recommend a minimum 1 km (3,280 ft) distance in rural areas. James himself suggests that 2 km is better between turbines and homes, and Kamperman proposes 2-3 km as a minimum. German consultant Retexo-RISP also has suggested that "buildings, particularly housing, should not be nearer than 2 km to the windfarm", and that was written when turbines were half the size of today's models.

Both the French Academy of Medicine and the U.K. Noise Association recommend a minimum of one mile (or 1.5 km, just under a mile) between giant wind turbines and homes. Trempealeau County in Wisconsin implemented such a setback. National Wind Watch likewise advocates a minimum one-mile setback.

Dr. Michael Nissenbaum and colleagues surveyed residents near wind turbines in Maine and found significantly worse sleep and mental health among those living 1.4 km or closer than those living farther from the machines.

Dr. Nina Pierpont, the preeminent expert on "wind turbine syndrome", recommends 1.25 miles (2 km). That is the minimum the Davises insist on as safe as well. In France, Mariolaine Villey-Migraie concluded that the minimum should be 5 km (3 miles). In June 2010, Ontario's environment ministry proposed requirements that offshore wind turbines be at least 5 km from the shoreline.

To protect human health, these distances are simply crude ways to minimize noise disturbance, especially at night, when atmospheric conditions often make wind turbine noise worse and carry it farther even as there is a greater expectation of (and need for) quiet. The World Health Organization says that the noise level inside a bedroom at night

<http://kirbymtn.blogspot.com/2008/07/safe-setbacks-how-far-should-wind.html>

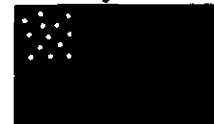
*Asthma and Herbs  
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Poetry*



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Safe setbacks: How far should wind turbines be from homes? | Kirby Mountain

should be no greater than 30 dB(A) or 50 dB(C) (the latter measure includes more of the low-frequency spectrum of noise, which is felt as much as, or even more than, heard). A court case in Great Britain resulted in the "Den Brook" amplitude modulation conditions, which define and limit pulsating noise, which is especially intrusive, as any change, outside the dwelling, of >3 dB in the LAeq,125ms (125-millisecond averaged sound level) in any 2-second period at least 5 times in any minute with LAeq,1min (1-minute averaged sound level) ≥28 dB and such excess occurring within at least 6 minutes in any hour.

#### Updates:



Since 2008, Queensland, Australia, has limited night-time noise indoors to 30 dB(A) (1-hour average), with limits of 35 dB(A) no more than 10% of the time and 40 dB(A) 1%. Respective daytime limits are 5 dB(A) above the night-time limits. They also specify that existing continuous 90% sound levels should not be increased and that variable noise averages should not increase existing sound levels more than 5 dB(A) in the same time period.

Scottish Planning Policy "recommends" a distance of 2 km between wind energy developments and the edge of cities, towns, and villages to reduce visual impact. Since August 2011, Victoria, Australia, has allowed wind turbines within 2 km of a home only with the homeowner's written consent. In April 2013, the Québec, Canada, government approved a 2-km setback from homes in the municipalities of Haut-Saint-Laurent, Montérégie. Citizens groups in Germany suggest a minimum distance of 10 times the total turbine height to residential areas (see this story). Since July 2013, the state of Saxony has required 1 km between wind turbines and residential areas.

In February 2014, Newport, North Carolina, established a 5,000-ft (1.5-km) setback from property lines, a 35-dB limit for noise at the property lines, and a total height limit of 275 feet. The latter two conditions were also established by Carteret County, North Carolina, in February 2014, as well as a 1-mile setback from property lines.

Also see: "Wind turbine setback and noise regulations since 2010"

[wind power](#), [wind energy](#), [wind turbines](#), [wind farms](#), [human rights](#), [animal rights](#)

at 7/30/2008  

Labels: noise regulation, setbacks

<http://kirbymtn.blogspot.com/2008/07/safe-setbacks-how-far-should-wind.html>

► Sep 2008 (9)

► Aug 2008 (9)

▼ Jul 2008 (6)

Safe setbacks:

How far should  
wind turbines  
be fro...

Wind Turbines:

Offensive  
industrialization  
of huma...

Pickers plans to  
pull one over u

Turning wilderness  
over to  
development in  
Maine

Not So Fast With  
Wind Power

20% wind by  
2030

► Jun 2008 (10)

► May 2008 (8)

► Apr 2008 (12)

► Mar 2008 (15)

► Feb 2008 (5)

► Jan 2008 (7)

► 2007 (166)

► 2006 (256)

► 2005 (285)

► 2004 (172)



**4) Minutes:**

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from July 14, 2015 as presented. Vote 5-0.

**5) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

- a) A letter from Division of Marine Fisheries: Shellfish Propagation Permit being issued to Keith A. Mann d/b/a/ Mann Farms, Inc.
- b) Judgment in Tax Lien Case: Town of Bourne vs. Frank, Lauren & George Hitchcock Jr. closed.
- c) Letter of interest from Don Rhodes of Pocasset to be appointed to SWOP
- d) Letter from James Sulkowicz of the Town of Barnstable regarding Weights and Measures submitted quarterly report from April 1 – June 30, 2015
- e) Letter from Coalition for Responsible Retailing re: a City Official's Perspective on Tobacco Regulations
- f) Letter from American Jewish Committee asking the Board to sign statement on Anti-Semitism in Europe by Mayors and Municipal Leaders
- g) A letter from the Chamber of Commerce regarding the 46 Annual Scallop Fest looking for 500 volunteers
- h) Letter from Lt. Governor thanking Selectman Meier for the opportunity to visit and hear about plans for Bourne
- i) Letter from Travelers Casualty & Surety have a bonding relationship with Consolidated Edison Solutions
- j) Letter of interest from Jeanne Azarovitz to serve as Bourne Financial Development Board of Directors (Bourne Rep to CCC and Transportation Advisory Committee have been filled)
- k) Email from Amy Kullar who rescind her letter of interest for the Council on Aging

**6) Licenses/Appointments:**

- a. **Pan Mass Challenge – One Day Liquor**
- b. **Custodian for the Care, Custody, Management and Control of Town Property appointment related to upcoming Town Property Auction**
- c. **Council on Aging Appointment to fill one vacancy**
- d. **Cataumet Civic Association request for Fireworks Display on 8.1.15**

**6 a. Pan Mass Challenge – One Day Liquor**

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the one-day all alcoholic liquor license for Pan Mass Challenge for the location at the Mass Maritime Academy from 8:00 AM to 9:00 PM. Vote 5-0.

Tom Guerino stated Chief Woodside has provided a very thorough list of what can and can't be done by the volunteers relative to the direction of traffic; bicyclist and how they will come in; Academy Drive won't be detoured; no parking sign will be removed by the DPW.

**6 b. Custodian for the Care, Custody, Management and Control of Town Property appointment related to upcoming Town Property Auction**

The Appointment of the Custodian under MGL. Chapter 60, Section 77B, for the care, Custody, Management and Control of Town Property for an appointment valid until December 31, 2015.

**Voted** Don Pickard moved and seconded by Peter Meier to move the name Nancy J. Sundman to be named Custodian. Vote 5-0.

Tom Guerino stated this deals specifically with the Auctions.

**6 c. Council on Aging Appointment to fill one vacancy**

This item is being tabled because the applicant has withdrawn her application. Tom Guerino stated this position will be re-advertised as appropriate.

**6 d. Cataumet Civic Association request for Fireworks Display on 8.1.15**

This is an extension of a routing slip approved in May to close Grasslands Lane for the Cataumet Club's 100<sup>th</sup> Birthday to include fireworks display. Fireworks to be delivered to the Squeteague Harbor Road boat ramp on August 1<sup>st</sup> at 8:00 AM and preparation throughout the day for a 9:00-9:15 PM fireworks display from a barge. Complete timeline is on file at the Town Administrator Office. This is just to include the fireworks.

Stephen Mealy stated in addition to the fireworks triggered a couple of things. Town of Bourne will have a fire watch and an onsite crew; there will be 2 details by the Police Department; DNR will be involved because they have to escort the Fire Chief to the barge for inspection when it comes into Bourne waters and they are also involved with doing a watch on the waters.

**Voted** Don Pickard moved and seconded by Peter Meier to add the addition of the fireworks from the Cataumet Club Association based on the completed application. Vote 5-0.

Stephen Pelky, Presidency of Atlas PyroVision Productions, gave a brief overview of the history with the Cataumet Club Association, what happened, and why they had to come back in front of the Board. He also briefly went over how they do their fireworks display show.

Don Pickard requested the selectmen take 7C as the next item on the agenda.

**7) Selectmen's Business**

- a. **Second reading on Financial Policy proposed changes**
- b. **Second review of proposed reductions should Proposition 2 ½ question fail**
- c. **Dan Barrett – Surplus Property – Sale of 3 recycling balers**
- d. **Discuss support to maintain Cape Cod Chamber of Commerce Visitor's Center – Sagamore and Cape Cod Center**
- e. **Vote to appoint member of Board of Selectmen to attend first meeting of Charter Review Committee to read charge and election of officers under Board of Selectmen Rules of Procedure XIV. Board of Selectmen New Committee Procedures as amend and adopted February 24, 2015.**

**7 c. Dan Barrett – Surplus Property – Sale of 3 recycling balers**

Tom Guerino stated with the new process we are working on for single stream recycling with Covanta and C.L. Harvey. There needs to be adjustment to the baler building. We have two older balers and one newer baler that are no value to our operation anymore.

Dan Barrett spoke about the selling of the 3 balers. We have two older balers, one was purchased in 1999 and one was purchased in 1993. When we retrofitted the baler building we took the balers out. We had expert balers come down and appraise the balers. They came up with a sealed bid. With the approval of the Selectmen we would like to put that in motion. Tom Guerino questioned if they will put this on municipal bid as well? Dan Barrett wasn't sure if there would be interference with the sealed bid process. Mr. Barrett will look into putting it on municipal bid.

**Voted** Don Pickard moved and seconded by Michael Blanton to authorize ISWM through the Town Administrator to declare and put up for bid the following pieces of equipment: 1993 International Baler, model CEB-602, the 1999 International Baler, model LD-60-SD, and the 2003 International Press and Shear, model E6-AT965-HS. Vote 5-0.

**7 a. Second reading on Financial Policy proposed changes**

Stephen Mealy went over the highlights of the Financial Management Policies and Guidelines as the second reading. The highlights are the areas that the Financial Project Working Group felt could be changes in order to provide more stringent controls on the town's free cash and provisions to address newer expenses the town faces.

Tom Guerino wanted to highlight some strong points that have been a strong determination as it relates to free cash. By putting that control in place it puts a good limit as to how we can spend and what we can spend free cash on.

Don Pickard stated that a few years ago we had Mrs. Marzelli, the Finance Director with the representative of the Bonding Company. They had a discussion of lowering the stabilization and our free cash limits and if we did our bond rating would be reduced to be less favorable than it is. Has there been any discussion on fiscal reserve guidelines Part B, stabilization fund, where the working group is recommending that we go from 7% to 6%.

Tom Guerino stated that was if we didn't adhere to the financials policies at that time. If we didn't achieve those the bond companies would look at that as less than favorable, but because we are changing the policy, if we stick to what we have in our policy we will not be looked upon in an unfavorable way.

Jim Mulvey questioned where you are setting certain parameters whose obligation is it to oversee that and how often does that information have to be brought to the Board of Selectmen for action?

Tom Guerino explained there are four entities that have to sign off on the policies: BOS, Finance Committee, Finance Director and the Town Administrator. We have our free cash certification annually; during our budgetary period we would look at our debt on an annual basis and report that to the Selectmen. All four entities have the responsibility to oversee the policy.

**Voted** Peter Meier moved and seconded by Michael Blanton to move this from 2<sup>nd</sup> reading to 3<sup>rd</sup> and final reading on the draft dated June 15, 2015. Vote 5-0.

**7 b. Second review of proposed reductions should Proposition 2 ½ question fail**

Tom Guerino went over the budgets and cuts and how they got to these numbers.

TOWN HALL DEPTS		FY2016 BUDGET	FY2015 ACTUALS (1/2 yr)	FY2014 ACTUALS (full yr)	PERCENTAGE CHANGE (1/2 yr)	NET @ 28 MONTHS
Town Administrator	Salaries & Wages	100,176	115,450	100,900	10%	109,276
	Expenses	4,251	3,000	3,000	8%	2,251
	Benefits		24	3,448		
		104,427	118,474	106,348		111,527
Finance	Salaries & Wages	18,075	18,044	6,088	2%	17,987
	Expenses	55,090				55,090
	Benefits		159	2,318		
		73,165	18,203	8,406		73,077
Town Clerk	Salaries & Wages	108,261	1,406	2,812	21%	5,449
	Expenses	3,900				
	Benefits		732	7,465		
		112,161	2,138	10,277		12,894
Economic Development	Salaries & Wages			0,000		
	Expenses	2,500		0,000	80%	500
		2,500		0,000		500
Facilities Management	Salaries & Wages	73,945	2,700	2,700	3%	28,745
	Expenses	73,400	1,330	2,650	13%	50,740
	Benefits		47,345	6,530	7,650	
Human Services Organ.	Salaries & Wages					
	Expenses	1,210		210	30%	2,000
		1,210		210		2,000
Street Lights	Salaries & Wages					
	Expenses	5,000	4,000	8,000	51%	7,000
		5,000	4,000	8,000		7,000
<b>Total town hall</b>		<b>7,545</b>	<b>177,101</b>	<b>177,101</b>		<b>177,101</b>
<b>PUBLIC SAFETY</b>						
POLICE	Salaries & Wages	859,182	646,500	34,211	3%	724,971
	Expenses	79,685				79,685
	Benefits		1,487	6,974		
		938,867	647,987	41,185		804,656
Fire	Salaries & Wages	724,807	15,000	30,000	7%	994,807
	Expenses	36,875				36,875
	Benefits		2,250	10,500		
		761,682	17,250	40,500		1,031,182
Emergency Preparedness	Salaries & Wages	7,686		850	50%	836
	Expenses	5,929		150	24%	9,779
	Benefits			5,000		
		13,615		5,850		14,615
DNR	Salaries & Wages	68,893	5,121	8,747	17%	90,646
	Expenses	71,440		1,000	7%	60,440
	Waterways Revenue		4,459	8,915		
	Benefits		298	2,595		
		140,333	9,578	12,257		151,091
<b>Total Public Safety</b>		<b>10,675</b>	<b>774,427</b>	<b>774,427</b>		<b>774,427</b>
<b>DEPARTMENT OF PUBLIC WORKS</b>						
DPW	Salaries & Wages	442,158	1,610	7,221	5%	1,374,937
	Expenses	38,485				38,485
	Benefits		1,764	3,527		
		480,643	1,774	10,748		1,413,850
<b>HUMAN SERVICES</b>						
COA	Salaries & Wages	61,088	1,357	7,274	16%	103,814
	Expenses	8,195		2,456	26%	5,739
	Benefits		971	8,142		
		69,283	2,328	15,872		119,553
Memorial Community	Salaries & Wages	4,353	8,386	16,772	39%	17,581
	Expenses	5,350	614	3,228	18%	3,122
	Benefits			4,000		
		9,703	8,999	23,999		20,703
<b>Total Human Services</b>		<b>79,031</b>	<b>11,323</b>	<b>39,844</b>		<b>140,256</b>
<b>CULTURE &amp; RECREATION</b>						
Library	Salaries & Wages	61,640	5,880	1,760	11%	109,880
	Expenses	62,595		20,000	25%	72,595
	Benefits		275	2,550		
		124,235	6,155	4,310		182,475
Recreation	Salaries & Wages	55,071	3,927	1,816	35%	101,255
	Expenses	1,075		6,184	77%	8,891
	Benefits			0,000		
		56,146	3,927	7,999		110,146
<b>Total Culture &amp; Recreation</b>		<b>180,381</b>	<b>10,082</b>	<b>12,309</b>		<b>292,621</b>
<b>TOTAL NON-SCHOOL REDUCTIONS</b>		<b>93,687</b>	<b>7,115</b>	<b>215,473</b>		<b>215,473</b>
<b>SCHOOL</b>						
SCHOOL	Salaries & Wages	1,879,994	65,315	530,630		1,349,364
	Expenses					
	Benefits					
<b>Total School Reductions</b>		<b>1,879,994</b>	<b>65,315</b>	<b>530,630</b>		<b>1,349,364</b>
<b>TOTAL BUDGET REDUCTIONS</b>		<b>359,002</b>	<b>746,103</b>	<b>746,103</b>		<b>746,103</b>

Peter Meier voiced his concerns about closing the Sagamore Fire Station.

Don Pickard voiced his concerns: going down to a 3-person car Police, and the Administration positions.

Don Ellis voiced his concerns about the Sagamore Fire Station closing, and going down to a 3 car police, we also have to look into the Department of Public Works.

Mr. Pickard also directed questions to the Town Administrator, what is the cost of the COA lunch program, could we go to some outside source like Meals on Wheels and would that be a savings? Reduce library hours to 4.5 hours a day; reduce supportive day program to 3 days a week.; eliminate the Recreation Department but keep lifeguards at two beaches. Reduce DNR by another \$50,000 and how would you propose we do that? Have you calculated the savings or cost associated with a 3-year retirement program and the bonus program, and what would the cost be if we privatized all of our janitorial?

Peter Meier stated he hopes we are working with our school counterparts because a substandard school system will not help us, people will not want to live in this town.

Michael Blanton voiced his concerns with the school budget cuts and how it will impact our youth and the future of this community. The other item is the Economic Development line item budget. If we are not able to invest any money in our economic development we are not able to create any new revenues that will help us bring about positive change. The cut in recreation goes to the quality of life that the residents of Bourne enjoy.

Stephen Mealy stated he asked to have a meeting next Monday, August 3<sup>rd</sup> with the Financial Project Working group to allow the residents of the town to attend the meeting and after getting a presentation of the cuts allow them to ask questions. Also for us as representatives of the town, to get a feeling for what the residents are feeling. If the residents are unable to attend the meeting they can send questions to the Town Administrator. We will do our best to address those questions during the meeting. We have put together a Facebook page that will be for the override question. We will put up 10 -15 frequently ask questions that we will post answers to so you can see how we got to where we are and what our plans are to get out of the situation, what would happen if the override doesn't pass, and why we are asking for the amount we are asking for, so we can make a decision as a community this fall.

Don Ellis questioned Mr. Guerino when you go out and negotiate with the unions that exist in the town and they are looking for a 2 or 3% raise, is that based on what each individual makes or is that a set fee? Mr. Guerino stated the bargaining unit generally comes in with a request for the unit not the individual positions. Mr. Ellis questioned have you considered a policy where the increase is only on the first \$16,000 of each union? Mr. Ellis questioned if it is worth looking into because it would save the town a great deal of money.

**7 d. Discuss support to maintain Cape Cod Chamber of Commerce Visitor's Center – Sagamore and Cape Cod Center**

Don Pickard read the letter from the Honorable Robert DeLeo, Speaker of the House. Mr. DeLeo is requesting the Selectmen to override the veto of the 7008-0900 of \$400,000 earmark for visitor center operations from Memorial Day to Columbus Day. The visitor centers are: Berkshire Visitor Center, Adams; Boston Common Visitor Center, Boston; Boston Prudential Center Visitor Center, Boston; Cape Cod Visitor Center, Route 25 Eastbound, Plymouth; Upper Pioneer Valley Visitor Center, Greenfield; Jonny Appleseed visitor Center, Lancaster; MA Tourist Visitor Center, Route 3 Plymouth; Maria Miles MA Tourist Center, Salisbury; Sagamore Bridge Visitor Center, Bourne; Route 6 Cape Cod Visitor Center, Barnstable; and Route I-195 Visitor Center, Wareham.

**Voted** Don Pickard moved and seconded by Peter Meier to approve by the Board to show our support to the Chamber of Commerce. Vote 5-0

**7 e. Vote to appoint member of Board of Selectmen to attend first meeting of Charter Review Committee to read charge and election of officers under Board of Selectmen Rules of Procedure XIV. Board of Selectmen New Committee Procedures as amend and adopted February 24, 2015.**

Stephen Mealy went over the appointment of a Selectman to attend the Charter Review Committee's first meeting. We have appointed a Charter Review Committee and as per our Policies and Procedures a member of the Board of Selectmen is to attend the first meeting to help organize and get the ball rolling for the committee.

Mr. Mealy read from the Board of Selectmen New Committee Procedures: The Board of Selectmen will choose one of its members to attend the first meeting of a newly established committee. At the first meeting the designated Selectman will read the charge by the Board of Selectman and answer any questions by committee members so that each member is clear on the scope of the committee. Committee Meeting Procedures will also be given to each member and discussed. The members of the committee will establish a regular meeting schedule and determine the date of the next meeting. The designated Selectman shall conduct the election of officers of the committee. The committee may decide to hold the election of officers at the beginning of their second meeting; however, at no time shall a committee created by the Selectmen be without officers after the conclusion of its third session. No substantive business will be conducted before the election of officers. By majority vote, of the members who constitute the make-up of the committee, shall elect a Chairman, Vice Chairman and Clerk. Officers of the committee and shall be chosen at the committee's first meeting after the start of each fiscal year.

Don Pickard volunteered to attend the first meeting.

**Voted** Peter Meier moved and seconded by Michael Blanton to nominate Don Pickard to attend the first Charter Review Committee meeting representing the Board of Selectmen. Vote 5-0

### **8) Town Administrator's Report**

Tom Guerino said he has just been going over budget and override. I have been monitoring the rec programs. They have been oversubscribed this year.

### **9) Selectmen's Reports**

Don Ellis stated the Little Red Schoolhouse in Bournedale held a celebration to recognize the fact that they have achieved the National Register of Historic Buildings. It is the second building restored as a one-room schoolhouse.

Stephen Mealy stated we have a goals session next Wednesday at 6:30. No one has responded with goals yet. We have several vacancies. We have a couple vacancies on the Recreational Committee. If anyone is interested they can contact the Town Administrator. We have one vacancy as a member of the Community Veteran Center, a non-veteran. There is an upcoming open house at the Mass Maritime Academy on Saturday, August 8<sup>th</sup>. Open to the entire town from noon until 2:00 PM. Mr. Mealy also gave an update on the wind project in Plymouth.

### **10) Other Business**

Michael Blanton brought up that residents are stating there are a lot of out of state non-stickered visitors at our beaches, and that stickered residents are having a hard time finding parking at our beaches. Is the town missing out on getting revenue by not having some manner for collecting fees from non-stickers vehicles. Mr. Blanton encouraged the residents to write letters to the Town Manager or the Board of Selectman and to come to the select Board meetings. Peter Meier stated residents of Bourne with the same issues have also approached him. Mr. Guerino stated that in the past it hasn't been cost effective to put a gate person at the beaches. Mr. Mealy suggested we put this on as a future agenda item.

Don Ellis brought us the email from Barry Johnson regarding a Cape Cod Run Against Addiction. Mr. Ellis stated this board should support this project. He is suggesting it be done from the south side of the canal. Have it start at the Historic Center or the Library and just go down to the canal and run down the south side of the canal on the service road. It will keep them off the main highway. We should support Mr. Santos but have it run strictly from the south side of the canal then they can run to Sandwich and pass of the flag there.

### **11) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 8:37 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



**Board of Selectmen**  
**Minutes of Tuesday, July 28, 2015** 15 AUG 24 AM 11 06  
**Bourne Community Building**  
**Bourne, MA 02532** TOWN CLERK'S OFFICE  
BOURNE, MASS

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TA Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times and Paul Gately Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

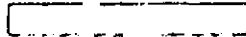
**Moment of Silence for our Troops/Salute the Flag**

**Public Comment**

Margaret Burk spoke briefly about the industrial size wind turbines and the effect it has on humans. She handed out an article from experts about residents living too close to the turbines.

7/28/2015

Safe setbacks: How far should wind turbines be from homes? | Kirby Mountain



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# Kirby Mountain

Wednesday, July 30, 2008

## Safe setbacks: How far should wind turbines be from homes?

Let's start with what one manufacturer considers to be safe for its workers. The safety regulations for the Vestas V90, with a 300-ft rotor span and a total height of 410 feet, tell operators and technicians to stay 1,300 feet from an operating turbine -- over 3 times its total height -- unless absolutely necessary.

That already is a much greater distance than many regulations currently require as a minimum distance between wind turbines and homes, and it is concerned only with safety, not with noise, shadow flicker, or visual intrusion.

In February 2008, a 10-year-old Vestas turbine with a total height of less than 200 feet broke apart in a storm. Large pieces of the blades flew as far as 500 meters (1,640 feet) -- more than 8 times its total height.

The Fuhrlander turbine planned for Barrington, R.I., is 328 feet tall with a rotor diameter of 77 meters, or just over 250 feet (sweeping more than an acre of vertical air space). According to one news report, the manufacturer recommends a setback of 1,500 feet -- over 4.5 times the total height. In Wisconsin, where towns can regulate utility zoning for health and safety concerns, ordinances generally specify a setback of one-half mile (2,640 ft) to residences and workplaces.

But that may just be enough to protect the turbines from each other, not to adequately protect the peace and health of neighbors. When part of an array, turbines should be at least 10 rotor diameters apart to avoid turbulence from each other. In the case of the proposed 77-meter rotor span in Barrington, that would be 770 meters, or 2,525 feet. For the Gamesa G87, that's 2,850 feet; for the Vestas V90, 2,950 feet -- well over half a mile.

<http://kirbymtn.blogspot.com/2008/07/safe-setbacks-how-far-should-wind.html>

Not 30.  
Not 5.  
Average US  
CEO pay is  
**350x**  
av. wage worker's

Animal Agriculture  
is the *leading cause*  
of:  
Global Warming  
Deforestation  
Species Loss  
Water Depletion  
Ocean Dead Zones

PRINT

### Links



**swindle**

**NO BIG WIND**

**Petition: 2km (1 1/4 mi) wind turbine setback**

1/4

7/28/2015

Safe setbacks: How far should wind turbines be from homes? | Kirby Mountain

Since the human ear (not to mention the sensory systems of other animals or the internal organs of bats, which, it is now emerging, are crushed by the air pressure) is more sensitive than a giant industrial machine, doubling that would be a reasonable precaution (at least for the human neighbors -- it still doesn't help wildlife).

Jane and Julian Davis, whose home is 930 m (3,050 ft) from the Deeping St. Nicholas wind energy facility in England, were forced by the noise to rent another home in which to sleep. In July 2008 they were granted a 14% council tax reduction in recognition of their loss. It appears in this case that the combination of several turbines creates a manifold greater disturbance.

Sound experts Rick James and George Kamperman recommend a minimum 1 km (3,280 ft) distance in rural areas. James himself suggests that 2 km is better between turbines and homes, and Kamperman proposes 2-3 km as a minimum. German consultant Retexo-RISP also has suggested that "buildings, particularly housing, should not be nearer than 2 km to the windfarm"; and that was written when turbines were half the size of today's models.

Both the French Academy of Medicine and the U.K. Noise Association recommend a minimum of one mile (or 1.5 km, just under a mile) between giant wind turbines and homes. Trempealeau County in Wisconsin implemented such a setback. National Wind Watch likewise advocates a minimum one-mile setback.

Dr. Michael Nissenbaum and colleagues surveyed residents near wind turbines in Maine and found significantly worse sleep and mental health among those living 1.4 km or closer than those living farther from the machines.

Dr. Nina Pierpont, the preeminent expert on "wind turbine syndrome", recommends 1.25 miles (2 km). That is the minimum the Davises insist on as safe as well. In France, Marjolaine Viley-Migraire concluded that the minimum should be 5 km (3 miles). In June 2010, Ontario's environment ministry proposed requirements that offshore wind turbines be at least 5 km from the shoreline.

To protect human health, these distances are simply crude ways to minimize noise disturbance, especially at night, when atmospheric conditions often make wind turbine noise worse and carry it farther even as there is a greater expectation of (and need for) quiet. The World Health Organization says that the noise level inside a bedroom at night

*Asthma and Herbs  
Nature-Guilt  
Poetry*



*Our Daily Bleed*



*Counterpunch  
Moon of Alabama*



Don't Submit



Posts

### Archive

- ▶ 2015 (31)
- ▶ 2014 (63)
- ▶ 2013 (82)
- ▶ 2012 (136)
- ▶ 2011 (159)
- ▶ 2010 (128)
- ▶ 2009 (140)
- ▼ 2008 (109)
  - ▶ Dec 2008 (8)
  - ▶ Nov 2008 (10)
  - ▶ Oct 2008 (10)

7/28/2015

Safe setbacks: How far should wind turbines be from homes? | Kirby Mountain

should be no greater than 30 dB(A) or 50 dB(C) (the latter measure includes more of the low-frequency spectrum of noise, which is felt as much as, or even more than, heard). A court case in Great Britain resulted in the "Den Brook" amplitude modulation conditions, which define and limit pulsating noise, which is especially intrusive, as any change, outside the dwelling, of >3 dB in the LAeq,125ms (125-millisecond averaged sound level) in any 2-second period at least 5 times in any minute with LAeq,1min (1-minute averaged sound level) ≥28 dB and such excess occurring within at least 6 minutes in any hour.

#### Updates:


Since 2008, Queensland, Australia, has limited night-time noise indoors to 30 dB(A) (1-hour average), with limits of 35 dB(A) no more than 10% of the time and 40 dB(A) 1%. Respective daytime limits are 5 dB(A) above the night-time limits. They also specify that existing continuous 90% sound levels should not be increased and that variable noise averages should not increase existing sound levels more than 5 dB(A) in the same time period.

Scottish Planning Policy "recommends" a distance of 2 km between wind energy developments and the edge of cities, towns, and villages to reduce visual impact. Since August 2011, Victoria, Australia, has allowed wind turbines within 2 km of a home only with the homeowner's written consent. In April 2013, the Québec, Canada, government approved a 2-km setback from homes in the municipalities of Haut-Saint-Laurent, Montérégie. Citizens groups in Germany suggest a minimum distance of 10 times the total turbine height to residential areas (see this story). Since July 2013, the state of Saxony has required 1 km between wind turbines and residential areas.

In February 2014, Newport, North Carolina, established a 5,000-ft (1.5-km) setback from property lines, a 35-dB limit for noise at the property lines, and a total height limit of 275 feet. The latter two conditions were also established by Carteret County, North Carolina, in February 2014, as well as a 1-mile setback from property lines.

Also see: "Wind turbine setback and noise regulations since 2010"

[wind power](#), [wind energy](#), [wind turbines](#), [wind farms](#), [human rights](#), [animal rights](#)

at 7/30/2008  

Labels: noise regulation, setbacks

<http://kirbymountain.blogspot.com/2008/07/safe-setbacks-how-far-should-wind.html>

► Sep 2008 (9)

► Aug 2008 (9)

▼ Jul 2008 (6)

Safe setbacks:

How far should  
wind turbines  
be fro...

Wind Turbines:

Offensive  
industrialization  
of huma...

Pickens plans to  
pull one over u

Turning wilderness  
over to  
development in  
Maine

Not So Fast With  
Wind Power

20% wind by  
2030

► Jun 2008 (10)

► May 2008 (8)

► Apr 2008 (12)

► Mar 2008 (15)

► Feb 2008 (5)

► Jan 2008 (7)

► 2007 (166)

► 2006 (256)

► 2005 (285)

► 2004 (172)

**4) Minutes:**

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from July 14, 2015 as presented. Vote 5-0.

**5) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

- a) A letter from Division of Marine Fisheries: Shellfish Propagation Permit being issued to Keith A. Mann d/b/a/ Mann Farms, Inc.
- b) Judgment in Tax Lien Case: Town of Bourne vs. Frank, Lauren & George Hitchcock Jr. closed.
- c) Letter of interest from Don Rhodes of Pocasset to be appointed to SWOP
- d) Letter from James Sulkowicz of the Town of Barnstable regarding Weights and Measures submitted quarterly report from April 1 - June 30, 2015
- e) Letter from Coalition for Responsible Retailing re: a City Official's Perspective on Tobacco Regulations
- f) Letter from American Jewish Committee asking the Board to sign statement on Anti-Semitism in Europe by Mayors and Municipal Leaders
- g) A letter from the Chamber of Commerce regarding the 46 Annual Scallop Fest looking for 500 volunteers
- h) Letter from Lt. Governor thanking Selectmen Meier for the opportunity to visit and hear about plans for Bourne
- i) Letter from Travelers Casualty & Surety have a bonding relationship with Consolidated Edison Solutions
- j) Letter of interest from Jeanne Azarovitz to serve as Bourne Financial Development Board of Directors (Bourne Rep to CCC and Transportation Advisory Committee have been filled)
- k) Email from Amy Kulan who rescind her letter of interest for the Counsel on Aging

**6) Licenses/Appointments:**

- a. **Pan Mass Challenge - One Day Liquor**
- b. **Custodian for the Care, Custody, Management and Control of Town Property appointment related to upcoming Town Property Auction**
- c. **Council on Aging Appointment to fill one vacancy**
- d. **Cataumet Civic Association request for Fireworks Display on 8.1.15**

**6 a. Pan Mass Challenge - One Day Liquor**

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the one-day all alcoholic liquor license for Pan Mass Challenge for the location at the Mass Maritime Academy from 8:00 AM to 9:00 PM. Vote 5-0.

Tom Guerino stated Chief Woodside has provided a very through list of what can and can't be done by the volunteers relative to the direction of traffic; bicyclist and how they will come in; the Academy Drive wont be detoured; no parking sign will be removed by the DPW.

**6 b. Custodian for the Care, Custody, Management and Control of Town Property appointment related to upcoming Town Property Auction**

The Appointment of the Custodian Under MGL. Chapter 60, Section 77B, for the care, custody Management and Control of Town Property for an appointment valid until December 31, 2015.

**Voted** Don Pickard moved and seconded by Peter Meier to move the name Nancy J. Sundman to be named Custodian. Vote 5-0.

Tom Guerino stated this deals specifically with the Auctions.

**6 c. Council on Aging Appointment to fill one vacancy**

This item is being tabled because the applicant has withdrawn her application. Tom Guerino stated this position will be re advertise as appropriate.

**6 d. Cataumet Civic Association request for Fireworks Display on 8.1.15**

This is an extension of a routing slip approved in May to close Grasslands Lane for the Cataumet Club's 100<sup>th</sup> Birthday to include fireworks display. Fireworks to be delivered to the Squeteague Harbor Road boat ramp on August 1<sup>st</sup> at 8:00 AM and preparation throughout the day for a 9:00-9:15 PM fireworks display from a barge. Complete timeline is on file at the Town Administrator Office. This is just to include the fireworks.

Stephen Mealy stated the addition of the fireworks triggered a couple of things. Town of Bourne will have a fire watch and an onsite crew; there will be 2 details by the Police Department; and the DNR will be involved because they have to escort the Fire Chief to the barge for inspection of the barge when it comes into Bourne waters, they are also involved with doing a watch on the waters.

**Voted** Don Pickard moved and seconded by Peter Meier to add the addition of the fireworks from the Cataumet Club Association based on the completed application. Vote 5-0.

Stephen Pelky, Presidency of Atlas PyroVision Productions, gave a brief overview of the history with the Cataumet Club Association, what happened, and why they had to come back in front of the Board. He also briefly went over how they do their fireworks display show.

Don Pickard requested the selectmen take 7C as the next item on the agenda.

**7) Selectmen's Business**

- a. **Second reading on Financial Policy proposed changes**
- b. **Second review of proposed reductions should Proposition 2 ½ question fail**
- c. **Dan Barrett - Surplus Property - Sale of 3 recycling balers**
- d. **Discuss support to maintain Cape Cod Chamber of Commerce Visitor's Center - Sagamore and Cape Cod Center**
- e. **Vote to appoint member of Board of Selectmen to attend first meeting of Charter Review Committee to read charge and election of officers under Board of Selectmen Rules of Procedure XIV. Board of Selectmen New Committee Procedures as amend and adopted February 24, 2015.**

**7 c. Dan Barrett - Surplus Property - Sale of 3 recycling balers**

Tom Guerino stated with the new process we are working on for single stream recycling with Covanta and C.L. Harvey. There needs to be adjustment to the baler building. We have two older balers and one newer baler that are no value to our operation anymore.

Dan Barrett spoke about the selling of the 3 balers. We have two older bailers, one was purchased in 1999 and one was purchased in 1993. When we retrofitted the bailer building we took the bailers out. We had expert bailers come down and appraise the bailers. They came up with a sealed bid. With the approval of the Selectmen we would like to put that in motion. Tom Guerino questioned if they will put this on Municibid as well? Dan Barrett wasn't sure if there would be interference with the sealed bid process. Mr. Barrett will look into putting it on Municibid.

**Voted** Don Pickard moved and seconded by Michael Blanton to authorize ISWM through the Town Administrator to declare and put up for bid the following pieces of equipment: 1993 International Baler, model CEB-602, the 1999 International Baler, model LD-60-SD, and the 2003 International Press and Shear, model E6-AT965-HS. Vote 5-0.

**7 a. Second reading on Financial Policy proposed changes**

Stephen Mealy went over the highlights of the Financial Management Policies and Guidelines as the second reading. The highlights are the areas that the Financial Project Working Group felt could be changes in order to provide more stringent controls on the towns free cash, and provisions to address newer expenses the town faces.

Tom Guerino wanted to highlight some strong points that have been a strong determination as it relates to free cash. By putting that control in place it puts a good limit as to how we can spend and what we can spend free cash on.

Don Pickard stated that a few years ago we had Mrs. Marzelli, the Finance Director with the representative of the Bonding Company. They had a discussion of lowering the stabilization and our free cash limits and if we did our bond rating would be reduced to be

less favorable than it is. Has there been any discussion on fiscal reserve guidelines part B, stabilization fund, where the working group is recommending that we go from 7% to 6%.

Tom Guerino stated that was if we didn't adhere to the financials policies at that time. If we didn't achieve those the bond companies would look at that as less than favorable, but because we are changing the policy, if we stick to what we have in our policy we will not be looked upon in an unfavorable way.

Jim Mulvey questioned where you are setting certain parameters whose obligation it is to oversee that and how often does that information have to be brought to the Board of Selectmen for action?

Tom Guerino explained there are four entities that have to sign off on the policies, the BOS, the Finance Committee, the Finance Director, and the Town Administrator. We have our free cash certification annually; during our budgetary period we would look at our debt on an annual basis and report that to the Selectmen. All four entities have the responsibility to oversee the policy.

**Voted** Peter Meier moved and seconded by Michael Blanton to move this from 2<sup>nd</sup> reading to 3<sup>rd</sup> and final reading on the draft dated June 15, 2015. Vote 5-0.

**7 b. Second review of proposed reductions should Proposition 2 ½ question fail**

Tom Guerino went over the budgets and cuts and how they got to these numbers.



		FY2016 VOTED BUDGET	FY2016 CUTS (1/28)	FY2017 CUTS (full)	PERCENTAGE CHANGE (full)	FY 2017 MONTHS
<b>TOWNHALL DEPTS</b>						
Town Administrator	Salaries & Wages	20,176	1,450	900	10%	69,276
	Expenses	4,251	2,000	1,000	6%	2,251
	Benefits		24	848		
	<b>Total</b>	<b>24,427</b>	<b>3,474</b>	<b>1,848</b>		<b>71,079</b>
Finance	Salaries & Wages	27,075	8,044	6,068	2%	70,987
	Expenses	55,090				55,090
	Benefits		159	2,318		
	<b>Total</b>	<b>82,165</b>	<b>8,203</b>	<b>8,386</b>		<b>126,077</b>
Town Clerk	Salaries & Wages	28,261	1,406	2,812	21%	5,449
	Expenses	900				
	Benefits		712	7,465		
	<b>Total</b>	<b>29,161</b>	<b>2,118</b>	<b>10,277</b>		<b>3,884</b>
Economic Development	Salaries & Wages	7,500		0,000	60%	500
	Expenses	2,500		0,000		500
Facilities Management	Salaries & Wages	73,945	200	200	3%	68,745
	Expenses	73,400	1,330	2,660	13%	50,740
	<b>Total</b>	<b>147,345</b>	<b>1,530</b>	<b>2,860</b>		<b>119,485</b>
Human Service Organ.	Salaries & Wages					
	Expenses	1,210		210	30%	7,000
	Benefits	1,210		210		2,000
Street Lights	Salaries & Wages					
	Expenses	5,000	4,000	4,000	51%	7,000
	Benefits					
	<b>Total</b>	<b>5,000</b>	<b>4,000</b>	<b>4,000</b>		<b>7,000</b>
<b>Total Town Hall</b>		<b>254,515</b>	<b>17,101</b>	<b>17,101</b>		<b>254,515</b>
<b>PUBLIC SAFETY</b>						
POLICE	Salaries & Wages	459,182	4,560	34,211	3%	724,971
	Expenses	79,645	3,487	6,974		79,645
	Benefits		1,047	11,185		
	<b>Total</b>	<b>538,827</b>	<b>8,094</b>	<b>52,370</b>		<b>814,691</b>
Fire	Salaries & Wages	724,807	15,000	30,000	7%	994,807
	Expenses	36,475				36,475
	Benefits		2,750	10,500		
	<b>Total</b>	<b>761,282</b>	<b>17,750</b>	<b>40,500</b>		<b>1,031,782</b>
Emergency Preparedness	Salaries & Wages	7,686		450	50%	836
	Expenses	5,929		150	24%	9,779
	Benefits			5,000		6,615
	<b>Total</b>	<b>13,615</b>	<b></b>	<b>5,450</b>		<b>17,230</b>
DNR	Salaries & Wages	68,893	3,121	6,247	12%	90,646
	Expenses	71,440	500	1,000	2%	60,440
	Waterways Revenue		4,459	8,915		
	Benefits		298	2,595		
	<b>Total</b>	<b>140,333</b>	<b>8,178</b>	<b>18,757</b>		<b>159,576</b>
<b>Total Public Safety</b>		<b>1,053,852</b>	<b>37,442</b>	<b>37,442</b>		<b>1,053,852</b>
<b>DEPARTMENT OF PUBLIC WORKS</b>						
DPW	Salaries & Wages	442,158	3,610	7,221	5%	374,937
	Expenses	38,485				38,485
	Benefits		1,764	3,527		
	<b>Total</b>	<b>480,643</b>	<b>5,374</b>	<b>10,748</b>		<b>443,857</b>
<b>HUMAN SERVICES</b>						
COA	Salaries & Wages	61,088	1,357	7,274	16%	103,814
	Expenses	3,195	508	2,456	26%	5,739
	Benefits		271	1,162		
	<b>Total</b>	<b>64,283</b>	<b>2,136</b>	<b>10,892</b>		<b>110,363</b>
Memorial Community	Salaries & Wages	84,353	8,386	6,772	39%	7,581
	Expenses	75,350	614	3,228	18%	2,122
	Benefits		5,000	4,000		
	<b>Total</b>	<b>159,703</b>	<b>13,999</b>	<b>14,000</b>		<b>100,803</b>
<b>CULTURE &amp; RECREATION</b>						
Library	Salaries & Wages	61,640	5,880	1,760	11%	100,880
	Expenses	62,595	2,000	4,000	25%	22,595
	Benefits		275	1,550		
	<b>Total</b>	<b>124,235</b>	<b>8,155</b>	<b>7,310</b>		<b>123,475</b>
Recreation	Salaries & Wages	155,071	3,937	3,816	35%	101,255
	Expenses	1,075	1,075	6,184	77%	891
	Benefits			0,000		
	<b>Total</b>	<b>156,146</b>	<b>5,012</b>	<b>9,900</b>		<b>102,146</b>
<b>Total Culture &amp; Recreation</b>		<b>280,381</b>	<b>13,167</b>	<b>17,210</b>		<b>205,621</b>
<b>TOTAL SCHOOL REDUCTIONS</b>						
		<b>93,687</b>	<b>2,154</b>	<b>2,154</b>		
<b>SCHOOL</b>						
	Salaries & Wages	1,879,994	65,315	530,630		349,364
	Expenses					
	Benefits					
	<b>Total</b>	<b>1,879,994</b>	<b>65,315</b>	<b>530,630</b>		<b>349,364</b>
<b>TOTAL BUDGET REDUCTIONS</b>		<b>1,859,002</b>	<b>746,103</b>	<b>746,103</b>		

Peter Meier voiced his concerns about closing the Sagamore Fire Station.

Don Pickard voiced his concerns: going down to a 3-person car Police, and the Administration positions.

Don Ellis voiced his concerns about the Sagamore Fire Station closing, and going down to a 3 car police, we also have to look into the Department of Public Works.

Mr. Pickard also directed questions to the Town Administrator, what is the cost of the COA lunch program, could we go to some outside source like Meals on Wheels and would that be a savings. Reduce library hours to 4.5 hours a day. Reduce supportive day program to 3 days a week. Eliminate the recreation department but keep lifeguards at two beaches. Could we reduce DNR by another \$50,000 and how would you propose we do that. Have you calculated the savings or cost associated with a 3-year retirement program and the bonus program, and what would the cost be if we privatized all of our janitorial.

Peter Meier stated he hopes we are working with our school counterparts because a substandard school system will not help us, people will not want to live in this town.

Michael Blanton voiced his concerns with the school budget cuts and how it will impact our youth and the future of this community. The other item is the Economic Development line item budget. If we are not able to invest any money in our economic development we are not able to create any new revenues that will help us bring about positive change. The cut in recreation goes to the quality of life that the residents of Bourne enjoy.

Stephen Mealy stated he asked to have a meeting next Monday, August 3<sup>rd</sup> with the Financial Project Working group to allow the residents of the town to attend the meeting and after getting a presentation of the cuts allow them to ask questions. Also for us as representative of the town, to get a feeling for what the residents are feeling. If the residents are unable to attend the meeting they can send questions to the Town Administrator. We will do our best to address those questions during the meeting. We have put together a Facebook page that will be for the override question. We will put up 10 -15 frequently ask questions that we will post answers to so you can see how we got to where we are and what our plans are to get out of the situation, what would happen if the override doesn't pass, and why we are asking for the amount we are asking for, so we can make a decision as a community this fall.

Don Ellis questioned Mr. Guerino when you go out and negotiate with the unions that exist in the town and they are looking for a 2 or 3% raise, is that based on what each individual makes or is that a set fee. Mr. Guerino stated the bargaining unit generally comes in with a request for the unit not the individual positions. Mr. Ellis questioned have you considered a policy where the increase is only on the first \$16,000 of each union. Mr. Ellis questioned if it is worth looking into because it would save the town a great deal of money.

**7 d. Discuss support to maintain Cape Cod Chamber of Commerce Visitor's Center - Sagamore and Cape Cod Center**

Don Pickard read the letter from the Honorable Robert DeLeo, Speaker of the House. Mr. DeLeo is requesting the Selectmen to override the veto of the 7008-0900 of \$400,000 earmark for visitor center operations from Memorial Day to Columbus Day. The visitor centers are: Berkshire Visitor Center, Adams; Boston Common Visitor Center, Boston; Boston Prudential Center Visitor Center, Boston; Cape Cod Visitor Center, Route 25 Eastbound, Plymouth; Upper Pioneer Valley Visitor Center, Greenfield; Jonny Appleseed visitor Center, Lancaster; MA Tourist Visitor Center, Route 3 Plymouth; Maria Miles MA Tourist Center, Salisbury; Sagamore Bridge Visitor Center, Bourne; Route 6 Cape Cod Visitor Center, Barnstable; and Route I-195 Visitor Center, Wareham.

**Voted** Don Pickard moved and seconded by Peter Meier to approve by the Board to show our support to the Chamber of Commerce. Vote 5-0

**7 e. Vote to appoint member of Board of Selectmen to attend first meeting of Charter Review Committee to read charge and election of officers under Board of Selectmen Rules of Procedure XIV. Board of Selectmen New Committee Procedures, as amend and adopted February 24, 2015.**

Stephen Mealy went over the appointment of a selectman to attend the Charter Review Committee's first meeting. We have appointed a Charter Review Committee and as per our Policies and Procedures a member of the Board of Selectmen is to attend the first meeting to help organize and get the ball rolling for the committee.

Mr. Mealy read from the Board of Selectmen New Committee Procedures: The Board of Selectmen will choose one of its members to attend the first meeting of a newly established committee. At the first meeting the designated Selectman will read the charge by the Board of Selectman and answer any questions by committee members so that each member is clear on the scope of the committee. Committee Meeting Procedures will also be given to each member and discussed. The members of the committee will establish a regular meeting schedule and determine the date of the next meeting. The designated Selectman shall conduct the election of officers of the committee. The committee may decide to hold the election of officers at the beginning of their second meeting; however, at no time shall a committee created by the Selectmen be without officers after the conclusion of its third session. No substantive business will be conducted before the election of officers. By majority vote, of the members who constitute the make-up of the committee, shall elect a Chairman, Vice Chairman, and Clerk. Officers of the committee and shall be chosen at the committee's first meeting after the start of each fiscal year.

Don Pickard volunteered to attend the first meeting.

**Voted** Peter Meier moved and seconded by Michael Blanton to nominate Don Pickard to attend the first Charter Review Committee meeting representing the Board of Selectmen. Vote 5-0

**8) Town Administrator's Report**

Tom Guerino said he has just been going over budget and override. I have been monitoring the rec programs. They have been oversubscribed this year.

### **9) Selectmen's Reports**

Don Ellis stated the Little Red Schoolhouse in Bourndale held a celebration to recognize that fact that they have achieved the National Register of Historic Buildings. It is the second building restored as a one-room schoolhouse.

Stephen Mealy stated we have a goals session next Wednesday at 6:30. No one has responded with goals yet. We have several vacancies. We have a couple vacancies on the Recreational Committee. If anyone is interested they can contact the Town Administrator. We have one vacancy as a member of the Community Veteran Building, a non-veteran. There is an upcoming open house at the Mass Maritime Academy on August 8<sup>th</sup>, Saturday. Open to the entire town from noon until 2:00 PM. Mr. Mealy also gave an update on the wind project in Plymouth.

### **10) Other Business**

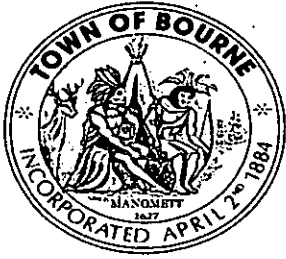
Michael Blanton brought up that residents are stating there are a lot of out of state non-stickered visitors at our beaches, and that stickered residents are having a hard time finding parking at our beaches. Is the town missing out on getting revenue by not having some manner for collecting fees from non-stickers vehicles. Mr. Blanton encouraged the residents to write letters to the Town Manager or the Board of Selectman and to come to the select Board meetings. Peter Meier stated residents of Bourne with the same issues have also approached him. Mr. Guerino stated that in the past it hasn't been cost effective to put a gate person at the beaches. Mr. Mealy suggested we put this on as a future agenda item.

Don Ellis brought us the email from Barry Johnson regarding a Cape Cod Run Against Addiction. Mr. Ellis stated this board should support this project. He is suggesting it be done from the south side of the canal. Have it start at the Historic Center or the Library and just go down to the canal and run down the south side of the canal on the service road. It will keep them off the main highway. We should support Mr. Santos but have it run strictly from the south side of the canal then they can run to Sandwich and pass of the flag there.

### **11) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 8:37 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
August 3, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

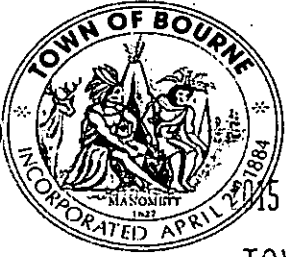
7:00 p.m. Call to order in Open Session

1. Joint Meeting with the Financial Project Working Group
2. Summer Public Forum for Citizen Input, Questions and FAQ's on the Override and Reductions if the Override Fails

**Members of the audience will be recognized for comments and suggestions during this discussion.**

3. Override Working Schedule Updates
4. Any other business that may legally come before the Board
5. Adjourn

2015 JUL 29 PM 4 14  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



15 JUL 30 AM 8 53

TOWN CLERK'S OFFICE  
BOURNE, MASS

Date  
Monday  
August 3, 2015

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.

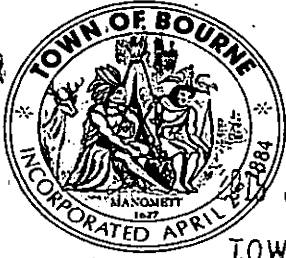
All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. Call to order in Open Session

1. Joint Meeting with the Financial Project Working Group
2. Summer Public Forum for Citizen Input, Questions and FAQ's on the Override and Reductions if the Override Fails

**Members of the audience will be recognized for comments and suggestions during this discussion.**

3. Override Working Schedule Updates
4. Any other business that may legally come before the Board
5. Adjourn



# Board of Selectmen Meeting Notice AGENDA



JUL 30 AM 8 54

TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Wednesday  
August 5 2015

Time

6:00 p.m.

Location

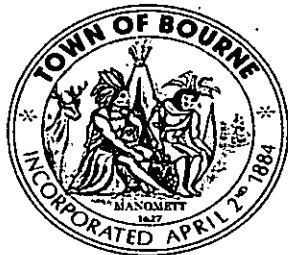
Bourne Veterans' Memorial  
Community Center  
239 Main Street, Buzzards Bay

Note if anyone in the audience is recording or video-taping, they need to acknowledge such at this time.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Workshop on Goals
2. Adjourn



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
August 5 2015

Time

6:00 p.m.

Location

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

Note if anyone in the audience is recording or video-taping, they need to acknowledge such at this time.

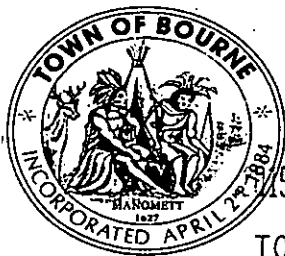
All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Workshop on Goals
2. Adjourn

2015 JUL 29 PM 4 14  
TOWN CLERK'S OFFICE  
BOURNE, MASS





# Board of Selectmen Meeting Notice



15 AUG 5 PM 1 05  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**AGENDA**  
**AMENDED**

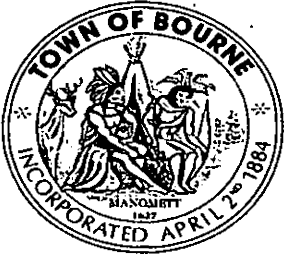
<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday August 5, 2015	6:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

Note if anyone in the audience is recording or video-taping, they need to acknowledge such at this time.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:00 p.m. (Items 1-4) Call to order

1. Workshop on Goals
2. Adjourn



# Board of Selectmen Meeting Notice AGENDA



## Selectmen's Workshop

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday August 10, 2015	10:00 a.m.	Bourne Town Hall Lower Conference Room 24 Perry Avenue, Buzzards Bay

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

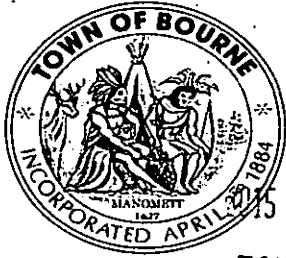
10:00 a.m. Call to order

Discussion with Town Department Heads regarding Proposed Proposition 2-1/2  
Override Budget reductions.

No other business

Adjourn

2015 AUG 5 PM 4 21  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



15 AUG 7 PM 3 05  
TOWN CLERK'S OFFICE  
BOURNE, MASS 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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: July 28, 2015
5. Correspondence
6. Licenses/Appointments:
  - a. 7:15 p.m. Golden Place – Transfer of Ownership
  - b. Request for appointment to the Board of Directors of the BFDC – Jeanne Azarovitz – (term ending 2016)
  - c. Request for appointment to the SWOP Committee – Don Rhodes – (term ending 2016)
  - d. Request of the Friends of the Council on Aging of Fee waivers for upcoming Psychic Fair ( September 26, 2015)
  - e. 7:40 p.m. Transfer in Liquor License from Stir Crazy, Inc. to Bopha Angkor's Stir Crazy, LLC
7. Selectmen's Business
  - a. Kate Mahoney – update and synopsis of the Phase II and III clean-up at the Marine Life Center property. Discussion of the consent order requirements.
  - b. Safer Grant acceptance – Related to continuation of the Fire Safety grant employing 8 additional firefighting/ems personnel.
8. Town Administrator's Report
  - a. Auction
9. Selectmen's Reports
10. Other business – further discussion of Override related reductions and issues.
11. Adjourn

#### Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart
- F. Update by Cape RTA regarding the Cape Flyer Platform and Siding on south side of Canal – Mr. Thomas Cahir, Director CCRTA

2015 SEP 2 PM 1 03

**Board of Selectmen**  
**Minutes of Tuesday, August 11, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

CLERK'S OFFICE  
BOURNE, MASS

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TA Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise and Ryan Barber Cape Cod Times, and Paul Gately Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:25 pm.

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

**6) Licenses/Appointments:**

**a. 7:15 p.m. Golden Place – Transfer of Ownership**

**Voted** Peter Meier moved and seconded by Michael Blanton to open the public hearing by roll call vote. Peter Meier – Yes; Don Pickard – Yes; Stephen Mealy – Yes; Michael Blanton – Yes; Don Ellis – Yes. Vote 5-0.

Stephen Mealy read the Public Notice:

Notice is hereby given in accordance with Massachusetts General Laws Chapter 138, Section 12 that application has been received from Chen Restaurant, Inc., d/b/a Golden Place Restaurant, 4 Barlow's Landing Road, Unit 2A, Pocasset, MA to amend their year round Common Victualer License for the sale of Wine & Malt Beverages as follows: transfer of stock, appointment of New Officer/Director and change of manager from Ze Min Chen to Dong Rong Chen. Description of premise: 2,600-sq. ft. unit containing kitchen, dining room with 30 seats, men's and ladies' rest rooms, one front and two rear entrances/exits. A hearing will be held at Bourne Veterans Community Center, 239 Main Street, Buzzards Bay, on Tuesday, August 11, 2015 at 7:15 p.m.

Dan Neelon counsel for the Chen restaurant, Inc., d/b/a/ Golden Place Restaurant stated this is an intra-family transfer. Ze Min Chen would like to retire and transfer this to his son Dong Rong Chen. The only left to do is the inspection by the Fire Department.

**Voted** Peter Meier moved and seconded by Don Pickard to close the formal hearing by roll call vote. Peter Meier – Yes; Don Pickard – Yes; Stephen Mealy – Yes; Michael Blanton – Yes; Don Ellis – Yes. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier based upon a completed application for the Golden Place Restaurant to amend the year round Common Victualer License for selling wine and malt beverages, as well as transfer stock, appoint a new Officer/Director, and change as manager from Ze Min Chen to Dong Rong Chen to approve the transfer and note prior to the transfer the Fire Department has noted in the routing slip they need to have inspected the fire and sprinkler systems. Voted by roll call vote: Peter Meier – Yes; Don Pickard – Yes; Stephen Mealy – Yes; Michael Blanton – Yes; Don Ellis – Yes. Vote 5-0.

**Public Comment – Non-Agenda Items**

None requested.

**4) Minutes:**

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from July 28, 2015 but note on page 7 Section 7A paragraph 3 should read Bonding Company not Bond Company; on page 10 paragraph 3 change to read reduce library hours to 4.5 hours a day. Vote 5-0.

**5) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

- A. Letter of interest from Lydia Manter to serve on the Bourne Historical Commission
- B. Letter of interest from Linda Connors to serve on the Council of Aging Board of Directors
- C. Letter of interest from Molly Mahoney to serve on the Energy Advisory Committee
- D. Letter of interest from Rosanne Bottaro to serve on the Recycling Committee
- E. Receive sign Administrative Consent Order regards to property on 120 Main Street, Buzzards Bay from DEP with regards to Environmental concerns
- F. Received 2 letters from Robert Sullivan regarding back taxes at 34 Williams Avenue, Pocasset; looking for relief from the Board
- G. Received 2 letters from the Hitchcock family regarding their property at 24 Central Blvd., Monument Beach; looking for relief
- H. ABCC will hold a hearing on Buzzards Bay Eagles for Permitting Gambling
- I. Letter from Eversource submitted their yearly Operational Plan back in January 2015 and are now asking if there are any additional sensitive areas located on or near the rights of way to notify them as soon as possible

- J. Division of Marine Fisheries: Open to shellfishing – Hiawatha Road
- K. Division of Marine Fisheries issued Shellfishing Propagation Permit to Patrick Ross for Monks Cove
- L. Division of Marine Fisheries issued Shellfishing Propagation Permit to Dan Maurice for South of Tobey's Island
- M. Division of Marine Fisheries issued Shellfishing Propagation Permit to Selectmen Town of Bourne for Little Bay, Monument Beach
- N. Letter from Douglas Manter, of Barnstable, regarding Con Edison Future Generation Wind/American Indian Religious Freedom Act
- O. Invitation by Keystone Place at Buzzards Bay to attend a complimentary Seminar
- P. Letter from Linda Carpenter and the Cataumet Club thanking the Selectmen, Police & Fire Departments, Natural Resources, and Ms. Nancy Sundman for making their 100<sup>th</sup> year celebration a success
- Q. Chapter 0127 An Act to incorporate the Town of Bourne

**6) Licenses/Appointments:**

- a. **7:15 p.m. Golden Place – Transfer of Ownership**
- b. **Request for appointment to the Board of Directors of the BFDC – Jeanne Azarovitz – (term ending 2016)**
- c. **Request for appointment to the SWOP Committee – Don Rhodes – (term ending 2016)**
- d. **Request of the Friends of the Council on Aging of Fee waivers for upcoming Psychic Fair (September 26, 2015)**
- e. **7:40 p.m. Transfer in Liquor License from Stir Crazy, Inc. to Bopha Angkor's Stir Crazy, LLC**

Don Pickard stated the Bourne Financial Development Corporation Board of Directors has a vacancy that has been advertised; it is for a term expiring June 30, 2016. We got a letter from Jeanne Azarovitz of Pocasset.

**b. Voted** Don Pickard moved and seconded by Michael Blanton for the nomination of Jeanne Azarovitz for consideration by the board. Vote 5-0.

Don Pickard stated that the Special Workshop Opportunity Program that was established by article 78 of the 1973 ATM Seven Members to be appointed by the Board of Selectmen annually. There are three vacancies, present we have one applicant for a term expiring on June 30, 2016. The applicant is Donald M. Rhodes of Pocasset.

**c. Voted** Don Pickard moved and seconded by Michael Blanton the nomination of Donald M Rhodes for a term expiring on June 30, 2016 for the Special Workshop Opportunity Program. Vote 5-0.

Don Pickard stated we have a request from the friends of the Counsel on Aging for a waiver of fees for their upcoming psychic fair on September 26, 2015. We have a prior practice of waiving these fees.

**d. Voted** Don Pickard moved and seconded by Michael Blanton to have the board waive the fee for the psychic fair, which will be held on September 26, 2015 from 8:30 a.m. to 4:30 p.m. The event will be held in the gym of the community building. Vote 5-0.

**e. Voted** Peter Meier moved and seconded by Don Pickard to open the Public Hearing by roll call vote for Bopha and Stir Crazy, LLC. Peter Meier - Yes; Don Pickard - Yes; Stephen Mealy - Yes; Michael Blanton - Yes; Don Ellis - Yes. Vote 5-0.

Stephen Mealy read the Notice:

Notice is hereby given in accordance with Massachusetts General Law Chapter 138, Section 12 that application has been received from Bopha Samms, Manager, Stir Crazy, Inc., d/b/a Stir Crazy Restaurant, 570 MacArthur Boulevard, Pocasset, MA, to transfer her year round Common Victualer License for the sale of all kinds of alcoholic beverages to be drunk on the premises to Bopha Angkor's Stir Crazy, LLC, Chanrith Uy, Mgr., 570 MacArthur Blvd., Pocasset, MA. Description of premise: 3 dining rooms, bar, kitchen, men's and ladies' rest room, basement for storage, 2 entrance and 4 exits. A hearing will be held of the Bourne Veterans Community Center, 239 Main Street Buzzards Bay, on Tuesday August 11, 2015 at 7:40 p.m.

Ford O'Connor spoke on behalf of Bopha Samms.

**Voted** Don Pickard moved and seconded by Michael Blanton to close the public session by roll call vote. Peter Meier - Yes; Don Pickard - Yes; Stephen Mealy - Yes; Michael Blanton - Yes; Don Ellis - Yes. Vote 5-0.

**Voted** Don Ellis moved and seconded by Michael Blanton to approve the request. Vote 5-0.

Don Pickard stated there is notation on the routing slip the new owners must apply for a food permit, as food licenses are not transferable and the fire department is requesting an inspection prior to transfer of owner ship. I would suggest the motion be changed to reflect those two notations.

**e. Voted** Don Ellis moved and seconded by Michael Blanton to approve those two requirements by roll call vote. Peter Meier - Yes; Don Pickard - Yes; Stephen Mealy - Yes; Michael Blanton - Yes; Don Ellis - Yes. Vote 5-0.

## **7) Selectmen's Business -**

- a. Kate Mahoney - update and synopsis of the Phase II and III clean-up at the Marine Life Center property. Discussion of the consent order requirements.**
- b. Safer Grant acceptance - Related to continuation of the Fire Safety grant employing 8 additional firefighting/ems personnel.**

**7 a.** Tom Guerino introduced Kate Mahoney who has been the town's Environmental Consultant for a number of projects.



Kate Mahoney, from Mahoney & Douglas Environmental Services, gave a brief update relative to what is happening at the Marine Life Center Property project. Currently the administrative consent order for the date timeline, temporary solution, by annual monitoring, is October 1, 2015 to closeout two different plans. One is to help the Marine Life Center to better use their money to do excavation and deal with the contaminated soil. The other plan is for the same purpose at the Marine Hospital. Those two plans need to get closed out. They may end up getting folded into a phase four, a remedy implementation plan. We have an LSP, Licensed Site Professional, Mark Germano. He stamps the plans that get submitted to the DEP. We have a stockpile soil that was from the excavation of the Marine Rehab Hospital. Kate Mahoney sampled that soil July 17<sup>th</sup> and have the results. Those results meet the line landfills criteria, so that material will be handled by ISWM.

7 b. Chief Sylvester, Bourne Fire Department, spoke about the Safer Grant and why the town of Bourne would benefit from allowing him to sign the Safer Grant. We get paid for what we use. We submit weekly or by weekly what we use. Chief Sylvester is asking the Board of Selectmen to support him and allow him to sign the grant.

Don Pickard voiced his concerns. How do we, as a Board, with an override coming forward, say OK sign the grant, then come October, if the override fails, we are in a position that we have to lay off the eight grant individuals and four other personnel.

Michael Blanton stated reasons why the Board should approve the signing of the grant. The flexibility with the present staff under the Safer Grant allows us to provide faster response time, more flexibility in terms of staffing, more coverage for the town, and more revenue generation by mutual aid. Mr. Blanton stated he can't see the negatives in securing this grant for the town.

Peter Meier stated he can see the financial risk if the override does not go through because we have to pay the money back, however, it is a risk worth taking.

Don Pickard stated he is worried about the perception of the public. We are going into an override question in October and there are factions that are opposed to the override. He also wanted to clarify how the cuts will work, on the 18<sup>th</sup> the Board will be meeting and will discuss the cuts and take comments. On the 25<sup>th</sup> the Board will consider the number and the vote.

Stephen Mealy stated his concern; for the past 6-8 weeks we have been aware of the reduction if the override fails. Mr. Mealy is asking if you have questions, particularly on the 18<sup>th</sup>, about making changes to the reductions, that we talk in an informed manner so we give other board member a chance to evaluate those proposed changes. It is important that we reach a conclusion by the 25<sup>th</sup>. We have to take a vote in order to meet requirements to go forward to have a warrant in place to meet the dates we have scheduled for the override question and Special Town Meeting. We have to know what the reduction should be and what the number is for the override question. The two scenarios for the safer grant are; the safer grant is accepted and the override question passes and we go forward as we are today; the safer grant is approved and the override question fails, we now have to

reimburse the grantees the dollars of about \$56,000 per month. We should accept the safer grant because we have been working on this since March. If we find ourselves in a situation where do not accept the safer grant and the override does pass we have now lost individuals because they are not on our payroll, that are part of our fire and safety here in town that have gone through the training and that are part of a department. Many of those individuals may no longer be available. Trying to put that package together, we may not be able to get that grant back.

Tom Guerino stated that if we turn the grant down it will be reallocated to another community that was in line.

Joe Carrara, resident of Pocasset and works with the Chief, stated the grant will give us the manpower that we need in this town. I urge you, the Board, to accept this grant.

**Voted** Peter Meier moved and seconded by Michael Blanton to accept the safer grant on behalf of the town of Bourne and instruct the Town Administrator and the Fire Chief to sign the application. Don Pickard opposed. Vote 4-1.

## **8) Town Administrator's Report**

### **a. Auction**

Tom Guerino stated the auction is coming up in a couple of weeks for two properties and some land. The two properties with structures on them are one in Hide Away Village and the other is on Clubhouse Lane. The Auction is scheduled for Friday Aug 21<sup>st</sup>. Mr. Guerino also wanted to remind the Board that effective the week after Labor Day he will be out of the office on Fridays through the end of May at a certificate program course. Mr. Guerino stated they have also been working on the override issues the reduction issues some questions and answers for the FAQ; the Facebook page is up; and have been working with Counsel on issues with the turbines coming over.

Peter Meier wanted to remind people that Taylors Point Association will be conducting their visibility on August 24<sup>th</sup> at 6:00 pm at 10 Saltworks Lane. It is open to anyone that wants to come.

Stephen Mealy also wanted to remind people that the other outreach meeting is scheduled for Thursday, August 20<sup>th</sup> at the Pocasset Heights Improvement Association at 6:30. Both of those will be put on the Facebook page and on the town's website. Mr. Mealy also wanted to mention on the 18<sup>th</sup> there will be a joint meeting with the Board of Selectman, the Finance Committee, and the School Committee as well department heads will be available. The meeting is to review the current sources and uses with the override, the sources and uses with reductions, and review and discuss community input and alternatives; also a final third reading of the financial policy.

## **9) Selectmen's Reports**

Peter Meier stated he attended the changing of the watch at the Mass. Maritime Academy on behalf of the Board. We need to send a letter of accommodation thanking Admiral Gurnon for what he has done. We need to also welcome Francis McDonald.

Michael Blanton stated members of Bourndale, members of the Herring Pond Indian Tribal Community, are concerned about actions taken with regard to survey of burial ground possibility, and trimming and cutting around, what is considered to be, influential property and important to them. Also there has been talk with regard to them in the third person, and they have yet to be contacted in any official capacity. They are concerned they are being left out of the loop of communication about a lot of matters that have to do with them. I would urge this board to consider urging our folks at town hall to improve communication to try to loop in members of the Herring Pond Tribal Community.

Mr. Ellis stated he is aware of one individual with serious malcontent. All the work that was done for the survey for the cemetery was done through CPA grants. We notified Little Bear, could be from Comassakumkanit, we also notified another elected member from Comassakumkanit, which is a sub tribe of the Wampanoag. It was for the investigation of the cemetery and also also for investigation of where the rafter is going to go, in an article that was prepared and put forward by the town a number of years ago.

Stephen Mealy requested Don Ellis work with Michael Blanton and Tom Guerino to see if those issues can be resolved.

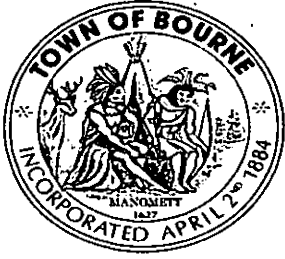
**10) Other Business - further discussion of Override related reductions and issues**

The next Bourne Selectmen meeting will be on Tuesday, August 18<sup>th</sup>.

**10) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 9:04 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
August 18, 2015

Time

6:30 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.

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(Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Selectmen's Business
  - a. Board to discuss and take action on request Mr. Robert Sullivan to vacate a determination of Final Judgement of the Massachusetts Land Court regarding a property located at 34 Williams Avenue
5. Adjourn

2015 AUG 13 PM 2 44  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen**  
**Minutes of Tuesday, August 18, 2015** DEC 16 PM 4 16  
**Bourne Community Building**  
**Bourne, MA 02532** TOWN CLERK'S OFFICE  
.....  
BOURNE, MASS

TA Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 6:30 pm.

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

**Public Comment - Non-Agenda Items**

None requested.

**4) Selectmen's Business:**

- a. Board to discuss and take action on request Mr. Robert Sullivan to vacate a determination of Final Judgement of the Massachusetts Land Court regarding a property located at 34 Williams Avenue

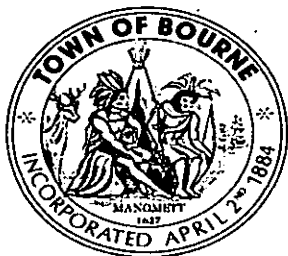
Mr. Sullivan met with the Town Administrator and Mr. Meier and has offered to bring all previous owed taxes to current that is due and to regain ownership of property

**Voted** Don Pickard moved and seconded by Peter Meier that the Board of Selectmen vacate the land court order relevant to land court case 14TL14883 as well as land court order 10TL139870 with regard to 34 Williams Avenue and give the parties until October 1, 2015 to satisfactorily redeem the property. Tom Guerino asked the board to also include in the motion and to bring the property at 52 Williams Avenue current. Mr. Pickard amended the motion to include 34 Williams Avenue and to bring the property at 52 Williams Avenue current through the offices of Coppola and Coppola. Mr. Meier seconded the amendment. Vote 5-0.

**5) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 6:33 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



## Board of Selectmen

### Joint session with Finance Committee and School Committee

2015 AUG 13 PM 2 44

TOWN CLERK'S OFFICE  
BOURNE, MASS.



## Meeting Notice

### AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday August 18, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen and Finance Committee.

7:00 p.m. Call to order Joint Meeting of Finance Committee, School Committee and Board of Selectmen

1. State Office of Campaign and Finance presentation on Do's and Don'ts regarding Overrides, what Employees can and cannot do regarding the Override Question, forming, using Ballot Committees.
2. FinCom/BOS/School Committee Review of two new Sources and Uses:
  - a. Sources and Uses with Override
  - b. Sources and Uses with reductions based on input from July 28<sup>th</sup> and year end
3. Fire Department Budget Adjustments
4. Review and Discuss Community input and alternatives
5. Board of Selectmen Third, final reading of Financial Policy and potential vote for engrossment.
6. Other business of the joint committee meeting
7. Adjournment

TA Tom Guerino

**Selectmen**

Stephen Mealy, Chairman, Don Pickard, Vice-Chairman, Michael Blanton, Clerk, Don Ellis, and Peter Meier.

**Bourne School Committee**

Christopher Hyldburg, Chair, Heather DiPaolo, Vice-Chair, Anne-Marie Siroonian, Secretary, and Mitch McClain.

**Finance Committee**

Mary Jane Mastrangelo, Chair, Judy Conron, George Slade, John Redman, William Towne, Michelle Ford, and Brian Lemee.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting back into open session at 7:00 pm.

Mr. Mealy invited the other committees to call their meeting to order. Finance Committee and the School Committee called their meeting to order.

**1) State Office of Campaign and Finance presentation on Do's and Don'ts regarding Overrides, what Employees can and cannot do regarding the Override Question, forming, using Ballot Committees.**

Jason Tate, from Massachusetts Office of Campaign and Political Finance, OCPF, stated they keep track and help the public see how political committees are allowed to raise and spending money. The director is appointed by the head of the State Republican party, the head of the State Democratic party, the Secretary of State, and a Law School Dean who is appointed by the Governor, those four people get together every six years and appoint a Director. They do the audit portion of money raised and money spent. Mr. Tate went over campaigns involving public employ and public buildings. He explained Public Employ - cannot solicit or collect money for a political campaign. Public Buildings - cannot solicit or receive money for a campaign in a public building. The Anderson Decision - cannot use public resources for political campaign services. Emails - email addresses used for political services, objective material is also prohibited. What can public paid officials do? They can appoint paid officials who work for and support to form a ballot question committee. Mr. Tate also went over Equal Access, Municipal Websites, and Automated Phone Systems. Ballot question Committee - If committees are formed records must be kept. Reports must be filed 8 days before the ballot question to 30 days after. Mr. Tate stated you can call us if any



of these issues come up. Board members and audience members asked Mr. Tate questions.

- 2) FinCom/BOS/School Committee Review of two new Sources and Uses:
  - a. Sources and Uses with Override
  - b. Sources and Uses with reductions based on input from July 28<sup>th</sup> and yearend

FISCAL 2015 & 2016 SOURCES & USES OF FUNDS-OVERRIDE				
GENERAL FUND REVENUES				
	Voted Budget 2016	Budget with Cuts 2016	\$ Increase / Decrease	% Increase / Decrease over
<b>Property Taxes</b>				
Prior Year Tax Levy Limit	40,007,801	40,007,801	0	0.00%
2.5% Allowance	1,000,195	1,000,195	0	0.00%
New Growth	300,000	300,000	0	0.00%
Override		2,700,000	0	
Sub-total	41,307,996	44,007,996	2,700,000	6.54%
Debt Exclusion	1,073,114	1,073,114	0	0.00%
Cape Cod Commission Tax	182,030	182,030	0	0.00%
Unused Levy Capacity			0	#DIV/0!
<b>Total Tax Levy</b>	<b>\$42,563,140</b>	<b>\$45,263,140</b>	<b>\$2,700,000</b>	<b>6.34%</b>
<b>State Aid</b>				
Cherry Sheet Net Revenue	1,058,818	1,058,818	0	0.00%
Cherry Sheet Assessments	3,829,522	3,829,522	0	0.00%
Chapter 70 Total	4,877,338	4,877,333	0	0.00%
Charter School Reimbursement	209,894	209,894	0	0.00%
School Choice Receiving Tuition*	375,044	375,044	0	0.00%
School Lunches*	13,733	10,783	0	0.00%
Unrestricted General Govt Aid	1,304,407	1,304,407	0	0.00%
Veterans Benefits	88,068	88,068	0	0.00%
Exemptions: Vets, Blind, Surv Sp & Elderly	109,023	109,023	0	0.00%
State Owned Land	570,001	570,001	0	0.00%
Public Libraries*	19,744	16,744	0	0.00%
<b>Total State Aid</b>	<b>\$7,559,300</b>	<b>\$7,559,300</b>	<b>0</b>	<b>0.00%</b>
<b>Local Receipts</b>				
Motor Vehicle Excise	2,350,000	2,250,000	(100,000)	-4.26%
Other Excise	130,000	130,000	0	0.00%
Meals Tax	350,000	350,000	0	0.00%
Penalties & Interest	275,000	200,541	(74,459)	-27.08%
Payments in Lieu	25,000	25,000	0	0.00%
Mannas	1,165,000	1,065,000	(100,000)	-8.58%
Other Dept Revenue	285,000	285,000	0	0.00%
Licenses & Permits	585,000	474,445	(110,555)	-18.90%
Fines & Forfeits	130,000	130,000	0	0.00%
Investment Income	35,000	35,000	0	0.00%
Miscellaneous-Recurring	25,000	25,000	0	0.00%
Miscellaneous-Recurring Energy Credits	600,000	600,000	0	0.00%
Miscellaneous-Non Recurring	38,265	38,265	0	0.00%
<b>Total Local Receipts</b>	<b>\$5,993,265</b>	<b>\$5,608,251</b>	<b>(385,014)</b>	<b>-6.42%</b>
<b>Other Sources</b>				
ISWM General Fund Support	1,683,384	1,683,384	0	0.00%
Sewer General Fund Support	131,983	131,983	0	0.00%
Host Community Fee	\$600,000	\$600,000	0	0.00%
<b>Total Other Sources</b>	<b>\$2,718,347</b>	<b>\$2,718,347</b>	<b>\$0</b>	<b>0.00%</b>
<b>Special Revenues</b>				
Conservation Comm.	30,000	30,000	0	0.00%
PL 874	220,821	220,821	0	0.00%
Ambulance Fees	1,000,000	1,070,000	70,000	7.00%
CPA Fund Debt Service	637,444	637,444	0	0.00%
100 5 Loan Repayments	30,602	30,602	0	0.00%
Waterways Fund for Operating Budget	110,936	215,445	104,459	94.12%
<b>Total Special Revenue Funds</b>	<b>\$2,029,653</b>	<b>\$2,294,112</b>	<b>\$174,459</b>	<b>8.60%</b>
<b>Total General Fund Revenues</b>	<b>\$60,863,705</b>	<b>\$63,353,150</b>	<b>\$2,489,445</b>	<b>4.09%</b>
<b>Use of Reserves</b>				
Free Cash for Budget	1,792,345		(1,792,345)	-100.00%
Free Cash for Articles	73,500	73,500	0	0.00%
<b>Total Use of Reserves</b>	<b>\$1,865,845</b>	<b>\$73,500</b>	<b>(\$1,792,345)</b>	<b>-95.06%</b>
<b>Grand Total Revenues</b>	<b>\$62,729,550.03</b>	<b>\$63,429,550.03</b>	<b>\$697,100.00</b>	<b>1.11%</b>

**FISCAL 2015 & 2016 SOURCES & USES OF FUNDS-OVERRIDE**

GENERAL FUND EXPENSES				
	Voted Budget	Budget with Cuts	\$ Increase / Decrease	% Increase / Decrease over
	2016	2016		
<b>Town Budget</b>				
Administrative Services-Salaries	1,905,575	1,905,575	0	0.00%
-Expenses	1,077,978	1,077,978	0	0.00%
Public Safety Services-Salaries	7,956,423	7,956,423	0	0.00%
-Expenses	1,238,283	1,238,283	0	0.00%
Public Works Services-Salaries	1,457,158	1,457,158	0	0.00%
-Expenses	571,385	978,485	407,100	71.25%
Health & Human Services-Salaries	638,207	638,207	0	0.00%
-Expenses	343,710	343,710	0	0.00%
Culture & Recreation Services-Salaries	616,711	616,711	0	0.00%
-Expenses	181,145	181,145	0	0.00%
<b>Total Town</b>	<b>15,996,573</b>	<b>16,403,673</b>	<b>407,100</b>	<b>2.54%</b>
<b>Schools</b>				
Bourne School Department	20,879,994	20,879,994	0	0.00%
Upper Cape Technical School	3,294,382	3,294,382	0	0.00%
<b>Total Schools</b>	<b>24,174,376</b>	<b>24,174,376</b>	<b>0</b>	<b>0.00%</b>
<b>Shared Costs</b>				
Shared Costs-Public Utilities	1,140,000	1,140,000	0	0.00%
Shared Costs	13,077,032	13,077,032	0	0.00%
<b>Total Shared Costs</b>	<b>14,217,032</b>	<b>14,217,032</b>	<b>0</b>	<b>0.00%</b>
<b>Total Operating Budget</b>	<b>\$54,387,581</b>	<b>\$54,795,081</b>	<b>\$407,100</b>	<b>0.75%</b>
<b>Capital Budgets</b>				
Debt Service Budget	3,286,902	3,286,902	0	
<b>Total General Fund Budget</b>	<b>\$57,674,483</b>	<b>\$58,081,983</b>	<b>\$407,100</b>	<b>0.71%</b>
<b>General Articles</b>				
ATM Articles	73,500	73,500	0	0.00%
STM Articles			0	#DIV/0!
Elected Officials	58,074	58,074	0	0.00%
Reserve Fund	200,000	200,000	0	0.00%
<b>Total General Articles</b>	<b>\$331,574</b>	<b>\$331,574</b>	<b>\$0</b>	<b>0.00%</b>
<b>Off-Budget Expenditures</b>				
Cherry Sheet Assessments	3,820,522	3,820,522	0	0.00%
Cherry Sheet Offsets	402,571	402,571	0	0.00%
Appropriation & Overlay Deficits		290,000	290,000	#DIV/0!
Overlay Reserve	500,000	500,000	0	0.00%
<b>Total Off Budget Expenses</b>	<b>\$4,723,093</b>	<b>\$5,013,093</b>	<b>\$290,000</b>	<b>6.14%</b>
<b>Grand Total Expenses</b>	<b>\$62,729,550</b>	<b>\$63,426,650</b>	<b>\$697,100</b>	<b>1.11%</b>
	\$0	\$0	\$0	(\$0)

GENERAL CAPITAL				
<b>Capital Financing Sources</b>				
Enterprise Receipts for Shared Capital Projects		30,000	30,000	#DIV/0!
Article Closures	255,352		(255,352)	-100.00%
Waterways Fund for Capital Budget	95,000	263,000	168,000	176.84%
Free Cash for Capital Articles	28,000	369,800	341,800	1220.71%
STM Borrowing	1,125,000		(1,125,000)	-100.00%
ATM Borrowing	1,313,400	1,461,900	148,500	11.31%
<b>Total Capital Financing Sources</b>	<b>\$2,816,752</b>	<b>\$2,124,700</b>	<b>(\$692,052)</b>	<b>-24.57%</b>
<b>Capital Expenditures</b>				
STM Articles Capital	1,153,000		(1,153,000)	-100.00%
ATM Articles Capital	1,663,752	2,124,700	460,948	27.71%
<b>Total Capital Expenses</b>	<b>\$2,816,752</b>	<b>\$2,124,700</b>	<b>(\$692,052)</b>	<b>-24.57%</b>

FISCAL 2015 & 2016 SOURCES & USES OF FUNDS-CUTS				
GENERAL FUND REVENUES				
	Voted Budget 2016	Budget with Cuts 2016	\$ Increase / Decrease	% Increase / Decrease over
<b>Property Taxes</b>				
Prior Year Tax Levy Limit	40,007,801	40,307,801	0	0.00%
2.5% Allowance	1,000,195	1,300,195	0	0.00%
New Growth	300,000	300,000	0	0.00%
Override			0	
Sub-total	41,307,996	41,307,996	0	0.00%
Debt Exclusion	1,073,114	1,073,114	0	0.00%
Cape Cod Commission Tax	182,030	182,030	0	0.00%
Unused Levy Capacity			0	#DIV/0!
<b>Total Tax Levy</b>	<b>\$42,563,140</b>	<b>\$42,563,140</b>	<b>\$0</b>	<b>0.00%</b>
<b>State Aid</b>				
Cherry Sheet Net Revenue	1,056,816	1,056,816	0	0.00%
Cherry Sheet Assessments	3,820,522	3,820,522	0	0.00%
Chapter 70 Total	4,577,338	4,577,338	0	0.00%
Charter School Reimbursement	209,894	209,894	0	0.00%
School Choice Reimbursing Tuition	375,244	375,244	0	0.00%
School Lunch	10,733	10,733	0	0.00%
Unrestricted General Govt Aid	1,304,407	1,304,407	0	0.00%
Veterans Benefits	68,066	68,066	0	0.00%
Exemptions: Vets, Blind, Surv Sp & Elderly	109,023	109,023	0	0.00%
State Owned Lands	570,001	570,001	0	0.00%
Public Libraries	13,744	13,744	0	0.00%
<b>Total State Aid</b>	<b>\$7,559,350</b>	<b>\$7,559,350</b>	<b>\$0</b>	<b>0.00%</b>
<b>Local Receipts</b>				
Motor Vehicle Excise	2,350,000	2,640,000	290,000	12.34%
Other Excise	130,000	130,000	0	0.00%
Meals Tax	350,000	350,000	0	0.00%
Penalties & Interest	275,000	275,000	0	0.00%
Payments In Lieu	25,000	25,000	0	0.00%
Mansions	1,165,000	1,165,000	0	0.00%
Other Dept Revenue	285,000	285,000	0	0.00%
Licenses & Permits	585,000	585,000	0	0.00%
Fines & Forfeits	130,000	130,000	0	0.00%
Investment Income	35,000	35,000	0	0.00%
Miscellaneous-Recurring	25,000	25,000	0	0.00%
Miscellaneous-Recurring Energy Credits	600,000	600,000	0	0.00%
Miscellaneous-Non Recurring	38,265	38,265	0	0.00%
<b>Total Local Receipts</b>	<b>\$5,893,285</b>	<b>\$6,253,285</b>	<b>260,000</b>	<b>4.44%</b>
<b>Other Sources</b>				
ISAM General Fund Support	1,986,384	1,986,384	0	0.00%
Sewer General Fund Support	131,633	131,633	0	0.00%
Host Community Fee	\$600,000	\$600,000	0	0.00%
<b>Total Other Sources</b>	<b>\$2,718,017</b>	<b>\$2,718,017</b>	<b>\$0</b>	<b>0.00%</b>
<b>Special Revenues</b>				
Conservation Comm.	30,000	30,000	0	0.00%
PL 874	220,621	220,621	0	0.00%
Ambulance Fees	1,000,000	1,070,000	70,000	7.00%
CPA Fund Debt Service	637,444	637,444	0	0.00%
Title 5 Loan Repayments	30,802	30,802	0	0.00%
Waterways Fund for Operating Budget	110,988	215,445	104,457	94.12%
<b>Total Special Revenue Funds</b>	<b>\$2,029,855</b>	<b>\$2,204,112</b>	<b>\$174,257</b>	<b>8.59%</b>
<b>Total General Fund Revenues</b>	<b>\$60,863,725</b>	<b>\$61,322,184</b>	<b>\$458,459</b>	<b>0.75%</b>
<b>Use of Reserves</b>				
Free Cash for Budget	1,792,345	583,749	(1,208,596)	-67.43%
Free Cash for Articles	73,500	73,500	0	0.00%
<b>Total Use of Reserves</b>	<b>\$1,865,845</b>	<b>\$657,249</b>	<b>(\$1,208,596)</b>	<b>-64.77%</b>
<b>Grand Total Revenues</b>	<b>\$62,729,559</b>	<b>\$61,935,413</b>	<b>(\$794,146)</b>	<b>-1.27%</b>

**FISCAL 2015 & 2016 SOURCES & USES OF FUNDS-CUTS**

GENERAL FUND EXPENSES				
	Voted Budget	Budget with Cuts	\$ Increase / Decrease	% Increase / Decrease over
	2015	2016		
<b>Town Budget</b>				
Administrative Services-Salaries	1,905,575	1,565,475	(40,100)	-2.10%
-Expenses	1,077,970	1,050,646	(27,330)	-2.54%
Public Safety Services-Salaries	7,956,423	7,956,423	0	0.00%
-Expenses	1,239,293	1,123,283	(115,000)	-9.29%
Public Works Services-Salaries	1,457,158	1,423,548	(33,610)	-2.31%
-Expenses	571,385	571,385	0	0.00%
Health & Human Services-Salaries	638,207	588,664	(49,743)	-7.79%
-Expenses	343,710	333,588	(10,122)	-2.94%
Culture & Recreation Services-Salaries	816,711	578,804	(39,807)	-6.45%
-Expenses	191,145	150,070	(41,075)	-21.49%
<b>Total Town</b>	<b>15,998,573</b>	<b>15,629,768</b>	<b>(356,767)</b>	<b>-2.23%</b>
<b>Schools</b>				
Bourne School Department	20,879,994	20,277,231	(602,763)	-2.89%
Upper Cape Technical School	3,294,382	3,294,382	0	0.00%
<b>Total Schools</b>	<b>24,174,376</b>	<b>23,571,613</b>	<b>(602,763)</b>	<b>-2.49%</b>
<b>Shared Costs</b>				
Shared Costs-Public Utilities	1,140,000	1,140,000	0	0.00%
Shared Costs	13,077,032	13,002,445	(74,587)	-0.57%
<b>Total Shared Costs</b>	<b>14,217,032</b>	<b>14,142,445</b>	<b>(74,587)</b>	<b>-0.52%</b>
<b>Total Operating Budget</b>	<b>\$54,387,981</b>	<b>\$53,353,844</b>	<b>-\$1,034,137</b>	<b>-1.80%</b>
<b>Capital Budgets</b>				
Debt Service Budget	3,288,602	3,258,902	0	
<b>Total General Fund Budget</b>	<b>\$57,674,583</b>	<b>\$56,642,746</b>	<b>-\$1,034,137</b>	<b>-1.79%</b>
<b>General Articles</b>				
ATM Articles	73,500	73,500	0	0.00%
STM Articles			0	#DIV/0!
Elected Officials	58,074	58,074	0	0.00%
Reserve Fund	200,000	200,000	0	0.00%
<b>Total General Articles</b>	<b>\$331,574</b>	<b>\$331,574</b>	<b>\$0</b>	<b>0.00%</b>
<b>Off-Budget Expenditures</b>				
Cherry Sheet Assessments	3,820,522	3,820,522	0	0.00%
Cherry Sheet Offsets	427,571	427,571	0	0.00%
Appropriation & Overlay Deficits		290,000	290,000	#DIV/0!
Overlay Reserve	500,000	500,000	0	0.00%
<b>Total Off Budget Expenses</b>	<b>\$4,723,093</b>	<b>\$5,013,093</b>	<b>\$290,000</b>	<b>6.14%</b>
<b>Grand Total Expenses</b>	<b>\$62,725,550</b>	<b>\$61,955,413</b>	<b>(\$744,137)</b>	<b>-1.19%</b>
	\$0	\$0	\$0	\$0

GENERAL CAPITAL				
<b>Capital Financing Sources</b>				
Enterprise Receipts for Shared Capital Projects	30,000	30,000	0	0.00%
Article Closeouts			0	#DIV/0!
Waterways Fund for Capital Budget	263,000	263,000	0	0.00%
Free Cash for Capital Articles	369,800	369,800	0	0.00%
STM Borrowing			0	#DIV/0!
ATM Borrowing	1,461,800	1,481,900	0	0.00%
<b>Total Capital Financing Sources</b>	<b>\$2,124,700</b>	<b>\$2,124,700</b>	<b>\$0</b>	<b>0.00%</b>
<b>Capital Expenditures</b>				
STM Articles Capital			0	#DIV/0!
ATM Articles Capital	2,124,700	2,124,700	0	0.00%
<b>Total Capital Expenses</b>	<b>\$2,124,700</b>	<b>\$2,124,700</b>	<b>\$0</b>	<b>0.00%</b>

Linda Marzelli went over the Funds Cut Sources and Uses.  
 Stephen Mealy went over how we got to the budget numbers for the Public Safety, Police, Fire, and Ambulance Departments.

Linda Marzelli went over the town cuts from the original budget.

Linda Marzelli went over the Funds Override sheet budget numbers.

Stephen Mealy went over the budget line item for the snow and ice removal, if the money is not expended it is turned back to the General Fund as unused funds.

Linda explained that in the override scenario everyone's budget does not grow it stays the same.

Stephen Mealy wanted to emphasize when we originally stated talking about an override we had been discussing a number of 2.9 million dollars. When we started looking at the long term planning model we were able to bring the number to 2.7 million dollars, and it will be adequate to supply the town funding for the next three years we would like to propose we can stretch that to five years.

Mary-Jane Mastrangelo wanted to make sure everyone is aware with the override it brings our revenue up to the point it will cover our expenses for a number of years. Under the reduction scenario we will be back in the same scenario in 2019.

### **3) Fire Department Budget Adjustments**

Chief Sylvester, Bourne Fire Department, went over the cuts and changes he made within his department, bringing dispatch into the community.

Stephen Mealy pointed out this is a temporary measure in order to address a means of being able to take money that would have been spent outside the town to support and maintain the four individuals that were originally going to be laid off and losing the Safer Grant. By taking dispatch in-house it puts the burden on the fire department temporary for several years and allow us to provide that service. This allows us to maintain our own personnel, maintain the Safer Grant, fully fund the full complement of members of the fire department, and thus the services that we have at this date.

Tom Guerino stated this change can be done whether the override question passes or fails. Mr. Guerino also stated that this is temporary for several years.

Don Pickard wanted to state that the Sagamore station was not going to close. There is enough people to keep that station

Tom Guerino stated the Selectmen made it very clear to keep Sagamore open regardless with what happened with the override.

### **4) Review and Discuss Community input and alternatives**

Stephen Mealy wanted to mention there are two outreach presentations being made this week and next week. This week at the Pocasset Heights Improvement Association at 6:30, and on Taylors Point on Monday the 24<sup>th</sup> at 6:30 pm. At both of those meeting the presentations will be made to allow give and take from the residents, and to ask questions about what might happen if the override does or does not happen. Also to give the elected

officials an opportunity to explain how we find ourselves in this situation and steps we are taking to prevent it from happening again. What our proposal is to make these adjustments and how the override amount came about.

Christopher Hyldburg stated members of the School Committee have come up with a tentative collective bargaining agreement with the teachers union. They heard the situation from the people of Bourne loud and clear. Mr. Hyldburg also wanted to reiterate this override isn't a bump, these cuts are not just to get us through; this just deals with 2016 and 2017. In 2018 we will be dealing with another series of cuts. Mr. Hyldburg also wanted to state that on Wednesday, August 26<sup>th</sup> at the Bourne Middle School there is a public meeting specific to the cuts of the schools and the potential impact of the override to the schools.

Don Pickard directed a question regarding the Fire Chiefs proposal; if the Board is voting on this will we have a draft approve to form agreement before we are asked to vote on it? Mr. Guerino stated it is their intent to bring a draft to the Board.

**5) Board of Selectmen Third, final reading of Financial Policy and potential vote for engrossment.**

Stephen Mealy went over what the Financial Policies covers and the changes that were made to the way free cash will be utilized and to put a limit on how much free cash can be utilized. With the stabilization account we recognized that in the past we have had a goal of maintaining a 7% of the general fund operating fund balance as a balance to carry in stabilization. We have never reached that amount of money; the recommendation is to reduce that to 6%. Also recommended the amount that was going to be put in the reserve fund, which we have seen from the past may have been underfunded. Within the new policy, we are proposing this evening, we are asking that a limit be set at .5% of the general operating budget, to insure we have adequate funds should we have any unforeseen expense. This will be the third and final reading.

**Voted** Don Pickard moved and seconded by Michael Blanton that the Board of Selectmen adopt the Town of Bourne Financial Management Policies and Guidelines with the changes introduced in the June 15, 2015 draft. Vote 5-0.

Tom Guerino stated if the Board of Selectmen vote to adopt these changes the Finance Committee should vote to adopt the changes. The Finance Director, Treasure, and Town Administrator have to sign off on them.

On the Finance Committee John Redman moved and seconded by Michelle Ford adopt the revised Financial Policies. Vote 7-0

**6) Other business of the joint committee meeting**

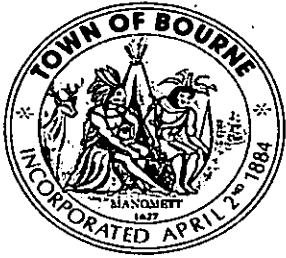
**7) Adjournment**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Board of Selectmen meeting adjourned at 8:30 pm. Vote 5-0.

**Voted** John Redman moved and seconded by Michelle Ford to adjourn the Finance Committee meeting at 8:30 pm. Vote 5-0.

The next Bourne Selectmen meeting will be on Tuesday, August 25<sup>th</sup> at 7:00 P.M.

Respectfully submitted - Carole Ellis, secretary.



# Board of Selectmen Meeting Notice



## AGENDA

Date

Thursday  
August 20, 2015

Time

6:30 p.m.

Location

Pocasset Heights Improvement  
Association  
100 Circuit Avenue  
Pocasset

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

Call to order

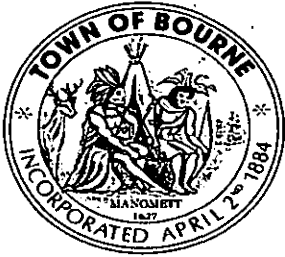
To discuss financial impacts to town services should the override question fail adoption.

No other business

Adjourn

2015 AUG 13 PM 2 45  
TOWN CLERK'S OFFICE  
BOURNE, MASS





# Board of Selectmen Meeting Notice



## AGENDA

Date

Monday  
August 24, 2015

Time

6:30 p.m.

Location

Taylor's Point Improvement  
Association  
10 Saltworks Lane  
Buzzards Bay

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

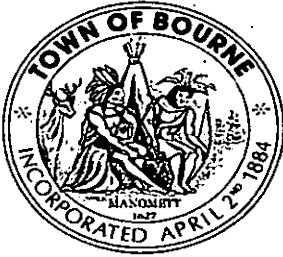
Call to order

To discuss financial impacts to town services should the override question fail adoption.

No other business

Adjourn

2015 AUG 13 PM 2 45  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday August 25, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: March 17, 2015, March 24, 2015, July 28, 2015, August 11, 2015
5. Correspondence
6. Linda Zuern – Americorp award for Lori York
7. Licenses/Appointments:
  - a. Council on Aging Appointment – Linda Connors
  - b. Recycling Committee Appointment – Rosanne Bottaro
  - c. Energy Advisory Committee appointment – Molly Mahoney
8. Selectmen's Business
  - a. Discussion with Wes Ewell and Korrin Petersen (Buzzards Bay Coalition) requesting support from the Board regarding a grant application for Regional Wastewater Study by Buzzards Bay Coalition.
  - b. Vote to place override on ballot for October 6, 2015
  - c. Override discussion continuation
9. Town Administrator's Report
  - a. Deadline for submitting articles for the STM Warrant – August 31
10. Selectmen's Reports
11. Other business
12. Adjourn

2015 AUG 21 PM 2 28  
TOWN CLERK'S OFFICE  
BOURNE, MASS

## Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart

**Board of Selectmen**  
**Minutes of Tuesday, August 25, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

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2015 SEP 3 AM 9 53

TA Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

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

**Public Comment – Non-Agenda Items**

None requested.

**4) Minutes:**

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from March 17, 2015 with corrections. Michael Blanton abstained. Vote 4-0-1.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from March 24, 2015 with corrections. Michael Blanton abstained. Vote 4-0-1.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from July 28, 2015 as presented. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from August 11, 2015 as presented. Vote 5-0.

## 5) Correspondence

Michael Blanton brought the committee up to date on the correspondence.

- A. 8-10-15 (recv'd); A letter from Margaret Downey of the Cape Light Compact with monthly Energy Efficiency Report for June 2015. 81 Residents participated in the program, receiving incentive dollars in the amount of \$425,403.86, saving 613,988 kWh and the Town has spent 49.9% of our allocated budget.
- B. 8-19-15; An email from Holly Johnson, Program and Policy Analyst with the Massachusetts Environmental Policy Act (MEPA) Unit regarding a scoping session notice for Canal Unit 3 and Canal Community Solar - Sandwich. The notice is with regard to an Expanded Environmental Notification Form (EENF) submitted to MEPA for the construction of a new 330-megawatt electric generating facility, including a 1.5-megawatt ground-mounted solar array, altering approximately 18.8 acres of land at the existing Canal Generating Site. A mandatory Environmental Impact Report (EIR) has requested, and public comments from agencies, official and citizens may be heard at a meeting to be held on Monday, August 31, 2015 at 3:00pm at Sandwich Town Hall.
- C. 8-12-15 (recv'd); A letter from Elise Leduc of Pocasset expressing interest in an appointment to the Conservation Commission. She holds a BA in Biology and Environmental Studies from Williams and a Masters in Environmental Management from Duke, and worked with the Woods Hole Group on a variety of environment protection projects as described in her letter.
- D. 8-13-15 (recv'd); A letter from Dr. Bill Towne of Pocasset in which he resigned as Member of the Bourne School Building Committee (Finance Committee representative) for personal reasons.
- E. 8-13-15; A letter from Mike Leitzel of the town Engineering Department recommending against the request that the "Town of Bourne take an easement to control Paesano Way connector/road connecting Route 28 (MacArthur Blvd.) south to Waterhouse Road (in a one way direction)." See the supporting documents from Mass Highway supplied with the letter

Don Pickard suggested correspondence item E be put on the agenda for September. Tom Guerino stated for correspondence item C there are no vacancies but we will keep that letter on file.

## 6) Linda Zuern - Americorp award for Lori York

Linda Zuern, as representative to the Assembly of Delegates, was asked to make a presentation to the town. She presented to the town a poster that reads "Bourne, together we grow, 15 years, 15 towns, 15 trees." Americorp planted 15 trees, one in each town. Ms. Zuern also read from the book Barnstable County's Amricorp Cape Cod, gives all the activities they have done. She read what has been done in Bourne; one at Sagamore Hill, the

Mashpee Dike and at the Bourndale Herring Run. Ms. Zuern also presented a certificate to Lori York who then thanked the town and explained what the certificate was for.

**7) Licenses/Appointments:**

- a. Council on Aging Appointment - Linda Connors**
- b. Recycling Committee Appointment - Rosanne Bottaro**
- c. Energy Advisory Committee appointment - Molly Mahoney**

**Voted** Don Pickard moved and seconded by Michael Blanton the appointment of Linda Connors to a term on the Council on Aging for the position that has been advertised for a term through June 30, 2017. Vote 5-0.

**Voted** Peter Meier moved and seconded by Michael Blanton to appoint to the Recycling Committee to fill the unexpired term that ends on June 30, 2018.

Mrs. Bottaro stated she would like the shorter term.

Peter Meier amended his motion to appoint Mrs. Bottaro to the shorter term expiring on June 30, 2016. Michael Blanton seconded the amendment. Vote 5-0.

Don Pickard stated the next appointment for request is for the Energy Advisory Committee appointment for a term to expire June 30, 2016.

**Voted** Don Pickard moved and seconded by Peter Meier to appoint Molly Mahoney of Cataumet for this position. Vote 5-0.

**8) Selectmen's Business -**

- a. Discussion with Wes Ewell and Korrin Petersen (Buzzards Bay Coalition) requesting support from the Board regarding a grant application for Regional Wastewater Study by Buzzards Bay Coalition.**
- b. Vote to place override on ballot for October 6, 2015**
- c. Override discussion continuation**

**8 a.** Wesley Ewell, Wastewater Budget Coordinator, spoke very briefly about the cleanup and expand wastewater capacity to Buzzards Bay and introduced Korrin Petersen. Korrin Petersen, on behalf of the Coalition, is applying for a Federal EPA grant to hire an outside engineering firm to conduct a feasibility study of that proposal.

Korrin Petersen, Senior Attorney with Buzzards Bay Coalition spoke about the Buzzards Bay Coalition and explained what the Coalition does. They are seeking the Board of Selectmen's endorsement for a grant they would like to apply for from the Federal US EPA, to pursue the feasibility of this idea to expand the Wareham Wastewater Treatment Facility as well as move the outfall from the Agawam River to a different location, also looking at doing some baseline water quality monitoring at the proposed location on the Cape Cod Canal. The grant will also include a sewer needs analysis for the town of Wareham, Bourne, and South Plymouth, as well as the Massachusetts Maritime Academy, and try to estimate

sewer expansion costs for the communities. The Coalition will be the lead and the Project Manager and collaborate with the communities.

Tom Guerino wanted to clarify the wastewater needs in Bourne is specifically focuses on Buzzards Bay in Little Buttermilk area and not the entire town.

Mrs. Petersen stated we have a preliminary letter of interest that is due September 15<sup>th</sup> and we would like to include a letter of support from the Town of Bourne. The feasibility study will be completed by June 2017.

Tom Guerino questioned as it relates to the work that the town has to do with the 208 Plan, what would the grant application and study outcomes do to help the town? Mrs. Petersen stated this feasibility study would provide the information the town can use to report back to the Cape Cod Commission and how you will meet your goals for the estuaries.

**Voted** Don Pickard moved and seconded by Peter Meier, the Bourne Board of Selectmen endorse the Feasibility Study of the three towns concept presented by Attorney Petersen of the Buzzards Bay Coalition, in that the Buzzards Bay Coalition will act as the applicant and Project Manager of this project. Vote 5-0.

Korrin Petersen has a draft endorsement letter and will email it to the Town Administrator.

Korrin Petersen also spoke about the Kingman Yacht Center Project. They are looking for an applicant, maybe the Town of Bourne, to apply for grant funds to evaluate whether there are additional sites adjacent to the current Wastewater Treatment Facility that would be appropriate for a ground water discharge. There would be no financial commitment on the Town of Bourne; it would be the Town of Bourne being the applicant for grant funds to do the evaluation for these sites.

Tom Guerino suggested himself, Korrin Petersen, Sally Riggs or Wesley Ewell get together sometime before the end of the week. Perhaps put it on the agenda for the next meeting.

Stephen Mealy suggested staying close to the intent of the open meeting law, we should do this at a second meeting to allow people to understand what the specifics are for that particular discussion.

**8 b.** Stephen Mealy gave a brief overview of the override ballot amount \$2.7 million as a general override amount.

Don Pickard read the Certificate of Vote.

**Voted** Don Pickard moved and seconded by Peter Meier the Board of Selectmen of the Town of Bourne certify at tonight meeting on August 25, 2015 at the Bourne Veterans Memorial Community Center at 7:30 p.m. a quorum of the Board of Selectmen being present and voting throughout, upon a motion duly made and seconded, it was unanimously for the following ballot question: "Shall the Town of Bourne be allowed to assess an additional

\$2,700,000.00 in real estate and personal property taxes for the purpose of general government expenses for the Town, School Department for the fiscal year beginning July 1, 2015?"

Peter Meier stated he supports the motion however wonders if this number is too small. Michael Blanton also feels the amount may be too small, with the need to pursue economic development as a means to drive new revenues. Would like to see a plan that includes some amount allocated to economic development, so we can seek new revenues.

Don Pickard stated this is the number; we are just voting the number. Since the Financial Project Working Group, Town Administrator, Finance Director, Chair of Finance Committee, School Committee, Finance group and the Superintendent have all weighed in on this, I can support this number.

Mary Jane Mastrangelo, Finance Committee, stated the amount of the override was reduced from 2.9 to 2.7 million dollars due to applying additional revenues from the ambulance fund and Waterways fund to support the operating budget. With the increase in revenue from those sources and the 2.7 million dollar override we are accomplishing the same thing that we were accomplishing with the 2.9 million dollar override. It did however drop the amount of impact on the taxpayer from .71 cents per thousand to .66 cents per thousand. This override will provide a means of keeping the services we have now.

Don Pickard suggested the Fire Department grant personnel taking over the dispatch in-house is not a done deal and stated in his opinion it will not work.

Stephen Mealy stated the proposal for the override was to make the town whole, there were no embellishments, there were no additions, no increases in expenses, and no additional personnel. If the override were supported by the voters this would maintain the services they are now currently receiving, no more and no less. To interject any type of wish list at this late date would be detrimental not only to the success of the override but may result in the impacts we've been dreading if the override does not pass. Mr. Mealy urges the board to support the original number as purposed this evening of 2.7 million that has been recommended by many individuals.

Don Ellis stated he supports the 2.7 million override. Every department has done their homework. We need to go forward with what we have stated. We go forward with the 2.7 million.

Peter Meier stated we need to look to thrive going forward. We need to plan accordingly and look at where the money is being spent.

An audience member requested in any public printing of the override proposal, the money be spelled out as \$2,700,000.00. Tom Guerino stated that is how it will be printed on the ballot.

Stephen Mealy read the motion again. Mr. Mealy wanted a roll call vote.  
Mr. Meier - Yes; Mr. Pickard - Yes; Chair - Yes; Mr. Blanton - Yes; Mr. Ellis - Yes. Vote 5-0.



8 C. Stephen Mealy opened the discussion of the override to the board members and the audience members.

Audience member Ernie Dechene from Buzzards Bay, questioned have we come up with a list, if the override does not pass, where the reductions will come from.

Stephen Mealy stated we have come up with a list; it has not been approved by this board nor has it been approved by the School Committee. There will be a vote on October 6<sup>th</sup>. Following that vote whether the question passes or fails there will be a Special Town Meeting held on the 19<sup>th</sup> of October, to finalize the adjustments to this existing budget. If the question passes there will be an allotment of monies that will be put back into the budgets. If the question fails there will have to be reductions to the budgets. We have an upcoming presentation on the 12<sup>th</sup> of September at 9:30 a.m. at the Pocasset Civic Associates. If there are members of any civic assembly that would like us to make our presentation we would be more than happy to come out and meet with them and make that presentation.

Don Pickard wanted to reiterate for the public, the vote at the ballot is going to go before the vote at town meeting. The vote at the ballot, need only a majority to pass. At town meeting the question then needs to be asked and that vote only needs a majority vote.

Mary Jane Mastrangelo clarified what Don Pickard said and stated the vote at the Special Town Meeting will be to amend the budget. If the override passes we will amend the budget to raise and appropriate the amount of money that was taken from Free Cash. If the override fails we will be reducing budgets to bring the budgeted amount so we will be within budget policy.

Don Pickard questioned that if it passes at the ballot it can still fail at Town Meeting. Mary Jane Mastrangelo clarified there is no vote on the override it only about the budget.

Matt Stuck, Bourne School Committee member, spoke about the 2.7 million dollar override and encouraged citizens to invite folks to understand the override and the implications of its passage and the implications of its failure.

Stephen Mealy wanted to remind people of the towns Facebook page, there is a link from the town's website, there is a lot of information on that page and Frequently Asked Questions.

Lori York questioned how to arrange a forum and who to contact. Mr. Mealy stated you can contact the Town Administrator's Office to set up a forum.

## **9) Town Administrator's Report**

### **a. Deadline for submitting articles for the STM Warrant – August 31**

Tom Guerino stated the deadline for submitting articles for the Special Town Meeting is August 31, 2015. We have received one Zoning related article by petition. Had a very good meeting with the folks from NRG, they are the people that are restarting the plant in Sandwich. They are going to be operating about 10% of the time. They are willing to give the Board a presentation. Mr. Guerino wanted to update the board about a conversation with the new representative to the town and the region relative to the Cape Cod Transportation Study and the third bridge issue, they should be down sometime in mid to late September.

Don Pickard noticed in one of Tom Guerino's reports that he has signed an agreement with the fire local on the dispatch. Mr. Guerino stated there hasn't been an agreement on the dispatch; there has been an agreement to negotiate the dispatch as it relates to Chapter 150E, which is a Collecting Bargaining Statute. Counsel has reviewed it; it is a one liner. It commits both sides to having the framework in by October.

### **10) Selectmen's Reports**

Peter Meier wanted to thank the Pocasset Heights Association and Taylors Point Association for putting on the two forums and to thank everyone who came out.

Don Pickard attended the swearing in of two new police officers in town, Kyle Tringali and Justin Hill.

Michael Blanton stated he was contacted by a member of the Herring Pond Wampanoag Tribe, and discussed the communication issues. Mr. Blanton is requesting that Mr. Ellis and himself be invited to their next regular meeting so they can establish a line of regular communication between the town and the tribe.

Stephen Mealy stated he had a meeting today with a gentleman who would like to enter into an agreement with the town to establish a wave current energy conversion test station at the location behind the train station in Buzzards Bay. It will be the first and only in the nation. He has an application for a grant. It is not a demonstration of using wave energy to generate electricity, it is a test stand to evaluate and test and approve other peoples equipment. That will be brought before the board in a couple of weeks. ISWM has announced their new seasonal schedule, which will start on Tuesday September 15<sup>th</sup>. They will be closed on Tuesdays. The last day for paint being brought to the landfill will be on the 17<sup>th</sup> of October, which is also the day the hazardous waste collection will be at Peables School on Trowbridge Road.

Mr. Meir will find out if there will also be paper shredding on that date.

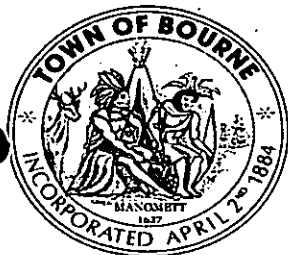
### **11) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, September 1<sup>st</sup> at 7:00 P.M.

### **12) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 8:07 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday September 1, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: August 25, 2015; June 16, 2015
5. Correspondence
6. Special recognitions for services to our town and community.
7. Mr. John R. Miller, Executive Director  
Marine Renewable Energy Collaborative of New England, Inc. (proposed project discussion and possible request for support).
8. Licenses/Appointments:
  - a. Coalition of Buzzards Bay Watershed Ride
9. Selectmen's Business
  - a. Wastewater Study Grant - Cataumet area
  - b. Vote regarding override reduction amounts as recommended by the FPWG
  - c. Establish date to complete goals
  - d. Signing of Warrant for Special Election - October 6, 2015
10. Town Administrator's Report
  - a. Discussion with TA, Police Chief and DPW Supt. regarding MA DOT paving and upgrading of MacArthur Blvd. and the Bourne Rotary.
11. Selectmen's Reports
12. Other business
13. Adjourn

2015 AUG 28 PM 3 38  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart

**Board of Selectmen**  
**Minutes of Tuesday, September 1, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

TOWN CLERK'S OFFICE  
BOURNE, MASS.

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**TA Tom Guerino**

**Selectmen**

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

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All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:02 pm.

Stephen Mealy stated under agenda item number 9C Establish Date to Complete Goals will not be discussed this evening because there was no information on who's goals it was, it was for the Board of Selectmen, because of the non description and relative to the open meeting law we will put that on another date.

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

**Public Comment - Non-Agenda Items**

None requested.

**4) Minutes:**

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from August 25, 2015 as presented. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from June 16, 2015 as presented. Vote 5-0.

**5) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

- A. 8-26-15 (recv'd); An email from Jean Campbell, director of the Bourne Archives in Bourne village explaining that they will be closed through the end of the year except by appointment only. There will be announcements posted on the website and in the newspaper with contact information.
- B. 8-19-15 (recv'd); A letter from Michael Pentony, Asst. Regional Administrator for Sustainable Fisheries, responding to the BOS letter concerning forage fish and impacts that NOAA fisheries have on those populations. He states that both the New England and Mid-Atlantic Fishery Management Councils are addressing most of the issues raised, including impacts on longfin squid concerns, issues with midwater trawl vessels fishing near shore, and caps set on river herring and shad catch, among others. He believes that the issues our Board raised are in keeping with the Magnuson-Stevens Act that requires public process for Fishery Management Councils in developing management measures.
- C. 8-21-15 (recv'd); A letter from TA Guerino to the Bourne Planning Board on a proposed zoning bylaw change from R-40 to B-2 for several parcels in Cataumet identified as 'Bonnie Land' brought by Bonnie Wing, and the easterly portion of Anastasia Lane owned by Woodland Realty Trust, the sponsor. The zoning change was requested by petition and the signers are attached with the letter.
- D. 8-28-15 (recv'd); A letter of interest from William Meier of Buzzards Bay expressing a desire to serve as a non-veteran appointee to the Board of Trustees of the Veterans' Memorial Community Center. He cites his expertise in building construction and current service on the Public Works Project Building Committee, Peebles Elementary School Building Study Committee and Bourne Police Facility Building Committee for consideration.
- E. 8-24-15; A letter from Ben Lynch, Program Chief of the Waterways Regulation Program of the Department of Environmental Protection (DEP) regarding an appeal they are considering from a denial of a mooring permit to David Rosenbloom. See the letter Mr. Rosenbloom to MA DEP requesting the reverse of the revocation for failure to file annually required ownership form attached to the letter from DEP.

Stephen Mealy read a letter from the Town of Bourne Board of Health dated August 27, 2015. Relative to the future wind generation project, addressed to Future Generation Wind, LLC at 810 Head of the Bay Road, Buzzards Bay. Dear Future Generation Wind, On August 26, 2015 the Bourne Board of Health discussed the accullability of their wind energy conversion system regulations to the proposed Future Wind Generation, LLC project. It was unanimously voted that there be insufficient documentation provided about the nature of the project and more information will be needed to be supplied to the Board to determine if the proposed wind turbines have an effect on Bourne residents. If the proposed turbines do not comply with the existing Board of Health regulations, a variance will be necessary in order to protect the health of Bourne residents. It has been signed by the Chairman and all the members of the Board of Health.

**6) Special recognitions for services to our town and community.**

Stephen Mealy wanted to take time to make a special presentation to a couple of individuals.

Mr. Mealy spoke about Mr. Gurnon, former admiral of the Mass Maritime Academy, and presented Mr. Gurnon, on behalf of the Board of Selectmen and the residents of Bourne, with a plaque that recognized Mr Gurnon with your dedication and commitment no only leading the Mass Maritime Academy but also the Bourne Community to a new level of success.

Stephen Mealy, Earl Baldwin Chairman of the Bourne Veterans Memorial Community Center, and a couple other trustees presented Mr. Mulvey with a plaque and spoke about Mr. Mulvey in recognition of his leadership, wisdom, and friendship. Mr. Mealy stated this room will now be knows as the Jim Mulvey Room.

**Voted** Peter Meier moved and seconded by Michael Blanton to recommend that we send a letter to the Board of Trustees renaming this room to James F. Mulvey meeting room. Vote 5-0.

**7) Mr. John R. Miller, Executive Director  
Marine Renewable Energy Collaborative of New England, Inc. (proposed project discussion and possible request for support).**

John Miller, Executive Director of the Marine Renewable Energy Collaborative of New England, spoke about what the Marine Renewable Energy Collaborative does, it is a non-profit organization dedicated to advancing marine renewables in New England. Mr. Miller went over the proposed project for the title test site to test other company's products.

Stephen Mealy wanted to clarify this is only for building a test site, there is not product development, no manufacturing, this is to test other people's products in town because there is no other facility in the United States. The planning, design, review, approval, permitting, construction, and maintenance will all be undertaken by your company and not have anything to do with the supporting community. Mr. Miller stated that is correct. Mr. Mealy stated they are looking for a vote from the board to support the application for the grant that you are seeking.

**Voted** Peter Meier moved and seconded by Michael Blanton to support the application for the grant that Mr. Miller is seeking.

Michael Blanton questioned how will it help the economic development in Bourne. Mr. Miller stated the test sites have been magnets for companies to locate. There are university professors that want to do technologies but can't because it costs so much, they can do testing in a tank but can only get up to a certain level, but that is very rudimental. To see how it's operated you need to get it in the ocean. This would be a one of a kind and an attraction for people to bring their equipment to Bourne.



Don Pickard stated the letter dated October 14, 2014 from the Department of the Army only acknowledges that your interested in developing the Title Energy Demonstration project, the permitting, licensing, and state permits have not been done yet, your firm will handle all the costs. It does not look like a statement of support it just looks like a letter thanking you for your interest. Mr. Pickard also questioned how long will it last and how many people will it employ.

Mr. Miller stated he thinks it will become a permanent test site and will employ about three people to run the test site. Mr. Miller believes people will come and test their turbine and find something wrong. They pull it out; if the company isn't from around here they wont ship it back to get fixed they will fix it right here and put it back in. That is the advantage of this kind of test-site; close to the shoreline and you have good access to it.

Peter Meier stated it could provide training to area community colleges. Mr. Miller stated that part of his non-profit is an educational mission. They will take the data and put it on line so people can see the video of the turbine turning, a graph of the generation of electricity, and speed of the water in real time. Have spoken to the folks from STEM, they are interested in using it in their curriculums. Have spoken to the academic people from Mass Maritime, people from UMASS and Bristol Community, and all of them have an interest. The town will have no administrative burden.

Tom Guerino stated they need a letter drafted that the board can instruct the administrator to sign based on the board's votes.

Mr. Mulvey concluded the talk is about harnessing flow, but questioned the size of the turbine, which side of the canal, where on the canal, how far out into the canal, access to the site, and the environmental issue, also if it is a turbine where the discharge is going.

Mr. Miller explained where on the canal, the size of the turbine, safety issues, and the environmental impacts.

Mr. Blanton stated he supports this in concept and is excited that is might draw some of the of the Woods Hole spin off companies and the marine science and marine tech companies to invest in the Bourne area.

Vote 5-0

## **8) Licenses/Appointments:**

### **a. Coalition of Buzzards Bay Watershed Ride**

Don Pickard went over the application for the Coalition for Buzzards Bar Watershed Ride; it will be taking place on October 4, 2015. It will start in Westport at 9:00 a.m. and finish in Woods Hole at 5:00 p.m. Approximately 200 riders, this is an annual event. The Police department may require a detail officer. Lt. Silvestro will need to know two weeks prior.

Peter Meier said it also stated the DPW is requesting that all directional signs be removed after the event.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve based on a completed application and comments. Vote 5-0.

**9) Selectmen's Business -**

- a. Wastewater Study Grant - Cataumet area**
- b. Vote regarding override reduction amounts as recommended by the FPWG**
- c. Establish date to complete goals**
- d. Signing of Warrant for Special Election - October 6, 2015**

9a. Tom Guerino briefly went over the grant application; It will be to expand the current system out to take on 65 homes addition to the original 50 homes. The letter of support will be similar. This is a \$50-\$75,000 grant that will do geologic test pit studies for the area. The original thought was that the town could be the lead applicant. Both the Wastewater Committee and Mr. Guerino agree the town cannot be the lead applicant for a project that will benefit a private sector developer. The coalition is obtaining a private homeowners association to be the lead applicant. If they are successful in obtaining the homeowners association becoming the lead applicant then the town can provide a support letter for the grant application just to do the investigation.

9b. Stephen Mealy briefly went over the proposed reduction motion should the override fail and then read the motion. To make a total reduction of the FY16 budget of \$979,225.00 of which \$356,787.00 will be reduced from the Town's operating budget, \$480,763.00 will be reduced from the School Department's budget. With shared expenses of \$41,225.00 from the Town's share and \$100,450.00 from the School Department's share.

Don Pickard questioned this is just for FY16? We don't have any idea if the Fire Department is going to maintain dispatch, loose dispatch, or experience layoffs. What happens if the override does not pass, what happens if the override passes? There are options for the Board.

Chief Sylvester, Bourne Fire Department, discussed with the local 1717 about it being presented with the dispatch. They have been very receptive about sitting down and communicating, also what the fire department has been working on, moving forward.

Tom Guerino stated a draft of the plan for your review will be before the selectmen before the end of the month so there is time to review this before the vote.

Don Pickard stated Tuesday, October 6<sup>th</sup> would be the deadline. Our next action will be we need to know before that date what the board's plan of action is on what is going to happen in the event the override isn't successful at the ballot box. Upon the override passage do we do further study and let the grant go forward; or if the override is not successful do we do the layoffs.

Chief Woodside stated to keep the issues separate. The board has a policy on the financial matter, what is going to be done with the money. That has to be separate from this proposal. As far as the negotiations going on within the fire department all that should be said is they are talking about it, nothing else. You are in an impact bargaining and you have to follow a strict procedure. Discussing that in a public meeting is not a great idea. The two issues are, what will happen if the dispatch is going to happen, and for the board what is the plan for the finances.

Don Ellis questioned the numbers? Mr. Mealy stated the motion is taken from a motion that was made to make a recommendation from the Financial Project Working Group. The motion was made and seconded by the two members of the School Committee. We have complete sign on from all the department heads relative to the motions to the adjustments. I feel comfortable based on the recommendation coming from the Financial Project Working Group.

Michael Blanton questioned if the override fails and we move forward with these amounts, isn't the actual allocations subject to the fluidity of potential movement from town meeting to move items from place to place within the budget. Mr. Guerino stated the town meeting, once the motion is made, can do whatever the town meeting chooses to do, they can amend, they can move money around subject to the Bourne rule, but these are the final numbers. There may be movement within the budget but these are the numbers.

**Voted** Don Pickard moved and seconded by Peter Meier that the Board of Selectmen vote a total reduction of the FY16 budget of \$979,225.00 of which \$356,787.00 will be reduced from the Town's budget, \$480,763.00 will be reduced from the School Department's budget. With shared expenses of \$41,225.00 from the Town's share and \$100,450.00 from the School Department's share.

Mary Jane Mastrangelo stated, if the override does not pass.

Don Pickard amended his motion to add, if the override does not pass. Peter Meier amended his second.

Joseph Carrara voiced his concerns and questions.

Vote 5-0.

9c. Stephen Mealy stated we are skipping this item because of insufficient information given to the public.

9d. Tom Guerino stated there are a few typos that will be fixed and he recommends they vote the warrant and come in to sign it tomorrow.

**Voted** Peter Meier moved and seconded by Michael Blanton that the Board of Selectmen sign the warrant to hold the election on the 6<sup>th</sup> day of October, 2015.

Stephen Mealy explained to the town people they are voting on the ballot question of Shall the Town of Bourne be allowed to assess an additional \$2,700,000.00 in real estate and personal property taxes for the purpose of general government expenses for the Town, School Department for the fiscal year beginning July 1, 2015, with a yes or no response.

### **10) Town Administrator's Report**

#### **a. Discussion with TA, Police Chief and DPW Supt. regarding MA DOT paving and upgrading of MacArthur Blvd. and the Bourne Rotary.**

Tom Guerino wanted to read the letter from Mr. Horunk of P.O. Box 123 Onset, to the town of Bourne, regarding the return of the 2015, liquor license. I am surrendering my liquor license to your office today although the Cape Cod Times believes it should have been done some time ago. I was in business until Saturday and this has been the first time the town office has been open since that time. At approximately 4:45 on Saturday the Police Department was notified the Port-O-Call was no longer open for business and the license would be surrendered today. I would like to thank you, Nancy, and the Board of Selectmen for the assistance provided over the last four years. Signed Stephen Horunk, proprietor of the Port-O-Call.

Mr Guerino wanted to discuss the proposed upgrading of the MacArthur Blvd paving project and rotary work. There are concerns with the rotary and the curb cuts at the new Dunkin Donuts.

Chief Woodside stated this is the first time he is seeing the map which is dated February, which is concerning to him. Mr. Woodside spoke about his other concerns.

George Sala stated also being a member of the transportation advisory committee, during those meetings they discussed if you are doing any type of repairs or work on the rotary, they discussed a sidewalk, that would continue down the bridge and come around, which isn't on the drawings. We need to see if they will come back and have a discussion and listen to our concerns.

Don Pickard questioned would it be prudent to recommend a motion where the board would instruct the town administrator to meet with department heads, relative to this matter, outline their concerns and put it in a letter for the board's signatures and have it prepared for our September 15<sup>th</sup> meeting.

Chief Woodside suggested just a letter to the DOT stating we are concerned with these proposed changes and would like to have a meeting set up with Mr. Woodside, Mr. Sala, and the Board so they can explain their changes. Our three major concerns are some of the marking in the rotary, Sandwich Road coming into the rotary, and the curb cuts.

Stephen Mealy stated they are going to ask the Town Administrator to draft a letter to send of the Mass DOT with several bullet points. Then try to put a meeting together with everyone involved.

Tom Guerino also spoke about the auction, what was done to the property, and the sale of the property. Nancy should be commended on the work she did for this project.

### **11) Selectmen's Reports**

Peter Meier spoke about the invitation to the Scallop Festival opening ceremonies, and the information forums.

Don Ellis went to the Environmental Hearing in Sandwich on August 31<sup>st</sup>. We should be concerned with the amount traffic it will cause for the village of Sagamore. We should take a hard look at the information in our packet we got last week.

Stephen Mealy spoke about the outreach, we will be appearing on Saturday, September 12<sup>th</sup> at 9:30 a.m. at the Pocasset Civic Association annual meeting. That will be open to the public. Mr. Mealy also stated he was contacted by a resident about the October 17 Hazmat collection at the Peebles School, who questioned whether or not they will be able to shred material. They are going to do that but they are limiting it to three file boxes per person.

### **12) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, September 15<sup>th</sup> at 7:00 P.M.

### **13) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 8:41 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.

### **Future Agenda Items**

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart

**Town of Bourne Board of Selectmen**  
**Executive Session**  
**Meeting Minutes**

September 15, 2015

2015 JUL 29 PM 4 21  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Members Present:** Selectman Mealy, Selectman Zuern, Selectman Ellis, Chairman Meier, Selectman Pickard

**Also Present:** Town Administrator Guerino, Attorney Troy

In Open Session, **Mr. Pickard made a motion** to enter into Executive Session for the purpose to discuss pending litigation updates and return to Open Session. **The motion was seconded by Ms. Zuern.** Roll Call Vote 5-0. **Mr. Pickard – Yes, Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes**

- **Duce Case**

Attorney Troy provided an update to the board regarding the Duce case as it relates to moorings. This case was brought to DEP to appeal the Harbormaster's decision concerning missed inspections, Duce not responding to several pieces of correspondence resulting in the permit being pulled and the failure of the fee payment as required.

Attorney Troy explained that through negotiations, Mr. Duce would receive one of two moorings returned. Although the Town was not pleased with this outcome, both Attorney Troy and the Harbormaster felt this was a positive outcome. The board agreed.

- **Harvest Power**

The Board of Health expressed concerns that the Town wasn't going to be sure that its policies would be fully adhered to. The selectmen were very clear that the Board of Health would in fact have full authority as provided by law and regulation.

There was some discussion regarding "Condition 10" as it relates to a bill filed in the House that would alter the method for citing a facility like Harvest Power. The thought is to move on this as quickly as we can adhering to all aspects of the law so that we are assured that Harvest Power's interest in the facility being placed in Bourne would remain high. Attorney Troy indicated that he was very pleased with the work that WilmerHale was doing on behalf of the Town as well as that of the Town

Administrator and the negotiating team. This was moving forward well and having it negotiated with a team as opposed to multiple boards created a favorable outcome.

- **Grand Union**

Attorney Troy updated the board on the Grand Union case. The outcome appears that it will be a partial abatement which is a win for the Town in as much as the comparables were hard to come by, they came in a little late. Attorney Troy recommended that we do not appeal the Appellate Tax Board ruling, that our chances of winning on appeal would be slim. The board agreed with his recommendation.

- **Pilgrim Pines**

Attorney Troy briefly updated the board stating that Mr. Hebb is maintaining there is a constructive grant because of action or inaction by the ZBA, according to Town Counsel, that is not the case.

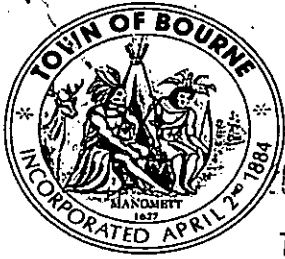
**Mr. Pickard** motioned to adjourn Executive Session and return to Open Session.

**Ms. Zuern** seconded. Roll Call vote 5-0. **Mr. Pickard – Yes, Ms. Zuern – Yes, Mr. Mealy – Yes, Mr. Ellis – Yes, Chairman Meier Yes.**

Respectfully Submitted,

*Thomas M. Gaerino*

Town Administrator



# Board of Selectmen Meeting Notice



2015 SEP 11 PM 2 32  
**AGENDA**

**Board of Assessors Appellate Tax Cases**  
**Review current ongoing litigation**  
**Discussion to engage Associate Town Counsel**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday September 15, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:00 p.m. Call to order in Open Session

1. Executive Session. To conduct strategy session with respect to litigation as an open meeting may have a detrimental effect on the litigation position of the public body. The Chairman declares that such open discussion will have a detrimental effect to the litigating position of the public body.

Roll call Vote to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7 P.M.  
Roll call Vote to reconvene in open session.

Approximately 7:00 p.m. returning to Open Session

2. Moment of Silence for our Troops and our public safety personnel
3. Salute the Flag
4. Public Comment – Non-Agenda Items
5. Minutes: March 31, 2015, September 1, 2015
6. Correspondence
7. Licenses/Appointments:
  - a. Election Workers – Appointments for October 6, 2015 Override Election
  - b. [2] One Day Liquor @ Massachusetts Maritime Academy
  - c. [2] One Day Liquor @ Beachmoor
  - d. 6<sup>th</sup> Annual Hot Rods for Hero's Event – Request by Fraternal Order of Eagles Aerie 3741 to close/block off Cohasset Avenue from St. Margaret's Street to Wallace Avenue from 7:30 a.m. to 2:00 p.m. Proceeds from car show to benefit the Walking Warriors.
  - e. Buzzards Bay Tavern – 10:00 a.m. Sunday Opening for serving of all alcoholic beverages



8. Selectmen's Business
  - a. Override Discussion
  - b. Establish date to complete Selectmen's Goals
9. Town Administrator's Report
  - a. Request to advertise for Admin. Support staff replacement at Police Department due to pending retirement
10. Selectmen's Reports
11. Other business
12. Adjourn

**Board of Selectmen  
Minutes of Tuesday, September 15, 2015  
Bourne Community Building  
Bourne, MA 02532**

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2016 JAN 10 PM 11 38

TA Tom Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

Stephen Mealy, Chairman  
Don Pickard, Vice-Chairman  
Michael Blanton, Clerk  
Don Ellis  
Peter Meier excused

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:12 pm.

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

**Public Comment - Non-Agenda Items**

None requested.

**5) Minutes: March 31, 2015, September 1, 2015**

**Voted** Don Pickard moved and seconded by Don Ellis to approve the minutes from March 31, 2015 with the two corrections. Michael Blanton abstained. Vote 3-0-1.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the minutes from September 1, 2015 as presented. Vote 4-0.

**6) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

- a. Cape Cod Run From Addiction will start at the Bourne Public library on September 26, 2015
- b. Conservation Commission abutter notification for work being done at 790 Shore Road, Pocasset to construct a new 6 bedroom soil absorption system

- c. Mass DEP submitted 2 copies of Administrative Consent Order Amendment #1 for 120 Main Street, Buzzards Bay
- d. DEP to consider the appeal from Alan Diamond on the Harbormaster's denial of a mooring permit #20-A in Mashnee
- e. Letter sent to The Honorable Lt. Governor Karyn Polito with the Selectmen's support of the application by the Marine Renewable Energy Collaborative of New England to the Seaport Economic Council for an Innovation Grant
- f. Letter from Conservation Law Foundation regarding Cape Cod Area Wide Water Quality Management Plan Update
- g. Letter from Fire Chief Sylvester Jr. that 2 employees will be coming off the SAFER Grant effective August 16, 2015
- h. Notice from Department of Conservation and Recreation re: Order to conduct a Dam Safety Phase I Inspection

Tom Guerino gave a brief update on the Administrative Consent Order. Also Mr. Guerino updated the committee on item E. The letter was sent out. Mr. Guerino has had a subsequent meeting, we could provide in kind services to help the grant application move along and we could not be a joint applicant.

#### **9) Town Administrator's Report**

- a. **Request to advertise for Admin. Support staff replacement at Police Department due to pending retirement**

Tom Guerino spoke briefly about the Administrative Support staff position. Mr. Guerino recommends the Board replace the position.

Chief Woodside spoke about the Administrative Support Position and is requesting the Board of Selectmen waive the hiring freeze for this position.

**Voted** Don Pickard moved and seconded by Don Ellis to waive the hiring freeze so Chief Woodside can hire his account clerk. Vote 4-0.

#### **7) Licenses/Appointments:**

- a. **Election Workers - Appointments for October 6, 2015 Override Election**
- b. **[2] One Day Liquor @ Massachusetts Maritime Academy**
- c. **[2] One Day Liquor @ Beachmoor**
- d. **6<sup>th</sup> Annual Hot Rods for Hero's Event - Request by Fraternal Order of Eagles Aerie 3741 to close/block off Cohasset Avenue from St. Margaret's Street to Wallace Avenue from 7:30 a.m. to 2:00 p.m. Proceeds from car show to benefit the Walking Warriors.**
- e. **Buzzards Bay Tavern - 10:00 a.m. Sunday Opening for serving of all alcoholic beverages**

7A

15-16 COMMITTEE Check Box Query

9/4/2015

COMM	Exp	Last	First	STREET	CITY	ST	ZIP	HOME#
Election Worker/Checker	June 30, 2016	Arbo	Beverly	PO Box 1236 Pleasure P	Sagamore	MA	02561	508-833-2876
Election Worker/Checker	June 30, 2016	Archambeault	Beverly	44 Noreast Drive	Sagamore Beach	MA	02562	508-888-4184
Election Worker/Checker	June 30, 2016	Barclay	Thomas Aitken	84 Spinnaker Lane	Pocasset	MA	02559	508-564-6221
Election Worker/Checker	June 30, 2016	Blake	Estelle	83 Norris Road	Sagamore Beach	MA	02562	508-833-8844
Election Worker/Checker	June 30, 2016	Blanchette	Carol	14 Alden Avenue	Buzzards Bay	MA	02532	508-759-9419
Election Worker/Checker	June 30, 2016	Blankenship	Helen	14 Eel Pond Road	Monument Beach	MA	02553	508-759-2618
Election Worker/Checker	June 30, 2016	Boucher	Clarence	47 Sea Breeze Drive	Bourne	MA	02532	508-759-6784
Election Worker/Checker	June 30, 2016	Brochu	Loretta	7 Sir Lancelot Drive	Bourne	MA	02532	
Election Worker/Warden/Checker	June 30, 2016	Brown	Eleanor	PO Box 538 - 282 Bartow	Pocasset	MA	02559	508-563-3577
Election Worker/Checker	June 30, 2016	Brown	Ralph	PO Box 538 - 282 Bartow	Pocasset	MA	02559	508-563-3577
Election Worker/Warden	June 30, 2016	Burgess	Phillip	Box 133 - 1051 Shore Road	Pocasset	MA	02559	508-563-3760
Election Worker/Checker	June 30, 2016	Butler	Sally	7 Queens Bay Lane	Buzzards Bay	MA	02532	508-759-3124
Election Worker/Checker	June 30, 2016	Cardoza	Eda	16 Wright Lane	Buzzards Bay	MA	02532	508-759-9351
Election Worker/Checker	June 30, 2016	Carpenito	Phyllis	1 Howard Avenue	Monument Beach	MA	02553	508-759-7484
Election Worker/Checker	June 30, 2016	Carrille	Nancy	PO Box 209 - 1 Oak Ridge	Pocasset	MA	02559	508-564-6638
Election Worker/Checker	June 30, 2016	Cavanagh	Barbara S.	4 Anne Lane	Bourne	MA	02532	508-759-0024
Election Worker/Warden	June 30, 2016	Collins	Dolores	20 Sycamore Avenue	Sagamore Beach	MA	02562	508-888-2850
Election Worker/Clerk	June 30, 2016	Collins	Dolores	20 Sycamore Avenue	Sagamore Beach	MA	02562	508-888-2850
Election Worker/Checker	June 30, 2016	Cremonini	Diane	PO Box 271 - 15 Homestead	Sagamore	MA	02561	508-888-2474
Election Worker/Checker	June 30, 2016	Dastous	Anne	3 Cote Circle	Buzzards Bay	MA	02532	508-759-8052
Election Worker/Clerk/Warden	June 30, 2016	Dunn	Maureen	14 Wright Lane	Buzzards Bay	MA	02532	508-759-2762
Election Worker/Clerk	June 30, 2016	Ellis Ellis	Mary E	20 Cotuit Road	Bourne	MA	02532	508-759-8046
Election Worker/Checker	June 30, 2016	Fernandes	M. Elizabeth	50 Pleasant Street	Sagamore	MA	02561	508-888-0633
Election Worker/Checker	June 30, 2016	Finley	Mary	4 Maple Street	Buzzards Bay	MA	02532	
Election Worker/Checker	June 30, 2016	Finton	Jeanne	11 Blue Meadow Ct	Bourne	MA	02532	617-828-9296
Election Worker/Warden	June 30, 2016	Flynn	M Jan	PO Box 139	Pocasset	MA	02559	508-563-5674
Election Worker/Clerk/Warden	June 30, 2016		Diane	PO Box 57	Buzzards Bay	MA	02532	508-759-6123
Election Worker/Checker	June 30, 2016	Ford	Anne	PO Box 753- 26 Whimbrey	Cataumet	MA	02534	508-563-1326
Election Worker/Clerk/Checker	June 30, 2016	Fritzell	Kathy A.	3 Vicki Circle	Buzzards Bay	MA	02532	
Election Worker/Checker	June 30, 2016	Garity	John	30 Thorn Avenue	Buzzards Bay	MA	02532	508759-5044
Election Worker/Checker/Clerk	June 30, 2016	Gately	Eileen M.	108 Valley Bars Road	Bourne	MA	02532	508-759-1419

## 15-16 COMMITTEE Check Box Query

COMM	Exp	Last	First	STREET	CITY	ST	ZIP	HOME #
Election Worker/Checker	June 30, 2016	Gavin	Mary Ann	PO Box 396 - 10 Sun Circl	Monument Beach	MA	02553	508-743-0964
Election Worker/Checker	June 30, 2016	Gavin	John D.	PO Box 396 - 10 Sun Circl	Bourne	MA	02532	508-743-0964
Election Worker/Checker	June 30, 2016	Gill	Barbara	PO Box 634, 33 Beach Str	Monument Beach	MA	02553	508-759-6912
Election Worker/Checker	June 30, 2016	Gould	Joel	28 Bennets Neck Road	Pocasset	MA	02559	508-759-7906
Election Worker/Checker	June 30, 2016	Goulding	Norma	Box 333 - 79 Clay Pond R	Monument Beach	MA	02553	508-759-7071
Election Worker/Warden/Clerk	June 30, 2016	Gratis	Ann	9 Sandwich Road	Bourne	MA	02532	508-566-0492
Election Worker/Checker	June 30, 2016	Groezinger	Lisa	16 Qulet Street	East Sandwich	MA	02537	
Election Worker/Checker	June 30, 2016	Guinay	Janis	5 Hemlock Road	Bourne	MA	02532	508-833-0245
Election Worker/Checker	June 30, 2016	Hammerle	George	10 Colonial Road	Buzzards Bay	MA	02532	508-743-0464
Election Worker/Clerk/Checker	June 30, 2016	Harrington	Dorothy	7 Shamrock Lane	Buzzards Bay	MA	02532	508-221-5987
Election Worker/Warden/Clerk/	June 30, 2016	Heckler	Jane	24 Brookside Road	Bourne	MA	02532	508-743-5799
Election Worker/Checker	June 30, 2016	Hill	Albert	1 Island Drive	Bourne	MA	02532	508-563-2623
Election Worker/Checker	June 30, 2016	Holden	Henrietta	18 Splndrlft Lane	Bourne	MA	02532	508-759-4902
Election Worker/Checker	June 30, 2016	Kelley	Michael D.	PO Box 3029	Pocasset	MA	02559	508-564-4495
Election Worker/Checker	June 30, 2016	Kelley	Kathleen	PO Box 3029	Pocasset	MA	02559	508-564-4495
Election Worker/Checker	June 30, 2016	Kempton	Mary Ellen	18 Sea Knoll Ct	Bourne	MA	02532	774-302-4569
Election Worker/Checker	June 30, 2016	Langley	Traci	5 Buttermilk Way	Bourne	MA	02532	
Election Worker/Checker	June 30, 2016	Layton	Monica M.	7 Marian Lane	Bourne	MA	02532	508-759-1133
Election Worker/Checker	June 30, 2016	Lyons	Priscilla	28 Harwood Drive	Pocasset	MA	02559	508-759-2148
Election Worker/Checker	June 30, 2016	MacNally	Joan	PO Box 92	Monument Beach	MA	02553	508-759-4379
Election Worker/Checker	June 30, 2016	Malatos	Janet	35 Starboard Road	Bourne	MA	02532	508-759-3775
Election Worker/Clerk	June 30, 2016	Marsh	Joan	3 Camelot Lane	Bourne	MA	02532	508-833-8455
Election Worker/Checker	June 30, 2016	McAilster	Judith	26 Pequot Avenue	Pocasset	MA	02559	508-564-6119
Election Worker/Checker	June 30, 2016	Myers	Penny	PO Box 388 - 50 Pocahon	Pocasset	MA	02559	508-563-6830
Election Worker/Checker	June 30, 2016	O'Brien	John	PO Box 1034 - 3 Oak Ridg	Pocasset	MA	02559	508-563-7176
Election Worker/Checker	June 30, 2016	O'Sullivan	Carol	1 Agawam Point Road	Bourne	MA	02532	508-759-1939
Election Worker/Checker	June 30, 2016	Page	Inez W.	5 Berrywood Court	Bourne	MA	02532	508-759-1424
Election Worker/Checker	June 30, 2016	Palo	Ruth	25 Maple Street	Buzzards Bay	MA	02532	508-759-7889
Election Worker/Checker	June 30, 2016	Paquette	Elizabeth	9 President's Road	Bourne	MA	02532	508-759-3602
Election Worker/Checker	June 30, 2016	Parady	Martha	515 County Road	Monument Beach	MA	02553	508-759-5186
Election Worker/Checker	June 30, 2016	Peters	Carol E.	55A Poplar Court	Bourne	MA	02532	508-759-2055

Page 2

## 15-16 COMMITTEE Check Box Query

COMM	Exp	Last	First	STREET	CITY	ST	ZIP	HOME #
Election Worker/Checker	June 30, 2016	Puopolo	Bette L.	PO Box 473 - 430 County	Monument Beach	MA	02553	508-759-7818
Election Worker/Clerk	June 30, 2016	Reid	Mary	4 Easting Road	Bourne	MA	02532	508-833-0174
Election Worker/Checker	June 30, 2016	Russo	James	1 Rolling Oaks Drive	Pocasset	MA	02559	508-563-9044
Election Worker/Checker/Clerk	June 30, 2016	Sabulis	Barbara A.	PO Box 445 - 32 Regency	Bourne	MA	02532	508-888-5008
Election Worker/Checker	June 30, 2016	Sampson	Pauline E.	85 County Road	Bourne	MA	02532	508-759-9297
Election Worker/Checker	June 30, 2016	Saniuk	Patricia	49 Spinnaker Lane	Pocasset	MA	02559	508-563-9282
Election Worker/Clerk	June 30, 2016	Seiden	Karen	PO Box 112 - 1 Oakwood	Sagamore Beach	MA	02562	508-776-1745
Election Worker/Checker	June 30, 2016	Sheets	Richard	20 Noreast Drive	Sagamore Beach	MA	02562	508-888-7268
Election Worker/Clerk/Warden	June 30, 2016	Smith	Edwin M.	50 Cranberry Road	Buzzards Bay	MA	02532	508-759-7552
Election Worker/Checker	June 30, 2016	Split	Maryellen	24 Turnberry Road	Bourne	MA	02532	508-740-7364
Election Worker/Checker	June 30, 2016	Sullivan	Judith	10 Cranberry Knoll Court	Bourne	MA	02532	508-743-5945
Election Worker/Checker	June 30, 2016	Thomas	William	173 Clipper Road	Bourne	MA	02532	508-759-3968
Election Worker/Warden/Chec	June 30, 2016	Thrasher	Judith	338 Shore Road	Monument Beach	MA	02553	508-759-9567
Election Worker/Warden	June 30, 2016	Valeri	Carole G.	RFD#1, 360 Shore Road	Buzzards Bay	MA	02532	508-759-4717
Election Worker/Checker	June 30, 2016	Vickery	Sandra	360 County Road	Monument Beach	MA	02553	508-759-8745
Election Worker/Checker	June 30, 2016	Wahlberg	Patricia	PO Box 157 - 6 Whimbrel	Cataumet	MA	02534	508-356-3484
Election Worker/Checker	June 30, 2016	Wendell	Eleanor J.	PO Box 57 - 17 Shaker Dr	Monument Beach	MA	02553	508-743-8304
Election Worker/Checker	June 30, 2016	Willey	Susanne	606 County Road	Pocasset	MA	02559	508-759-4218
Election Worker/Clerk/Warden	June 30, 2016	Young	Lorraine S.	10 Harwood Drive	Pocasset	MA	02559	508-759-9265

7a. Voted Don Pickard moved and seconded by Michael Blanton to accept the list as presented by the Town Clerk for his election workers for a term ending on June 30, 2016, and further to authorize the Town Administrator to utilize the stamp for the Boards signature. Don Ellis abstained. Vote 3-0-1.

**7b.** Don Pickard spoke on the liquor license application. 2 one day liquor license for October 20, 2015 from 5:30 to 10:00 pm for an all alcoholic for Bay State Conference Center, Fantail & Adjacent Patio and Grounds – New England Society of Naval Architects; and on November 7, 2015 from 4:00 to 11:00 p.m. for an all alcoholic for Pande Dining Hall, Fantial and adjacent patio grounds for the Cape Cod Military Support Foundation. This is a continuation of a number of one-day licenses

**Voted** Don Pickard moved and seconded by Michael Blanton to approve on the presented application, which is complete. Vote 4-0

**7c.** Don Pickard spoke on the liquor license for Massachusetts Maritime Academy for 2 one-day liquor licenses to be held at Beachmoor. First one is on September 22, 2015 from 12:00 noon to 3:30 p.m. for an all alcoholic license for King Philip Class Reunion; and on October 25, 2015 from 11:30 a.m. to 4:30 p.m. for an all alcoholic license for Buchanio/Earls Ceremony/Reception

**Voted** Don Pickard moved and seconded by Michael Blanton to approve based on a completed application. Vote 4-0

**7d.** Don Pickard spoke on the Fraternal Order of Eagles requesting permission to block/close off Cohasset Avenue from St. Margaret's Street to Wallace Avenue on Sunday, September 20<sup>th</sup> from 7:30 a.m. to 2:00 p.m. for the 6<sup>th</sup> annual Hot Rods for Heroes Car Show. Proceeds to benefit Walking Warriors. Neighbors have all been notified and are on board. The Police Chief and the Fire Chief have indicated in the routing slip the roadway must be cleared for emergency vehicles at all times.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve based on a completed request and routing slip. Vote 4-0

**7e.** Don Pickard spoke on the all-alcoholic license at the Buzzards Bay Tavern. Tom Guerino read the letter from the ABCC on the newly enacted legislation in 2013 relative to sale of alcoholic beverages beginning at 10 on Sundays effective immediately. The new legislation allows municipalities to grant an additional 1 hour to sale to restaurants, hotels and clubs in general on premise license holders beginning at 10 provided the local licensing authority Board of Selectmen opt into the new state law that would give them discretion whether to grant the additional sale on Sundays.

Jim Carter stated he met with the church and they have no objections.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve. Vote 4-0

**8) Selectmen's Business –**

- a. Override Discussion**
- b. Establish date to complete Selectmen's Goals**

**8a.** Don Pickard stated they did another presentation on Saturday.

Tom Guerino stated on September 28<sup>th</sup> at 7:00 at the Sagamore Fire Station there will be a presentation of the override issues. On October 1<sup>st</sup> at 7:00 at the Bourne Middle School Library and Media Center there will be a town wide forum. Trying to schedule a session in Cataumet, possible date of September 29<sup>th</sup>.

Don Ellis requested Tom Guerino send the selectmen an email with the dates. Mr. Ellis also requested to put an article with the position of the Selectmen, so people will know where the Selectmen are coming from.

Paul Gately questioned how deeply the Selectmen may want to take a response.

Stephen Mealy stated this in an ongoing issue. This is not just a one year 2016-2017, the reduction only addresses those two years. The proposed 2.7 million override is used to address the shortfall 2016 through 2021 and beyond.

Michael Blanton questioned if there is going to be any opportunity for the Selectmen as a board to have a recap session that we can address at the last session. Mr. Mealy spoke with one of the papers to publish some of the frequently asked questions.

**8b.** Suggestion was to set up a date after Town Meeting. Stephen Mealy suggested doing this as a workshop. The Chair and the Town Administrator will meet the first week of November.

### **9) Town Administrator's Report**

Tom Guerino sent an email to the selectmen that the Bourne Board of Selectmen have a meeting with the Sandwich Board of Selectmen on September 24<sup>th</sup>. If there are issues that the Bourne BOS want to discuss with the Sandwich BOS please email them to the Town Administrator so he can send it to Sandwich BOS to get them on the agenda. Stephen Mealy suggested discussing the Power Plant.

Don Ellis suggested the Town Administrator email the Selectmen with the dates and times of future meetings.

Mr. Guerino announced we have received notice the Federal and State Historic Tax Credit and the Low Income Tax Credit for the Cody Project has been approved. Closing within 120-150 days. The agreed upon sale price was \$400,000.00.

Mr. Guerino stated he was made aware of three additional economic development projects that are going to come before the Board for discussion.

### **10) Selectmen's Reports**

Don Ellis stated he, like the other members, has been going to a lot of meeting.

Stephen Mealy spoke about the Cape Cod Water Protection Collaborative Meeting he attended. He also went to a Recycling Committee Meeting. They are getting ready to establish single stream recycling. Mr. Mealy wanted to remind the public this is the first day the residential recycling area will be closed on Tuesdays until next spring. There is a hazardous waste collection on Saturday, October 17<sup>th</sup>, also that is the last day the recycling area will accept paint.

Michael Blanton spoke about attending the Cape Cod Selectmen's Counsels Association, and the new Association President this year, Mr. Don Pickard.

Paul Gately questioned how the residences go about getting the containers, when the time comes for single stream recycling.

Stephen Mealy stated the town would probably supply the container at no charge to the residence; there are several vendors that supply those. The supplier will probably deliver the containers in two different steps. The initial delivery, hopefully sometime in the spring, will be for the year round residence in town. Sometime after June the second delivery will go to the seasonal residents with instructions on what each of the containers is for and how the collection will be done.

#### **11) Other Business**

The next Bourne Selectmen meeting will be on Tuesday, September 22 at 7:00 P.M.

#### **12) Adjourn**

**Voted** Michael Blanton moved and seconded by Don Ellis to adjourn. Meeting adjourned at 8:00 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



**Town of Bourne Board of Selectmen  
Executive Session  
Meeting Minutes**

September 16, 2015

2015 JUL 29 PM 4 21  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Members Present:** Selectman Mealy, Selectman Zuern, Selectman Ellis, Chairman Meier, Selectman Pickard

**Also Present:** Town Administrator Guerino, Attorney Troy

In Open Session, Mr. Pickard made a motion to enter into Executive Session for the purpose to discuss pending litigation updates and return to Open Session. The motion was seconded by Ms. Zuern. Roll Call Vote 5-0. Mr. Pickard – Yes, Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Mr. Meier – Yes

- **Duce Case**

Attorney Troy provided an update to the board regarding the Duce case as it relates to moorings. This case was brought to DEP to appeal the Harbormaster's decision concerning missed inspections, Duce not responding to several pieces of correspondence resulting in the permit being pulled and the failure of the fee payment as required.

Attorney Troy explained that through negotiations, Mr. Duce would receive one of two moorings returned. Although the Town was not pleased with this outcome, both Attorney Troy and the Harbormaster felt this was a positive outcome. The board agreed.

- **Harvest Power**

The Board of Health expressed concerns that the Town wasn't going to be sure that its policies would be fully adhered to. The selectmen were very clear that the Board of Health would in fact have full authority as provided by law and regulation.

There was some discussion regarding "Condition 10" as it relates to a bill filed in the House that would alter the method for citing a facility like Harvest Power. The thought is to move on this as quickly as we can adhering to all aspects of the law so that we are assured that Harvest Power's interest in the facility being placed in Bourne would remain high. Attorney Troy indicated that he was very pleased with the work that WilmerHale was doing on behalf of the Town as well as that of the Town

Administrator and the negotiating team. This was moving forward well and having it negotiated with a team as opposed to multiple boards created a favorable outcome.

- **Grand Union**

Attorney Troy updated the board on the Grand Union case. The outcome appears that it will be a partial abatement which is a win for the Town in as much as the comparables were hard to come by, they came in a little late. Attorney Troy recommended that we do not appeal the Appellate Tax Board ruling, that our chances of winning on appeal would be slim. The board agreed with his recommendation.

- **Pilgrim Pines**

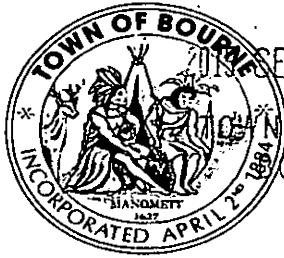
Attorney Troy briefly updated the board stating that Mr. Hebb is maintaining there is a constructive grant because of action or inaction by the ZBA, according to Town Counsel, that is not the case.

**Mr. Pickard** motioned to adjourn Executive Session and return to Open Session.  
**Ms. Zuern** seconded. Roll Call vote 5-0. **Mr. Pickard – Yes, Ms. Zuern – Yes, Mr. Mealy – Yes, Mr. Ellis – Yes, Chairman Meier Yes.**

Respectfully Submitted,

*Thomas M. Guerin*

Town Administrator



SEP 15 PM 2 10

## Board of Selectmen

CLERK'S OFFICE  
BOURNE, MASS

## Meeting Notice

## AGENDA



Date

Thursday  
September 17, 2015

Time

3:00 p.m.

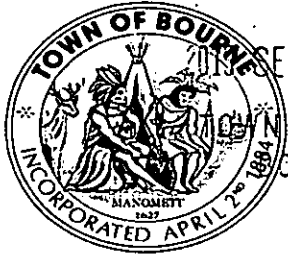
Location

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

Note if anyone in the audience is recording or video-taping, they need to acknowledge such at this time.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. **WORKSHOP - Meeting with Regulatory Review Team for project updates.**
2. **Adjourn.**



SEP 15 PM 2 10  
CLERK'S OFFICE  
BOURNE, MASS

## Board of Selectmen

### Meeting Notice

## AGENDA



Date

Thursday  
September 17, 2015

Time

3:00 p.m.

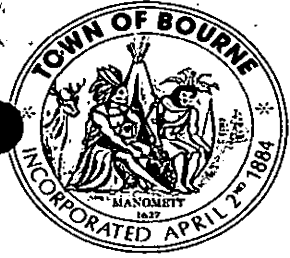
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Community Center  
239 Main Street, Buzzards Bay

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All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. **WORKSHOP - Meeting with Regulatory Review Team for project updates.**
2. **Adjourn.**



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
September 22, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: July 28, 2015; August 18, 2015; August 18, 2015 Joint Meeting
5. Correspondence
6. Cape Flyer with Tom Cahir
7. Temporary Easement – Future Generation Wind, LLC/Consolidated Edison Solutions - Head of the Bay Road (John Fitch)
8. Licenses/Appointments:
  - a. Harvest Fair –Pancake/bacon breakfast, quilt raffle, sale of pumpkin and fall flowers, scarecrow contest, assorted games/events for children, estimated attendance 300 people, 8:30 a.m. to 2:00 p.m. on October 11 at St. John's the Evangelist Church, Pocasset.
  - b. Review of the applications as received from Future Generation Wind, LLC/Consolidated Edison Solutions, for an Easement or License to transport Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways, including approximately 2.2 miles of Head of the Bay Road, a Scenic Road to a project site located entirely in the town of Plymouth at 810 Head of the Bay Road, Bourne.

2015 SEP 18 PM 3:11  
TOWN CLERK'S OFFICE  
BOURNE, MASS

\*Please take note: As determined by the Chairman, the testimony by both the Applicant and the public will be limited to the discussion of the transportation of the machinery and equipment, the impacts of this transportation to the public property and roadways Bourne residents will have first priority to address the Board of Selectmen. If time permits, non-residents will be provided the opportunity. All comments will be limited to no more than 5 minutes.

### Selectmen's Business

9. Town Administrator's Report
10. Selectmen's Reports
11. Other business
12. Adjourn

## Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart

2015 DEC 16 PM 4 15  
**Board of Selectmen**  
**Minutes of Tuesday, September 22, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**  
TOWN CLERK'S OFFICE  
BOURNE, MASS

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**TA Tom Guerino**

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

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

**Public Comment – Non-Agenda Items**

None requested.

**4) Minutes: Approval of minutes from July 28, 2015; August 18, 2015 Joint Meeting**

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from July 28, 2015 with two corrections, under Public Comment fix spelling for Burke, and under Correspondence letter K fix spelling for Kullar. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from August 18, 2015 as presented. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from the joint meeting with the Finance Committee and the School Committee on August 18, 2015 as presented. Vote 5-0.

## 5) Correspondence

Michael Blanton brought the committee up to date on the correspondence.

- A. Letter submitted on September 14<sup>th</sup> from the Board of Selectmen to the Executive Office of Energy and Environmental Affairs regarding proposed re-start of the Power Plant.
- B. Letter from Fay, Spofford & Thorndike re: Documentation Supporting a Permanent Solution Statement with No Condition relative to the former Buzzards Bay BP Station, 246 Main Street, Buzzards Bay.
- C. Letter from Ann Bruni of Buzzards Bay regarding her opposing the override.
- D. Letter from Cape Light Compact regarding update and sharing 3 pieces of good news; the audit firm Clifton Larson Allen completed their audit; the Department of Public Utilities approved the Cape Light Compact Aggregation Plan; there was a productive meeting between the Cape Light Compact and Attorney General Maura Healey.

## 6) Cape Flyer with Tom Chair

Tom Cahir briefly updated the Selectmen and the public on the third year for the Cape Flyer, and the meeting with the secretary and transportation and what to do moving forward.

Tom Guerino spoke about the Regional Transit Authority meeting; and the meeting with the Executive Office of Transportation relative to the vote the town had taken on the MBTA.

Don Pickard questioned the appointment of the MBTA representative and questioned if that would be the party that would be participating.

Tom Cahir stated I don't think Bourne is going to have a member anytime soon. He will check with the Secretary.

Don Ellis questioned Mr. Cahir questioning whether he is still opposed to a commuter rail on the south side of the canal.

Mr. Cahir stated he opposed it because he didn't think it was realistic to think you could have 7-8 trains going over the bridge. He doesn't support it.

Michael Blanton thinks it will enhance employment, transportation, and education opportunities.

Tom Cahir stated the Cape Flyer isn't a commuter rail; it is 15 weekends a summer.

Mr. Nelson spoke about his objection to the Cape Flyer and would like a letter from the Selectmen stating the station under the Bourne Bridge isn't going to go forward.



**7) Temporary Easement – Future Generation Wind, LLC/Consolidated Edison Solutions - Head of the Bay Road (John Fitch)**

Stephen Mealy stated the testimony that we will take this evening will be limited to the transportation of machinery and equipment and the impacts to public property, roadways, and removal and replacement of the guardrail located on town property. Mr. Mealy went through the process in which we are going to hold the hearing this evening. Start with a presentation made by the applicant, after that entertain questions or comments by the members of the Board of Selectmen then turn to the audience recognizing residents first then non residents, then there will be a requirement for the Board to determine if this is going to be an application for a license to allow this to take place, or will this require a temporary easement. If it is a temporary easement it will go before the town at a special Town Meeting. We will also discuss any mitigation the applicant may want to offer because of the issues mitigation is often offered as a disruption of public rights to a private developer. If it is a license the Board may suggest several condition to add a control of the license. There is an appeal period within 60 days of the date of the decision, regardless of the decision of the Board.

John Fitch, local counsel to Future Generation Wind, stated he was hired to determine what kind of approvals are required from the town in order to transport these components through the town roads and to the site. After reviewing the Town Bylaws, the meetings and the minutes and concluded there are a few issues:

State Law – Should get written permission from the Board of Selectmen to use these roads

Town Bylaw - activity that would hinder or delay the use of town roadways, in order to do any digging on public land requires a permit from the Board of Selectmen.

Reasonable standards would be what is the work, what are the proposals for restoration, and to make sure the public interests are served. There are two separate requests. Mr. Fitch believes a letter from the Board of Selectmen is all that is needed with written permission to use the road for this purpose subject to terms and conditions, which protect the public's interest, public safety, and the infrastructure. He also believes they need a permit to allow digging within the right of way of Head of the Bay Road. The proposal it to remove the 72 feet of guardrail and place gravel underneath it. When it is completed the guardrail will be restored to its current condition, and that work takes place under the direction of the Department of Public Works. Town Bylaw that stated whenever an activity is going to interrupt the ordinary traffic on a road we are required to approach the police department about details.

The route of travel is going to come into Bourne at the Wareham boundary on Route 28; the travel continues around the West End Rotary; carries on down Main Street to the August Belmont Circle; goes around Belmont Circle then up Head of the Bay road.

Stephen Mealy questioned if the intent of the route is to go around the rotary in the proper direction or is the intention to enter the rotary and go left and proceed down Head of the Bay Road?

Mike Melze, Vice President of Southern Tier Express, the transport company hired to transport all the components, stated their intention is to go in the direction of travel. The only potential obstacle may be the inside of the circle right before you turn, there is a yield sign, and with traffic being controlled we may lay it down to negotiate the turn then put it right back up.

Mr. Fitch stated the applicant is Future Generation Wind, LLC. Materials have been submitted over the time from July until now. They submitted a proposed schedule for deliveries. There will be a total of 36 trips to transport all the components to the site. There is a lingering issue with Scenic Road, Head of the Bay Road. The survey information indicated no trees will need to be cut, so there is no reason to file for any kind of scenic road permit. Mr. Fitch stated he will discuss that with the Planning Board. Mr. Fitch stated again they are seeking written permission subject to such terms as this Board determine are required to protect the public's interest.

Mike Melze spoke about what they transport and what states they have worked in; working with State DOT obtaining permits. Every trailer is designed differently to distribute the weight, comply with bridge formulas, and different axle weight laws. Before they can obtain a state permit they are required to hire a third party engineering firm. They provide the firm with the schematics of the equipment, the route which to travel; that company goes out to look and take pictures of the structures, measurements and conditions. That analysis was provided to the Board of Selectmen. They also deliver a copy to the State DOT.

Largest and heaviest load is the base section, the bottom tower section. It is the largest in diameter and heaviest weight, tallest in height and greatest axle weight. It has 13 axels, 22,000 lbs. per axle. The steer axle is 16 and the remaining axels are at 22. The total weight is about 175,000 lbs. the gross weight total is 280,000 lbs. The length of this unit is 171'; the width is 15' 6" wide; the height is 15' 10"

Mr. Mealy questioned how many vehicles do you expect to move each evening and what hours will the move take place?

Mr. Melze stated they should be leaving New Bedford at midnight. There are nine loads total, the base, lower mid, upper mid, top, nacelle, and the hub. The blades are staged in NY waiting final delivery; they will be coming at a different time. They will be coming in half hour increments. We will be doing 6 vehicles each evening. We anticipate a 20 to 30 minute time in between trucks. We are expecting a 4-hour driving time from New Bedford. We should arrive at Bourne around 4 a.m. We are trying to have everything here by 6-7 a.m. We can tighten that up a bit. We aren't actually shutting down traffic. The troopers will stop traffic as we pass through. The blades are 181'. There is one truck per blade so there are 3 per set. There are a total of 36 vehicles.

Mr. Mealy stated one of his concerns is after 6 a.m. there will be a significant impact to the town with transportation. Mr. Melze said they could probably leave New Bedford at 11 p.m. to be in Bourne well before 6 a.m.

Mr. Guerino stated if you leave at 11 p.m. and you space the trucks at half hour intervals, which is a 3-hour split, and 4 hours to get here. My concern is it will interfere with



Plymouth. There is no construction that will take place at night. Mr. Mealy also questioned if the trucks will be off loaded at night with lights or will they be off loaded during daylight hours? Mr. Combs stated the trucks will be off loaded during day light hours.

Mr. Pickard questioned if the blades could be at the rest area on the highway and stage them so they can come into town and arrive prior to the other components so they are on the site while the other trucks are coming from New Bedford. Mr. Melze stated Mass DOT prefer these moves from New Bedford happen at night. We can bring them to the rest area during day light hours and then get special permitting from Mass DOT to transport them early in the morning to the site.

Chris Farrell stated that Head of the Bay Road is a scenic road. He has some concerns with the canopy with the base component and the height of that component. There are some drainage issues on that road, and has some concerns with that because those corners are so tight. There should be some mitigation put in place for use of the roads especially for the canopy, drainage, and timing issues, and because the police details may go longer, our local residents who are trying to get to and from work, and our local children who are trying to go to school on school busses.

Peter Meier stated he doesn't feel comfortable voting for this tonight. With all the information we got tonight, we need to make the right decision for the residents of Bourne.

Mr. Mealy stated the discussion before relative to this project is not only to determine if the Board going to take action on it but also is the Board going to take action on it this evening in the form of a license or defer it to a Town Meeting vote for some type of easement. Mr. Mealy asked the applicants, if we were to ask that the loaded vehicles not be on the roadways after 5:30 a.m., could you make that work; deliveries would have to cease crossing through Bourne at 5:30 a.m.

George Sala, Department of Public Works, stated he would recommend no deliveries after 5:a.m. He also stated he has a concern with the drainage system on the corner. Mr. Sala wants to do an inspection following the deliveries; the other concern is the main street sewer system.

Mr. Guerino has a concern about the waste water system crossing the Cohasset Narrows Bridge.

Lt. Richard Silvestro stated there are 8 roads feeding onto Head of the Bay Road. These people are going to have to know this road is going to be closed for a period of time. The marked lanes on Head of the Bay Road are only 22 feet wide, 11 feet each lane. They narrow down to 10 feet at Ingasals corner. When these trucks come down Head of the Bay Road the road has to be shut down. Lt. Silvestro also stated the traffic starts at 4:00 a.m.

Peter Meier questioned how loud the trucks are coming down the road.

Mr. Melze stated the trucks are standard diesel engines. He also wanted to address the canopy going down Head of the Bay Road. We had taken a height pole down through. There are some tree branches that come out but they are very few that go all the way across. We feel confident we can be on one side of the road or the other to avoid the major tree branches to avoid damage.

Stephen Mealy read the Order of Conditions:

1. A \$1.0-2.0 MILLION CASH BOND as drafted by the Bourne Town Counsel shall be placed by the Applicant. Following successful review by the Town Department of Public Works (DPW) Director at the completion of all work by the Applicant, the Bond shall be reduced to \$500,000 CASH BOND to be released within six (6) months following completion of the work for which the Permit or License is granted. All restoration work undertaken by the Applicant is to be completed and final Inspection results are received for sewer and utility lines located within the public roadways used by the Applicant are received by the town.
2. Applicant is solely responsible for all damage caused as a result of activities as granted to the Applicant by the town of Bourne.
3. Sewer manholes located on Head of the Bay Road as identified by the Bourne DPW has identified, must be plated (capped) to prevent damage during all times when Applicant is using the roadway.
4. Inspection of the sewer lines, drainage lines and other buried pipes associated with the delivery of utilities or drainage of surface water including drainage pits, culverts and associated materials buried within the road layout is to be undertaken as arranged by the Bourne Department of Public Works. Such Inspection is to take place following the completion of the work undertaken by the Applicant. Any and all costs associated with such inspection shall be paid for by the Applicant.
5. Specifications for replacement of the removed guardrail and restoration of the graveled shoulder to be coordinated with and approved by the Bourne DPW. The Guardrail is to be re-installed and restoration of the town owned property to be completed within 30 days of the completion of the transportation of Wind Turbine machinery and associated equipment.
6. The LICENSE shall not be modified or relocated without the express written consent of the Grantor.
7. Fire Details as determined by the Fire Chief and a Police Details as determined by the Police Chief shall be placed to protect Public Safety during the times when vehicles transporting equipment or machinery for the project are utilizing any Town-owned Roadways, including Main Street and Head of the Bay Roads. Any costs associated with such detail work shall be paid for by the Applicant.
8. Any and all Routes proposed by the Applicant using Town of Bourne public roadways to be used by the Applicant for the transportation of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways shall be filed with the Bourne Police Department and Bourne Fire Department.
9. The Applicant shall provide a detailed schedule listing the number of transport vehicles, the vehicle size (length, width and height), gross vehicle weight of every vehicle used for the transport of Wind Turbine machinery and associated equipment through the

Town of Bourne using local public ways shall be filed with the Town Administrator, Police Department and Fire Department 14 Days prior to the start of any transport by the Applicant. The schedule shall list the dates and times the transport vehicles shall enter the Town and leave the town public roadways.

9.a. All transport of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways shall be conducted between the hours of 12-midnight and 4:30 AM.

10. No more than one Transport Vehicle (loaded or un-loaded) may be located on Head of the Bay Road at any single time.

11. Staging of Transport Vehicles, either loaded or un-loaded, shall be arranged outside the limits of town of Bourne-owned property.

12. The Applicant shall install temporary illuminated signage advising the public of the transport times and dates in the 24 hours prior to any transport. Signs are to be located on the Rotaries located at each end of Main Street, Buzzards Bay. All costs and permits for such signage are the responsibility of the Applicant. Signs shall be maintained until all Transport Vehicles have left the public roadways of Bourne.

13. Head of the Bay Road is a Scenic Road and has numerous Public Shade Trees located along the length of the public roadway. The Applicant shall appear before the Tree Warden that has jurisdiction to request any applicable restrictions and conditions associated with this Scenic Road, and if necessary, Bourne Planning Board. Any Permit or License granted by the Board of Selectmen shall be contingent with meeting any and all of the requirements as determined by the Tree Warden or Bourne Planning Board.

Jim Mulvey suggested doing a trial run with a heavy truck and a smaller load.

Will Combs stated they could do a test run with an unloaded vehicle.

Tom Guerino repeated what Lt. Silvestro stated; the applicant should notify the towns of Wareham and Plymouth because of the feeder traffic that comes into Head of the Bay Road from those towns. Mr. Mealy asked Mr. Fitch if they are going to provide some type of advance notice for the traveling public.

Chris Farrell stated there should be signage for traffic traveling into Bourne and onto Head of the Bay Road and in the conditions there should be mitigation if they go beyond the time allotted. If they go beyond 5-5:30 a.m. it will mess up a lot of peoples travel. Head of the Bay Road is a busy road in the morning.

Michael Blanton agrees that some type of mitigation should be added to this project if they fail to comply with keeping within the hours. We should take time to run this by Town Counsel, and work with the DPW, the Police Department, and the Fire Department. The Town Administrator can counsel us on what the mitigation might be and how to phrase the mitigation.

Mr. Fitch stated the permission they seek is revocable. If we abuse it, disobeying the time limits that are set, there are revocation procedures that can be invoked.

Mr. Mealy stated to the board they have two decisions to make; Is it a license or an easement, the second one is shall we go forward this evening or do you want to go to a time in the future. Peter Meier stated postponing until September 30<sup>th</sup> gives the Board time to decide if they want to grant a license or an easement. Mr. Blanton thinks it should be a permit not an easement, new facts have been introduced and doesn't believe the board is prepared to vote on that tonight. Mr. Ellis stated it should be a license. Some of the items we have been asked to look at further we have hashed over before. We need to get the license in place, get the approval from this board under the conditions that have been written, so the petitioners know exactly where we are going and agrees with Mr. Fitch that this license can be revoked at any time we see fit as the licensee.

Stephen mealy wants to vote on the license vs. easement.

**Voted** Don Pickard moved and seconded by Don Ellis that the Board determine that a license or permit as presented by counsel for the applicant is sufficient at this time. For purposes of both the removal and re-installation and modification to town owned land with the guardrail and the transportation over town owned roads.

**Roll Call Vote**

Peter – No; Don Pickard – Yes; Stephen Mealy – Yes; Michael Blanton – Yes; Don Ellis – Yes. Vote 4-1.

Stephen Mealy questioned the Board if they would like to keep going forward with the set of conditions that was read or like to take some additional time to go to a time certain possibly on the 30<sup>th</sup> of September. Mr. Mealy questioned the applicant if there are any impacts overshadowing the postponement over several days while the Board meets with you regarding the existing conditions or any type of vindication you might offer. Mr. Fitch left the room with the applicant group to discuss their answer.

**8) Licenses/Appointments:**

- a. Harvest Fair –Pancake/bacon breakfast, quilt raffle, sale of pumpkin and fall flowers, scarecrow contest, assorted games/events for children, estimated attendance 300 people, 8:30 a.m. to 2:00 p.m. on October 11 at St. John's the Evangelist Church, Pocasset.
- b. Review of the applications as received from Future Generation Wind, LLC/Consolidated Edison Solutions, for an Easement or License to transport Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways, including approximately 2.2 miles of Head of the Bay Road, a Scenic Road to a project site located entirely in the town of Plymouth at 810 Head of the Bay Road, Bourne.

8 a. Stephen Mealy briefly went over the Harvest Fair.

Don Pickard went over the request for the Harvest Fair. The applicant St. John the Evangelists, on October 11<sup>th</sup> for their Harvest Fair including a number of events; pancake breakfast, quilt raffle, sales and other stuff. There will be 2 tests installed by the Sheriff department. Has to be in the hours between 8:30 and 2:00 p.m. upon review of the routing slip, I see only one notation from the Police Department that any overflow of parking on roads will be enforced if they are in violation of any town parking law.

**Voted** Don Pickard moved and seconded by Peter Meier to approve base on the application. Vote 5-0.

\*Please take note: As determined by the Chairman, the testimony by both the Applicant and the public will be limited to the discussion of the transportation of the machinery and equipment, the impacts of this transportation to the public property and roadways Bourne residents will have first priority to address the Board of Selectmen. If time permits, non-residents will be provided the opportunity. All comments will be limited to no more than 5 minutes.

#### **9) Town Administrator's Report**

Tom Guerino spoke about the meeting with Lt. Essip, George Sala, and Mass DOT relative to the rotary issues and the MacArthur Blvd. repaving; restriping the rotary as well as the curb cuts by the new Dunkin Donuts. Mr. Guerino also spoke about the draft for the incentive plans. Mr. Guerino also wanted to note the Town Managers lost a very good colleague over the weekend. John Musante, Amherst Town Manager, passed away in his sleep over the weekend.

#### **10) Selectmen's Reports**

Don Pickard questioned the Town Administrator; George Sala came to the Board asking for a laborer and requested the Board to waive the hiring freeze. Last week Chief Woodside came in and asked to waive the hiring freeze for a critical component for his department and the Board voted for that. We didn't have the opportunity for the Accounting Clerk vacancy for the Treasure Collectors Office. Mr. Guerino stated that was because it was a bump. The union rules require we call the person who was bumped back. It is in the contract. Mr. Pickard would like to see that contract.

#### **Back to agenda item 7&8B.**

Mr. Fitch stated there are enormous financial impacts to the project with further time requirements. We respect your need to get it right and believe you have put a lot of thought into this and would like to ask the Board make a decision tonight. The conditions are very comprehensive. If you feel you need that time we will support you.

Don Pickard stated they have decided it will be a license and it is revocable, and would be willing to vote tonight. His concerns are the conditions the chair read do not include specifics on failure to perform. There should be an incentive for the applicant to perform and get it done properly; the incentive would be a fine. Mr. Mealy agrees we



have spent several meeting discussing this, and will entertain a motion from the Board. We have talked about mitigation and a penalty should the applicant be out side of the hours of operation that were set. Mr. Mealy asked the applicant if they would offer some type of a suggestion or the board can discuss it and come back on September 30<sup>th</sup>. Mr. Fitch requested a few minutes to discuss this with the applicant. Mr. Farrell stated due to the town by laws it has to go before the Planning Board. Before the Planning Board reviews this due to the shade trees you can't make a good decision. Mr. Mealy stated one of the conditions is any contingencies put on by the Planning Board relative to the shade trees or scenic way would be contingent upon the vote of the board. Mr. Farrell stated if this board could come to an agreement with the components on this project, Mr. Farrell stated the Planning Board could have their hearing and vote on it, but be cautious of the financial impact, because the law is very specific as far as damage to shade trees on a scenic roadway. Tom Guerino stated within the order of conditions if you put a time frame of no later than X hours in the morning, should that be violated, the Selectmen shall meet in a dueling constituted meeting to discuss penalty and or revocation of the license. You can condition that the mitigation shall be completed on or before X date, so you can still issue the license. Mr. Farrell stated that if there were damage to the shade trees, it cant be determined ahead of time it will have to be looked at after. Make sure the bond is sufficient to cover not only the infrastructure concerns of the DPW's Superintendent and the Town Administrator concerning underground utilities, also the shade trees, treble damages. Mr. Blanton wanted to clarify the cash bond for 2,000,000.00 million dollars is for a period of time, when all of transportation is completed, it then gets reduced to \$500,000.00 and we hold that for six months, to determine if there is any problems with infrastructures. Mr. Mealy stated the amount of the bond was made from suggestion by both the Town Administrator and the DPW relative to shade tree damage and infrastructure damage.

Mr. Fitch stated they will consent to meeting again on September 30<sup>th</sup>. He would like to go through the conditions; there may be some room for discussions about wording. The word contingent is troubling because there shouldn't be any linkage. The Planning Board has its issues and has its remedies for and violations of those issues, same with the Board of Health. The request made tonight is for those things completely within the Board's jurisdiction. I hope what doesn't happen is linkage where one board might not be happy and that would disrupt this permit, rather than dealing with whatever remedies may be available to them if they are dissatisfied. I see a benefit to all of us to convening on the 30<sup>th</sup>. Don Pickard stated he had a discussion with Town Counsel where he outlined that it could go either way. It could either be a license /permit or it could be a temporary easement. He felt the temporary easement would be appropriate in the event that it was proven that there is a significant detriment to the town of Bourne residents and their infrastructure based upon shutting down roads and people not being able to get to work. Mr. Fitch stated he respectfully disagrees with Town Counsel. Mr. Ellis stated he agrees to not letting other boards interfere with the decision this board makes. Ours is independent, forthright, and we are the licensing agent.

**Voted** Peter Meier moved and seconded by Michael Blanton to continue this license and conditions until September 30, 2015. Vote 5-0.

**11) Other Business**

The next Bourne Selectmen meeting will be on Wednesday, September 30<sup>th</sup> at 7:00 P.M.

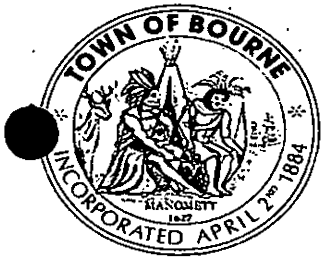
**12) Adjourn**

**Voted** Peter Meier moved and seconded by Michael Blanton to adjourn.. Meeting adjourned at 9:34 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.

Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart



# Board of Selectmen Meeting Notice AGENDA Amended



Date  
Wednesday  
September 30, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:00 p.m. Selectmen to Tour DPW Building — Cancelled

7:00 p.m. (Items 1-4) Call to order

2015 SEP 30 AM 11 38  
TOWN CLERK'S OFFICE  
BOURNE, MASS

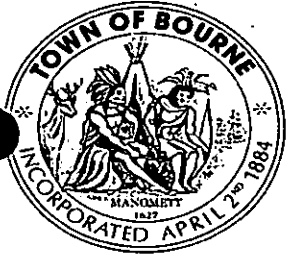
1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Correspondence
5. Sign warrant for Special Town Meeting
6. Licenses/Appointments:
  - a. Appointment – Election Worker
  - b. Continuation Review of the applications as received from Future Generation Wind, LLC/Consolidated Edison Solutions, for a License to transport Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways, including approximately 2.2 miles of Head of the Bay Road, a Scenic Road to a project site located entirely in the town of Plymouth at 810 Head of the Bay Road, Bourne.

\*Please take note: The testimony by both the Applicant and the public will be limited to the discussion of the transportation of the machinery and equipment, the impacts of this transportation to the public property and roadways Bourne residents will have first priority to address the Board of Selectmen. If time permits, non-residents will be provided the opportunity. All comments will be limited to no more than 5 minutes.

7. Corp of Engineers easement regarding monitoring wells. Authorization for these easements have previously been approved by Town Meeting.
8. Selectmen's Business
9. Town Administrator's Report
10. Selectmen's Reports
11. Other business
12. Adjourn

Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
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# Board of Selectmen Meeting Notice AGENDA



Date

Wednesday  
September 30, 2015

Time

7:00 p.m.

Location

Bourne Veterans' Memorial  
Community Center  
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6:00 p.m. Selectmen to Tour DPW Building

7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Correspondence
5. Sign warrant for Special Town Meeting
6. Licenses/Appointments:
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TOWN CLERK'S OFFICE  
BOURNE, MASS

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**Board of Selectmen**  
**Minutes of Wednesday, September 30, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

2015 DEC 16 PM 4 17  
TOWN CLERK'S OFFICE  
BOURNE, MASS

gTA Tom Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise, Anthony Tenczar, Wind Energy Film LLC

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

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

**Public Comment**

**Non-Agenda Items**

Stephen Mealy read a couple notes about the meeting tonight and item 6b. This is a continuation of a meeting that started last week on September 22, 2015. Under discussion is an application that has been received for an easement or license for Future Generation Wind, LLC to allow work to be undertaken using the roadways within the town of Bourne. At the meeting on September 22<sup>nd</sup> the Board voted to undertake the review and possible granting of a license with conditions for the transportation of machinery and equipment; the impacts of the transportation to the public property and roadways, the removal and replacement of a guardrail located on town owned land, and a draft set of conditions. With a review of Town Counsel I am going to ask we follow the following: The Board of Selectmen has a limited scope to the applicants request to the transport of equipment and machinery using town owned roadways; matters of health will be reviewed by the Board of Health. The next public hearing of the Board of Health on this matter is scheduled for October 28<sup>th</sup>. The testimony by both the applicant and the public will be limited to the discussion of the transportation of machinery and equipment. The impact of this transportation to the public property and roadways, the removal and replacement of a guardrail located on town owned land, and any conditions the Board may feel are required to protect the town's residents and property during this transportation.

Mr. Kapsambelis shared with the Board and the public what he knows about Future Generation Wind project, and spoke about sound levels, and the sound levels set by BOH, setbacks for wind turbines, and his concerns.

Lydia Manter requested the Board of Selectmen to not grand a license for Con Edison Solutions, LLC, and the wind turbine, and defer the vote to a Special Town Meeting. She also spoke about her concerns.

Dave Marriatti spoke on behalf of Barry Funfar, both from Falmouth. He spoke about the Falmouth wind turbine, the sound ordinance, noise, quality of life, health issues, and living too close to the wind turbine.

Margaret Burke requested the Board not to grant the license to Con Edison Solutions, LLC for the turbine and defer it to a Special Town Meeting vote, so Bourne residents can determine their best interest.

Douglas Manter is opposing the Board of Selectmen grant a license to Con Edison Solutions, LLC he requested this question be referred to a Special Town Meeting vote.

#### **4) Correspondence:**

Michael Blanton read the correspondence and brought the Selectmen and the public up to date on the correspondence.

- a. Division of Marine Fisheries: Open to shellfishing at Winsor Cove
- b. DEP upheld Harbormaster's decision to deny mooring permit for Mr. Rosenbloom.
- c. Letter from DEP re: Permit Approval – Landfill major modification – Gas extraction well replacement at ISWM, 201 MacArthur Blvd.

Tom Guerino also stated the Selectmen received a letter from Mr. and Mrs. Manter regarding the potential granting of a license to Con Edison Solutions, LLC. and their opposing argument.

#### **5) Sign warrant for Special Town Meeting**

Tom Guerino read the articles for the Special Town Meeting

Private petition with the appropriate number of signatures deals with a rezoning of a parcel on Anastasia Lane. The planning Board will have a hearing on it and we will make a recommendation at Town Meeting.

Article 2 there are two prior year bills that came in after the end of the close of fiscal year.

Article 3 is to amend the vote taken under Article 4, which is the sewer budget of the Annual Town Meeting.

Article 4 is dependent on the override vote, should the override vote pass. This will raise the reserve fund from \$200,000 to ½ of 1% of the general operating budget, which will be approximately \$290,000. Should the override vote not be successful this article will be indefinitely postponed.

Article 5 is to amend the action taken under article 3, which is the annual budget article for the 2015 Annual Town Meeting; to raise appropriate or transfer or borrow funds for supplementing departmental expenses; and or to reduce certain department expenses otherwise on the 2016 budget from the 2015 meeting. This is an all-encompassing article, should the override pass we will be supplementing various pieces of the budget, transferring funding around so the free cash amount that was suggested at the Annual



Town Meeting will be supplemented with override funds; it will also be the inclusion of a new override stabilization account so that money doesn't venture into Free Cash. Should the override fail the Board is aware of the amount of monies that need to be reduced from the town budget that includes the school. If the override fails this article will amend the budgets downward so we are in compliance with our ability to run the town.

**Voted** Don Pickard moved and seconded by Michael Blanton to endorse Article #3 to amend the vote taken under Article 4 the Sewer Budget for 2015 Annual Town Meeting, which would transfer \$50,000 in retained earnings to the operations budget for the sewer department as sponsored by the Board of Selectmen. Vote 5-0.

Tom Guerino wanted to note the Board could support those articles even though the motions aren't prepared yet. The motions will not be ready until Town Meeting.

**Voted** Don Pickard moved and seconded by Michael Blanton to sign the warrant as presented. Vote 5-0.

#### **6) Licenses/Appointments:**

##### **a. Appointment - Election Worker**

**Voted** Don Pickard moved and seconded by Michael Blanton to appoint Paula McConnell for a term to expire June 30, 2016. Vote 5-0.

##### **b. Continuation Review of the applications as received from Future Generation Wind, LLC/Consolidated Edison Solutions, for a License to transport Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways, including approximately 2.2 miles of Head of the Bay Road, a Scenic Road to a project site located entirely in the town of Plymouth at 810 Head of the Bay Road, Bourne.**

\*Please take note: As determined by the Chairman, the testimony by both the Applicant and the public will be limited to the discussion of the transportation of the machinery and equipment, the impacts of this transportation to the public property and roadways. Bourne residents will have first priority to address the Board of Selectmen. If time permits, non-residents will be provided the opportunity. All comments will be limited to no more than 5 minutes.

Stephen Mealy went through the process the Board will be using this evening in the discussions and deliberations relative to Future Generation Wind. We are continuing a discussion taken place back on September 22<sup>nd</sup>, at that time a draft order of conditions had been discussed. Mr. Mealy will entertain comments from the Board of Selectmen, Entertain comments from residents in the audience, and also questions and comments from anyone in the audience. Mr. Mealy will ask if there is an acceptance of conditions by the applicant. Then the Board will pick whatever actions it deems necessary.

John Fitch, on behalf of Future Generation Wind, stated his client reviewed the conditions and feel they are fair and they are able to comply.

Stephen Mealy read through the conditions.

Condition 1. A \$1.0 MILLION CASH BOND as approved by the Bourne Town Counsel shall be placed by the Applicant. Following successful review by the Town Department of Public Works (DPW) Director at the completion of all work by the Applicant, the Bond shall be reduced to \$500,000 CASH BOND to be released within six (6) months following completion of the work for which the License is granted. All restoration work undertaken by the Applicant is to be completed and final Inspection results are received for sewer and utility lines located within the public roadways used by the Applicant.

Peter Meier stated he thinks the 6 months' time is too short, it should be for 1 year at a minimum. He has seen issues not come to head until almost 1 year after the project is finished. For a large company like ConEdison Solution holding \$500,000 for another 6 months will not hurt their bottom line.

George Sala stated that Head of the Bay Road when it was reconstructed, was brought to state specs so the condition of Head of the Bay Road he has no concerns with the pavement part. The condition that Mr. Sala wrote is the drainage system and the sewer system down Main Street. Mr. Sala stated his concern is with Main Street, but the applicant for the project has agreed to pay for the inspection of the drainage and sewer system. As far as Mr. Meier's concern, Mr. Sala is satisfied with the amount of time.

**Voted** Peter Meier moved and seconded by Michael Blanton to amend condition number one from 6 month to 12 months. Vote 2-3. The condition stays at 6 months.

Condition 2. Applicant is solely responsible for all damage caused as a result of activities as granted to the Applicant by the Town of Bourne.

John McMahon stated his concern is with people's private property because of trucks going down the road and questioned if there are any provisions for that damage.

Mr. Fitch stated if anything the applicant does causes harm they are accountable and responsible. That is a matter of liability. We undertake this with full knowledge of the equipment we are using, whatever risks are inherent, and if we have miss calculated there is responsibility.

Mr. Mealy questioned Mr. Fitch regarding the gentleman's house; if the interior of the house is anyway damaged because of movement because of roadway or conditions.

Mr. Fitch replied, interior or exterior, any damage, if we cause it, is general tort liability, especially when we are forewarned.

Michael Blandon questioned if the homeowner would have to prove cause?

Mr. Fitch stated yes he would. If my client causes the damage he is liable for it.

Condition 3. Sewer manholes located on Head of the Bay Road as identified by the Bourne DPW, must be plated (capped) to prevent damage during all times when Applicant is using the roadway.

Jane Giard, stated her concern is with the trial run as opposed to the actual run with the trucks that are loaded could there be subsequent problems.

Mr. Fitch stated the engineers have calculated the axel weight and the idea for taking a trial run is not necessarily to measure the weight it is to make sure everything fits and turns can be made. Fully loaded, our engineers and our transportation experts have calculated weight and believe there will be no damage to the streets.

Mr. Giard is also concerned with the size of the trucks with the overhang. Unloaded you will not have a true assessment of the impact on the overhang.

Mr Fitch stated our transportation people have measured the entire route and they are of the opinion there will be no need to cut any trees. Limbs do bend and can be pushed out of the way.

Henry Cluka, questioned if the engineers had done any type of geotechnical sampling of asphalt, sub surface to come to the conclusion.

Mr. Fitch stated he was informed there was no testing of the asphalt done but reliance was made on the specification of the roadway. It was done according to specification and those were used to test the weight.

Condition 4. Inspection of the sewer lines, drainage lines and other buried pipes associated with the delivery of utilities, or drainage of surface water including drainage pits, culverts and associated materials buried within the road layout is to be undertaken as directed by the Bourne Department of Public Works. Such Inspection is to take place following the completion of the work undertaken by the Applicant. Any and all costs associated with such inspection shall be paid for by the Applicant.

George Sala questioned if there is any time frame on that condition, because we are coming into the winter months on the inspection part and would like to extend that further than 6 months; would like it extended past the winter months. Mr. Sala suggested 1 year on that condition.

Mr. Mealy suggested the Selectmen go back and look at condition 1 again. Mr. Mealy reread condition 1 again. Mr. Mealy questioned Mr. Sala if he would like to put a time limit with the inspection process? We will have to modify when the bond is returned; so we still have the bond in place relative to the inspection. What would the request be relative to the completion of the inspection? Mr. Sala stated not knowing what this winter will bring he'd rather have a year time on the inspection of the drainage and the sewer system.

Mr. Fitch stated that seems a little lengthy. Could it be at the conclusion of next summer? Mr. Fitch stated he understands the bond has to stay in place until the town is satisfied that any damages are repaired. Perhaps those could be linked in that fashion. The bond should continue to be in place until the repairs are completed. Not sure if it is in everybody's best interest if it is a hard date. A determination of release of the bond should be at the same time the town determines that either restoration work is complete or no restoration work is required.

Tom Guerino suggested the cash bond to be released September 1, 2016 or at such time as the Superintendent of Public Works, Sewer Inspector, and the Town Administrator are satisfied that all work has been completed. George Sala and Mr. Fitch agree that September 1, 2016 will be fine.

Mrs. Gebedise spoke about the bond and her concerns with the lower bond amount, she also stated it would make sense not to decrease a one million dollar bond. If there is damage after the fact, who is going to do the repairs, if the town does the repairs, what it will cost to repair, and what damages might be done.

Mr. Sala stated the \$500,000 should be enough; the work will be subbed out.

Don Pickard stated that would be paid for by the applicant upon the repair.

Stephen Mealy read condition 1 again.

A \$1.0 MILLION CASH BOND as approved by the Bourne Town Counsel shall be placed by the Applicant. Following successful review by the Town Department of Public Works (DPW) Director at the completion of all work by the Applicant, the Bond shall be reduced to \$500,000 CASH BOND to be released by September 1, 2016 by the head of the DPW and a vote of the Board of Selectmen. All restoration work undertaken by the Applicant is to be completed and final Inspection results are received for sewer and utility lines located within the public roadways used by the Applicant.

Mr. Mealy continued reading all the conditions.

2. Applicant is solely responsible for all damage caused as a result of activities as granted to the Applicant by the town of Bourne.

3. Sewer manholes located on Head of the Bay Road as identified by the Bourne DPW, must be plated (capped) to prevent damage during all times when Applicant is using the roadway.

4. Inspection of the sewer lines, drainage lines and other buried pipes associated with the delivery of utilities or drainage of surface water including drainage pits, culverts and associated materials buried within the road layout is to be undertaken as directed by the Bourne Department of Public Works. Such Inspection is to take place following the completion of the work undertaken by the Applicant. Any and all costs associated with such inspection shall be paid for by the Applicant.

5. Specifications for replacement of the removed guardrail and restoration of the graveled shoulder are to be coordinated with and approved by the Bourne DPW. The Guardrail is to be re-installed and restoration of the town owned property to be completed within 30 days of the completion of tower erection or no later than December 1, 2015.

6. The LICENSE shall not be modified or relocated without the express written consent of the Grantor.

7. Fire Details as determined by the Fire Chief and a Police Details as determined by the Police Chief shall be placed to protect Public Safety during the times when vehicles transporting equipment or machinery for the project are utilizing any Town-owned roadways, including Main Street and Head of the Bay Roads. Any costs associated with such detail work shall be paid for by the Applicant.

8. Any and all routes proposed by the Applicant using Town of Bourne public roadways to be used by the Applicant for the transportation of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways shall be filed with the Bourne Police Department and Bourne Fire Department.

9. The Applicant shall provide a detailed schedule listing the number of transport vehicles, the vehicle size (length, width, and height), gross vehicle weight of every vehicle used for the transport of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways shall be filed with the Town Administrator, Police Department and Fire Department within 14 Days prior to the start of any transport by the Applicant. The schedule shall list the dates and times the transport vehicles shall enter the town and leave the town public roadways. Alternate routes must be approved by the Town Administrator, the DPW Superintendent, the Fire Chief and the Police Chief.

10. All transport of Wind Turbine machinery and associated equipment through the Town of Bourne using local ways shall be conducted between the hours of 12-midnight and 5:00 AM.

11. No more than one Transport Vehicle (loaded or un-loaded) may be located on Head of the Bay Road at any given single time.

12. Staging of Transport Vehicles, either loaded or un-loaded, shall be arranged outside the limits of Town of Bourne-owned property.

13. The Applicant shall install temporary illuminated signage advising the public of the transport times and dates in the 24 hours prior to any transport. Signs are to be located on the rotaries located at each end of Main Street, Buzzards Bay. All costs and permits for such signage are the responsibility of the Applicant. Signs shall be maintained until all Transport Vehicles have left the public roadways of Bourne.

14. Head of the Bay Road is a Scenic Road and has numerous Public Shade Trees located along the length of the public roadway. The Applicant shall meet with the Town of Bourne Tree Warden prior to the start of any transport of any of Wind Turbine machinery and associated equipment. If the Tree Warden determines that cutting, trimming or removal of any public shade trees on scenic roads or tearing down of stonewalls on a scenic road pursuant to the provisions of Chapter 87 Section 3, the Tree Warden shall require the Applicant to appear before the Bourne Planning Board per Chapter 40 Section 15c. Head of the Bay Road was designated as a "scenic road" by Vote of the Annual Town Meeting of May 1975. Chapter 40, Section 15c requires Planning Board written consent, after a public hearing, or any cutting or removal of trees or tearing down or stonewalls on a scenic road. Chapter 87, Section 3 prohibits the cutting, trimming or removal of trees on scenic roads – known as "public shade trees" – by any person other than the Town's Tree Warden without written consent of the Planning Board. "All trees within a public way or on the boundaries are public shade trees."

15. Penalties. If a delivery Transport Vehicle used for the Wind Turbine machinery and associated equipment through the Town of Bourne using local public roads outside the agreed upon time allowed per number 10. The applicant agrees to pay a penalty of \$1,000 per each vehicle for each incident.

Mr. Mealy re read condition number 1.

**Voted** Don Pickard moved and seconded by Don Ellis for the Board to reconsider the previous vote on item one in the Order of the Conditions. Vote 5-0.

**Voted** Don Pickard moved and seconded by Don Ellis to approve item one in the Order of Conditions with the language as provided by the Chairman.

Michael Blanton questioned with regard to the cash bond what is the rationale for reducing the bond at that particular time. Why it is not carried throughout the entire length of the program, inspections and a sufficient duration to make sure if any unforeseen issues pop up that we are efficiently protected.

Vote 5-0.

Mr. Guerino stated it is not unusual to drop the bond down after the project to be sure we have enough to cover anything that may come up.

Mr. Manocha questioned how many trucks are going to be transported, how long they will take to get down Head of the Bay Road, and how long will the roadway be closed?

Will Coombs, Logistics Manager with Ganesa, went over the delivery schedule. With the 5:00 a.m. stop time there will only be 1 or 2 trucks per day. Certain trucks will be coming from Dansville, NY. Those trucks will be coming in first; they will not be going down Main Street. They will come in on 25 and stay on Route 25 until Belmont Circle. The Base and the motor will take the longest to get to the site once they reach Head of the Bay Road.

Stephen Mealy questioned how many truck there are and how many blades are there?

Mr. Coombs stated there are a total of 12 blades, there are a total of 9 trucks per site, and there are 4 sites. 3 of the sites will use Head of the Bay Road; the last site is off of Route 25.

Mr. Mealy stated so there is a total of 36 trucks of which 12 blades will not come down Main Street; 24 trucks will have to use Head of the Bay Road.

Mr. Coombs stated there is a total of 30 trucks that will have to come down Main Street.

Audience member questioned, if there are 24 trucks and you only plan to move two trucks a night; that comes to 12 days.

Will Coombs stated they will move trucks 4 days a week, on Monday, Tuesday, Wednesday, and Thursday; a total of 3 weeks.

Mr. Mealy read condition number 2-4

Michael Blanton questioned the damages that may occur by the applicant.

John McMann questioned how to prove the damages were caused by the applicant and how to get them fixed.

Mr. Fitch stated that according to condition number 2 it states the applicant is solely responsible, it doesn't say to the Town of Bourne, for damages caused to its property; it simply makes that blanket statement. We accept that, the applicant is responsible for any damages it causes.

Mr. Mealy asked Mr. Fitch to speak to the process of how an individual who has experienced damages might go through the process of making a claim.

Mr. Fitch stated if anyone experiences, they believe, damages caused by this activity they can contact the Town Administrator's office. Before the towers are operational there will be a protocol for complaints. A similar thing can be arranged before transport takes place. They can contact a dedicated person who will engage in a dialog with the resident.

Phyllis Grandburg questioned how long the contact info would be available for the residents.

Mr. Fitch stated they can make it parallel to the life of the bond.

Mr. Mealy questioned what if it went beyond the life of the bond, can they still go through a claim with the applicant.

Mr. Fitch stated if it is tied to the event they are still responsible.

Chris Kapsambelis questioned who is going to be the arbitrator who will decide if the complaints are real.

Mr. Fitch stated a filing fee at a small claims court is very modest, and the jurisdiction is around \$7,000. It is a remedy for anyone who is unable to work it out. The applicant is well established in business and is ready to discuss any complaints.

Henry Luca questioned where the burden of proof lies. Would the damage party have the burden of proof?

Chief Woodside stated it is the normal process for complaints. You make a complaint with the company; if it doesn't go your way you take it to court. The bond guarantees the initial state 6 months to a year.

Mr. Mealy read conditions 5-15

5. Specifications for replacement of the removed guardrail and restoration of the graveled shoulder shall be coordinated with and approved by the Bourne DPW. The

Guardrail is to be re-installed and restoration of the town owned property to be completed within 30 days of the Tower Erection, but no later than December 01, 2015.

6. The License shall not be modified or relocated without the express written consent of the Grantor.

7. Fire Details as determined by the Fire Chief and a Police Details as determined by the Police Chief shall be placed to protect Public Safety during the times when vehicles transporting equipment or machinery for the project and are utilizing any town-owned roadways, including Main Street and Head of the Bay Roads. Any costs associated with such detail work shall be paid for by the Applicant.

8. Any and all routes proposed by the Applicant using Town of Bourne public roadways to be used by the Applicant for the transportation of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways shall be filed with the Bourne Police Department and Bourne Fire Department.

Michael Blanton stated it seems the route may be amended further and the Police Chief would have to be notified.

Mr. Mealy stated the intention of the condition was to make sure if there were any changes, they would have to be notified prior to any changes. This gives both departments a warning prior to the use of public roadways. There is no date associated with that.

Chief Woodside stated the route is not clear it has been moved around; it is basically Main street, Rout 25 to the rotary, up Head of the Bay Road, and the bypass as an alternative. As far as I know there are no other roads in the Town of Bourne that are affected. Given those roads I feel confident we can work out the traffic plan. The one truck on Head of the Bay Road is the main concern from the Police and Fire point of view because their detail is dealing with Head of the Bay Road and access to that area. Mr. Woodside would need 14 days' notice as specified in the conditions if the route changes.

9. The Applicant shall provide a detailed schedule listing the number of Transport Vehicles, the vehicle size (length, width and height), gross vehicle weight of every vehicle used for the transport of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways that shall be filed with the Town Administrator, Police Department and Fire Department 14 Days prior to the start of any transport by the Applicant. The schedule shall list the dates and times the Transport Vehicles shall enter and leave the Town public roadways. Alternate routes must be approved by the Town Administrator, the DPW Superintendent, the Fire Chief, and the Police Chief.

10. All transport of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways shall be conducted between the hours of 12 midnight and 5:00 AM.

11. No more than one Transport Vehicle (loaded or un-loaded) may be located on Head of the Bay Road at any single time.



12. Staging of Transport Vehicles, either loaded or un-loaded, shall be arranged outside the limits of town of Bourne-owned property.

13. The Applicant shall install temporary illuminated signage advising the public of the transport times and dates in the 24 hours prior to any transport. Signs are to be located on the rotaries located at each end of Main Street, Buzzards Bay. All costs and permits for such signage are the responsibility of the Applicant. Signs shall be maintained until the Transport Vehicles have left the public roadways of Bourne.

Tom Guerino stated that based on conversions and the suggestions that Lt. Silvestro brought up at the last meeting about some of the roads coming onto Head of the Bay Road from Plymouth and Wareham act a feeder roads. It may be advantageous for the Selectmen to consider that the applicant should notify the town of Plymouth and the town of Wareham as to when this transport will take place so they may notify their residency.

Mr. Mealy questioned if the transport of the equipment is being brought through the town of Wareham and if the town of Wareham will have to be notified. If it is being brought into the town of Plymouth does the town of Plymouth have to be notified?

Mr. Fitch stated there are no roads in the town of Plymouth that are going to be utilized.

Mr. Mealy stated there may be residents from Plymouth and residents from Wareham that use Head of the Bay Road to gain access to Route 25.

Mr. Fitch stated they accept that as a reasonable addition to the conditions.

Mr. Tom Guerino suggested the applicant shall notify the Town Managers of the towns of Plymouth and Wareham 24 hours prior notice of transported vehicles on Head of the Bay Road in Bourne.

Kathleen Turgent questioned if the Town of Wareham has given the OK for these trucks to come through the Town?

Will Coombs stated they have.

Mr. Mealy questioned if all the permits acquired except for the town of Bourne are in place at this time for the transport of this equipment.

Mr. Coombs stated New Bedford had its police, Fairhaven has its police, Acushnet has its police, once we get out of Acushnet we are on Route 6, and Route 6 is covered by State Police. Once we get to Wareham it is Wareham police.

Audience member questioned how is the equipment going to be unloaded; will it be unloaded on the road or unloaded on the property? How many other vehicles will be used to unload the equipment?

Will Coombs stated once the truck is onto the bog there will be a crane set up at the site that will unload the components. Once the components are unloaded the trucks collapse then they will be released.

Mr. Mealy questioned are there other construction equipment involved in addition to the crane.

Mr. Coombs stated from his understanding the crane is brought in while it is broken down into smaller pieces. Mr. Coombs doesn't believe they are oversized vehicles that it comes in on. Once it gets to the site the crane gets built.

Mike, Project Manager for Future Generation Wind, stated the erection crane comes in on standard semi loads and can enter the site as it is now without the guardrails removed. It will take about a week to put it together. It is broken down when it is moved so it can be moved without special permits. It will be brought in and assembled before the turbine components are brought into the site.

Mrs. Gebedise stated none of this has happened yet and already hundreds and hundreds of vehicles have passed by the four houses just to prepare to get to this day to get the permit for these gigantic vehicles that are coming through. Those houses will continue to be affected because we don't know what the maintenance schedule is for these wind turbines and how many people have to be present to make sure they are running properly every day. Even though there are few of us we are very much affected by the project.

14. Head of the Bay Road is a Scenic Road and has numerous Public Shade Trees located along the length of the public roadway. The Applicant shall meet with the Bourne Tree Warden prior to the start of transport of any Wind Turbine machinery and associated equipment. If the Tree Warden determines that cutting, trimming or removal of any public shade trees on scenic roads or tearing down of stonewalls on a scenic road pursuant to the provisions of Chapter 87 Section 3, the Tree Warden shall require the Applicant to appear before the Bourne Planning board per Chapter 40 Section 15c. Head of the Bay Road was designated a "scenic road" by Vote of the Annual Town Meeting of May 1975. Chapter 40, Section 15c requires Planning Board written consent, after a public hearing, of any cutting or removal of trees or tearing down or stonewalls on a scenic road. Chapter 87, Section 3 prohibits the cutting, trimming or removal of trees on scenic roads - known as "public shade trees" - by any person other than the Town's Tree Warden without written consent by the Planning Board. "All trees within a public way or on the boundaries are public shade trees."

Michael Blanton questioned with regard to meeting with the tree warden, has that meeting happened yet or is that to occur after this license issue has been completed?

Mr. Sala stated that meeting hasn't occurred yet; we will be meeting prior to any deliveries. Mr. Sala stated he will be taking a drive with them down the road and will review all the trees and the canopy on the road.

15. Penalties. If a delivery transport vehicle used for the transport of Wind Turbine machinery and associated equipment through the Town of Bourne using local public roadways outside the allowed times per item 10 the Applicant agrees to pay a penalty of \$1,000 per each vehicle for each incident.

Chris Kapsambelis stated that it seems \$1,000 isn't enough. If there is an incident and it goes past 5:00 there is no incentive on the applicant to fix it before noon. This can carry on and tie up the road. There has to be a penalty that states it has to be fixed within an hour or within 5 minutes or they will pay a fee.

Chief Woodside stated there should only be one truck on Head of the Bay Road at a time. This is revocable, so if they violate this, the license can be revoked.

Michael Blanton wanted to clarify that if this license were granted it will be revocable at any time. The mechanism for that would be a vote of this body, which that could be at a regular scheduled meeting or an emergency meeting that could be called.

Mr. Kapsambelis stated his primary concern is if there was some sort of failure and the vehicle cannot be removed from the road for a long period of time, they don't have any incentive to quickly move the truck.

Chief Woodside stated that if these trucks break down they call Big Wheels Towing and they come right down and tow them away.

Mr. Coombs stated a lot of these carriers have escorts that have a technician and a mechanic, so if they do break down it is about a 10-minute change.

Mr. Fitch stated we understand. The chief made it very clear and the remedy of revocation is the most severe, there will be extra effort to comply with every condition.

16. A contact for complaints or claims for damages shall be provided prior to the start of any transport to the office of the Town Administrator.

Mr. Fitch stated there was a second application for the bylaw that requires a permit for digging, which is associated with the removal of the guardrail. It could be incorporated into the same motion. We need approval under your town bylaws.

Mr. Guerino suggested an addition to condition 5 read: Specifications for the replacement of the removed guardrail and the restoration of the graveled shoulder in accordance with any town bylaws.

Mr. Meal read condition 5. Specifications for the replacement of the removed guardrail and the restoration of the graveled shoulder in accordance with any town bylaws to be coordinated with and approved by the Bourne DPW. The Guardrail is to be re-installed and restoration of the town owned property to be completed within 30 days of the completion of the Tower Erection, but no later than December 01, 2015.

Peter Meier requested another condition be added to the conditions; Obtain any other approvals if applicable from any Town Board. Mr. Meier wants to link the BOH variance to these conditions.

Mr. Ellis stated he does not think that we can encumber another board on a license or agreement. We could request, but I don't think we can encumber a license for approval on any other board that has an open public hearing in a session that they vote to enforce the law. I think it would be in violation and we would be open to a suit.

Tom Guerino stated in his opinion in as much as you have been requested to provide a license for transport of vehicles, it does not include the issues that may be subject to future conditions on something that has not been constructed. The Board of Health has certain statutory guidelines that is set forth that it must comply with as it sees fit, but the request for this board is to transport oversized vehicle on town roads, no more and no less. What those vehicles are going to do later is of concern but not as it relates to what is being requested of this board.

Stephen Mealy stated we can require the applicant to appear before the Board of Health. Mr. Pickard stated they already have. Mr. Meier stated it was an informal meeting. Mr. Fitch stated they have a disagreement with the BOH. The Chair of the Board of Health is asking the applicant to apply for a variance from the regulations. There are procedures available but we don't believe it is the procedure the BOH is suggesting. I am going back to them next week with more information and asking them to get Town Counsel involved so we can work this through. If the BOH has jurisdiction we will cooperate with them. If they don't have jurisdiction you can understand why we will not volunteer. I would ask that our petition to you to use your roads be the extent of what you control with your regulations. Mr. Ellis stated he believes this is a narrow issue, which is transportation and that is what we have to detail and we need to stick to that.

Mr. Blanton stated there are a number of concerns, but regard to this license, a number of questions have not been answered to my satisfaction with regard to how intensive the roadways are going to be used, is the bond insufficient in curing damages, if home owners suffer damages will they be appropriately satisfied, what will the noise generate, how will it disturb the quality of life and the right to peaceful enjoyment that the residents pay taxes on and enjoy here in Bourne. I am not necessarily 100% satisfied that this application meets the standard we should be holding them to. I am concerned about the granting of a license for this project as written with as many questions unanswered as we have at this time.

Mr. Mealy suggested seeing if some of Mr. Blanton's questions can be answered.

Mr. Blanton stated his concerns have been gone over at one time or another during the discussion, but still has concerns with the bond issue. Mr. Sala has stated the bond is sufficient, we have also talked about changing the time frame for the inspections we have talked about lengthening that out to make sure the roadways, the drainage, and the sewer are covered for a sufficient period of time, whether or not the bond is enough to cover that should there be an extraordinary event. We are in a position to litigate to be made whole with the applicant.

Mr. Sala stated the bond is there if they default. The applicant is responsible for all damages to the town roads and the private properties. There are stipulations throughout the whole contract. We are doing inspections.

Mr. Blanton is concerned with unforeseen circumstances; we don't know what they could be. I am concerned we are not protective enough with regard to the bond, with regard to the promise to the residents to be able to protect their properties, and with regard to the fine amounts. We do have the full revocation of the permit.

Audience member has concerns with the trees and the canopy on the scenic road being damaged from the trucks.

Mr. Sala stated we do have an arborist under contract with the town. I will be going with the transportation prior to any movement of equipment and there will be no cutting of any

trees. If the Board wishes I will have the arborist accompany me also. They are to use the center of the road and that is the highest point.

Stephen Mealy questioned the applicant that we ask our contractor to accompany the tree warden during an inspection; there is probably going to be cost associated with that. Could the applicant undertake that?

Mr. Fitch stated they will accept that as part of the process.

Mr. Sala requested proper notice ahead of time in order to have the arborist accompany us.

Audience member requested the Board of Selectmen require the applicant to apply for a variance from the Board of Health.

Mr. Ellis stated the Board of Health has their own requirements, and a separate section of the bylaw. What transpires between the applicant and the Board of Health is solely in their purview. We have to deal with the transportation.

Mr. Meier requested to move the question

**Voted** Peter Meier moved and seconded by Don Pickard to end the debate.

Mr. Meier - Yes; Mr. Pickard - Yes; Mr. Blanton - Yes; Mr. Ellis - Yes, Chair - Yes.

Vote 5-0.

**Voted** Don Pickard moved and seconded by Don Ellis to grant a license to Future Generation Wind LLC. and Con Edison Solutions to transport wind turbine machinery and associated equipment through the town of Bourne public ways including 2.2 miles of Head of the Bay Road to a project site and to grant the removal and replacement of the guardrail located on town owned land, subject to the order of conditions provided this evening with the amendment provided on the Chairman's copy.

**Mr. Meier - No; Mr. Pickard - Yes; Mr. Ellis - Yes; Mr. Blanton - No; Chair - Yes.**

**Vote 3-2.**

Mr. Mealy stated the question before this Board has been narrowly defined as a means of transportation and a license or an easement for that. We have worked with the regulatory staff and Town Counsel to insure the steps undertaken would in the best means possible to protect the town and the residents relative to the transportation issue before us. There is a question of mitigation. Regardless of the scope of any intrusion to the residents of this town we have heard much. Mitigation is commonly offered to offset some of the disruption of public rights of the residents of the town by the public developer. Is the applicant offering any mitigation?

Mr. Fitch stated the applicant is well aware of the inconvenience to the citizens of the Town of Bourne. Mitigation is appropriate, and the applicant proposes to provide a check for \$50,000.00 to the town in response to the raising the topic of mitigation and to express our appreciation for the citizens who will be inconvenienced, although we will try our best to minimize that.

Mr. Meier wanted to note there is a period of 60 days in which this can be appealed; and wanted to remind the applicant that the license is revocable by a vote of the Board for cause.

Mr. Ellis wanted to remind the people in attendance once this license is approved they have a right to go to Town Hall and get a copy of the license, also once the minutes of this meeting are approved you have a right to get a copy, so there is absolute record on file of what we did, what the petitions did, and where we stand.

Mr. Blanton wanted to reiterate that the residents will have a means for complaint or concern should there be a problem. The Town Administrator will be the contact for those; and if there is something that needs to be addressed that you are concerned with during the process please feel free to use that method.

September 30, 2015

Future Generation Wind, 810 Head of the Bay Road License

Approved Order of Conditions

Regarding the License approved by the Board of Selectmen on September 23, to Future Generation Wind, LLC / Consolidated Edison Solutions, 100 Summit Lake Drive, 4th Floor, Vahalla NY 10595 to allow work to be undertaken using roadways within the town of Bourne and allow digging on public land, the following Conditions were approved by the Board of Selectmen on September 30, 2015:

+++++

1. A \$1.0 MILLION CASH BOND as drafted by the Bourne Town Counsel shall be placed by the Applicant. Following successful review by the Town Department of Public Works (DPW) Superintendent at the completion of all work by the Applicant, the Bond shall be reduced to \$500,000 CASH BOND. The entire BOND is to be released by September 01, 2016 following completion of all work for which the License is granted including the approval by the DPW Superintendent and release by a vote of the Board of Selectmen. All restoration work undertaken by the Applicant is to be completed and final Inspection results for sewer and utility lines located within the public roadways used by the Applicant are to be received by the town.
2. Applicant is solely responsible for all damages caused as a result of activities as granted to the Applicant by the town of Bourne.
3. Sewer manholes located on Head of the Bay Road as identified by the Bourne DPW must be plated (capped) to prevent damage during all times when Applicant is using the roadway.
4. Inspection of the sewer lines, drainage lines and other buried pipes associated with the delivery of utilities or drainage of surface water including drainage pits, culverts and associated materials buried within the road layout are to be inspected as arranged by the Bourne Department of Public Works. Such Inspection is to take place following the completion of the work undertaken by the Applicant. Any and all costs associated with such inspection shall be paid for by the Applicant.
5. Specifications for replacement of the removed guardrail and restoration of the graveled shoulder in accordance with any applicable Town of Bourne By-Laws is to be coordinated with and approved by the Bourne DPW Superintendent. The Guardrail is to be re-installed and restoration of the town owned property to be completed within 30 days of the completion of Tower Erection, but no later than December 01, 2015.
6. The License shall not be modified or relocated without the express written consent of the Grantor.

7. Fire Details as determined by the Fire Chief and a Police Details as determined by the Police Chief shall be placed to protect Public Safety during the times when vehicles transporting Wind Turbine machinery and associated equipment for the project are utilizing any town-owned roadways, including Main Street and Head of the Bay Roads. Any costs associated with such detail work shall be paid for by the Applicant.

8. Any and all Routes proposed by the Applicant using Town of Bourne public roadways to be used by the Applicant for the transportation of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways shall be filed with the Bourne Police Department and Bourne Fire Department.

9. The Applicant shall provide a detailed schedule listing the number of Transport Vehicles, the vehicle size (length, width and height), gross vehicle weight of every vehicle used for the transport of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways that shall be filed with the Town Administrator, Police Department and Fire Department 14 Days prior to the start of any transport by the Applicant. The schedule shall list the dates and times the Transport Vehicles shall enter the Town and leave the town public roadways.

10. All transport of Wind Turbine machinery and associated equipment through the Town of Bourne using local public ways shall be conducted between the hours of 12-midnight and 5:00 AM.

11. No more than one Transport Vehicle (loaded or un-loaded) may be located on Head of the Bay Road at any single time.

12. Staging of Transport Vehicles, either loaded or un-loaded, shall be arranged outside the limits of town of Bourne-owned property.

13. The Applicant shall install temporary illuminated signage advising the public of the transport times and dates in the 24 hours prior to any transport. Signs are to be located on the Rotaries located at each end of Main Street, Buzzards Bay. All costs and permits for such signage are the responsibility of the Applicant. Signs shall be maintained until all Transport Vehicles have left the public roadways of Bourne. The Applicant shall notify the Wareham Town Manager and the Plymouth Town Manager in the 24 hours prior to any transport on Head of the Bay Road in Bourne.

14. Head of the Bay Road is a Scenic Road and has numerous Public Shade Trees located along the length of the public roadway. The Applicant shall meet with the Bourne Tree Warden prior to the start of transport of any Wind Turbine machinery and associated equipment. The Bourne Tree Warden is to contract a Licensed Tree Arborist at the expense of the Applicant to conduct an inspection of the shade trees on Head of the Bay Road. If the Tree Warden determines that cutting, trimming or removal of any public shade trees on scenic roads or tearing down of stonewalls on a scenic road pursuant to the provisions of Chapter 87 Section 3, the Tree Warden shall require the Applicant to appear before the Bourne Planning board per Chapter 40 Section 15c. Head of the Bay Road was designated a "scenic road" by Vote of the Annual Town Meeting of May 1975. Chapter 40, Section 15c requires Planning Board written consent, after a public hearing, of any cutting or removal of trees or tearing down or stonewalls on a scenic road. Chapter 87, Section 3 prohibits the cutting, trimming or removal of trees on scenic roads -

known as "public shade trees" - by any person other than the Town's Tree Warden without written consent of the Planning Board. "All trees within a public way or on the boundaries are public shade trees."

15. Penalties. If a Transport Vehicle used for the transportation of Wind Turbine machinery and associated equipment through the Town of Bourne using local public roadways outside the allowed times of 12-midnight to 5:00 AM the Applicant agrees to pay a penalty of \$1,000 per each vehicle for each incident.

16. The Applicant shall provide to the Bourne Town Administrator prior to the start of transportation of Wind Turbine machinery and associated equipment through the Town of Bourne using local public roadways, a Contact and Contact information for Complaints and Claims for damages.

17. Mitigation

In recognition of the intrusion to the residents of the town of Bourne, the Applicant shall pay to the Town of Bourne the sum of \$50,000 as mitigation for the disruption of public rights.

**Voted** Peter Meier moved and seconded by Don Pickard to have a 5-minute recess, 9:40. Vote 5-0.

**Voted** Peter Meier moved and seconded by Don Pickard to reconvene, 9:45. Vote 5-0.

**7) Corp of Engineers easement regarding monitoring wells. Authorization for these easements have previously been approved by Town Meeting.**

Tom Guerino stated Town Counsel has reviewed the easements. They go back to articles that were approved at the Annual Meeting on May 2013, Article 18 regarding County Road; on May 7, 2013 Article 16 & 17 regarding Williams Ave, Lake Drive, Lake Drive Extension, and Albert Road, and Mundo Road; and October 27, 2014 relative to an easement over Michael Road. They were passed by Town Meeting. Town Counsel has reviewed them and he has approved them.

**Voted** Peter Meier moved and seconded by Michael Blanton to sign the easements approved at Town Meeting. Vote 5-0.

**8) Selectmen's Business**

Peter Meier stated the last override forum is tomorrow night at 7:00 p.m. at the Middle School, and the election is next Tuesday. It is a public forum so if people have any questions we will attempt to answer them.

Mr. Mealy reminded people that the Department Heads will be present for that meeting to allow the public to ask question not only to the presenters but also the Department Heads as well.

Don Pickard wanted to mention the Corp of Engineers and MBTA parking areas and Town parking; there are a number of cadets parking in those lots. The fear is it will reduce the number of parking spaces available to people who want to visit downtown Buzzards Bay.



Will the Chair see if the Town Administrator can collaborate with Mr. Cahir and maybe someone from the Corp of Engineers to determine jurisdiction and who has the authority to tow or ticket? Mr. Guerino will look into that issue.

Michael Blanton attended the last couple of nights of override forums, and there were great questions that came forward about Pocasset and Sagamore. Hopefully there will be a great turnout for the last override forum, people will be well informed and will turn out to vote next Tuesday.

Don Ellis stated he has attended all the override forums; it is encouraging to see all the people who came out to be informed.

Stephen Mealy wanted to advise the Board we received an invitation from the Association of Town and Finance Committees to attend the 2015 annual meeting, which will be held on Saturday October 17<sup>th</sup>. At this particular meeting there will be educational sessions offered to include topics primarily for financial officials. I would urge members of this board to attend. They talk about budgeting, energy use by towns, capital planning, and there is a session on proposition 2 ½. The information will be left with Mr. Guerino.

#### **9) Town Administrator's Report**

Tom Guerino wanted to update the board. We have been very busy with override issues and wanted to thank a couple of people who have been working on this. We will have our initial meeting on priority base budgeting with the folks from Colorado; it will be a webinar for department head only. That should happen the second or third week of October. We will utilize the tie-in facilities and the new technologies at the new Public Works Facility. We expect on vis.gov, to have something on line at the end of this month or the beginning of November. There will be a Sewers Commissioners meeting on the 13<sup>th</sup>. Mr. Guerino has appointed the assistant to Coreen and Michael as an Assistant Zoning Enforcement Officer.

#### **10) Selectmen's Reports**

Stephen Mealy spoke about the meeting the Selectmen had with the Town of Sandwich Board of Selectmen and the discussions they had about the beach stickers, transportation the Cape regional transit study, and the third bridge concept. Mr. Mealy wanted to extend thanks to the Board of Sandwich for their great hospitality.

Don Ellis spoke about the impacts the third bridge would have on the north end of Joint Base Cape Cod and the houses and land in Bournedale.

Mr. Mealy stated next forum is going to be on Thursday, October 1, 2015 at the Bourne Middle School.

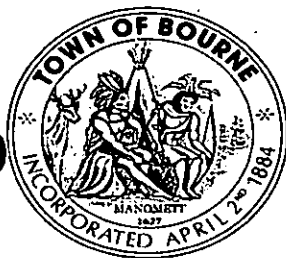
**11) Other Business**

The next Bourne Selectmen meeting will be on Wednesday, October 7, 2015 at 7:00 P.M.

**12) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 10:00 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



# Board of Selectmen Meeting Notice



## AGENDA

Date

Thursday  
October 1, 2015

Time

7:00 p.m.

Location

Bourne Middle School Library  
77 Waterhouse Road  
Bourne

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

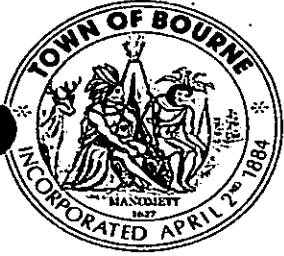
Call to order

To discuss financial impacts to town services should the override question fail adoption.

No other business

Adjourn

2015 SEP 28 PM 2 43  
TOWN CLERK'S OFFICE  
BOURNE, MASS



# Board of Selectmen Meeting Notice AMENDED AGENDA



Date  
Wednesday  
October 07, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

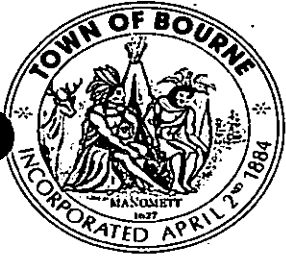
7:00 p.m. (Items 1-4) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Correspondence
5. Attorney Adam Fine, Mr. Chris Taloumis – Introduction/Review related to a proposal for a Secure Medical Marijuana Dispensary to be known as the Haven Center.
6. Override outcome discussion
7. Selectmen's Business
8. Town Administrator's Report
  - a. 208 Planning
  - b. Employee innovation and incentive programs
  - c. Special Town Meeting prep
9. Selectmen's Reports
10. Other business
11. Adjourn

2015 OCT 5 AM 9 54  
TOWN CLERK'S OFFICE  
BOURNE, MASS

## Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart



# Board of Selectmen Meeting Notice AGENDA



Date

Wednesday  
October 07, 2015

Time

7:00 p.m.

Location

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

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7:00 p.m. (Items 1-3) Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
  
4. Mr. Adam Fine, Mr. Chris Haven – Introduction/Review related to a proposal for a Secure Medical Marijuana Dispensary to be known as the Haven Center.
5. Override outcome discussion
6. Correspondence
7. Selectmen's Business
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2015 OCT 2 PM 3 45  
TOWN CLERK'S OFFICE  
BOURNE, MASS

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- A. Reduction of Energy Committee Membership
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**Board of Selectmen  
Minutes of Wednesday, October 7, 2015  
Bourne Community Building  
Bourne, MA 02532**

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TA Tom Guerino

2016 JAN 10 PM 11 38

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

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

Mr. Mealy requested to take a moment of silence for our Troops and our public safety personnel, and would also like to remember Massachusetts Maritime Academy 2005 graduate Keith Griffin of Winthrop and his family, and Jeffrey Mathias, a 1996 graduate from Kingston who were onboard the El Faro cargo ship believed to have been lost in the Bahamas.

**Public Comment – Non-Agenda Items**

None requested.

**4) Correspondence**

Michael Blanton brought the committee members and the public up to date on the correspondence.

- A. 9-29-15 (recv'd); A letter received from Coppola & Coppola in which they supplied deeds for the properties sold at a public auction on 8-21-15:  
80 Clubhouse Drive;  
25-G Hideaway Road;  
41 Head of the Bay Road;  
Garfield Avenue.



- B. Also – Coppola & Coppola supplied a copy of the commission check made out to the Zekos Group for the 6% buyer's premium for the above properties sold on 8-21-15. The town grossed approximately \$290,000 from the sales at auction.
- C. 9-28-15 (recv'd); A letter from Elizabeth White of Coastal Way expressing her support for the "To Go" meals program through the Community Center, and concern that she has for seniors in Bourne that this program might be impacted should the over ride not pass.
- D. 9-29-15 (recv'd); A notice of a joint session to be held on 10-15-15 at 3pm at Bourne Town Hall between the BOS, Town Moderator, Assistant Moderator, FinComm, Town Clerk, Town Counsel, Finance Director, Town Planner & Treasurer to discuss and review possible votes for the Special Town Meeting.
- E. A Board of Appeals hearing notice for an amendment to a Comprehensive Permit for Harmony Hill, Special Permit for North Beach Ave., and Special Permit for Lafayette Ave. being held on 10-7-15, tonight at Bourne Town Hall.
- F. 10-1-15; A letter from the Division of Marine Fisheries advising that Squeteague Harbor is open for shellfishing, 10-1-15 to 6-30-16.
- G. 9-22-15; A notice of suspension issued by the Alcoholic Beverages Control Commission for the Fraternal Orders of Eagles. A two-day suspension shall occur on November 4<sup>th</sup> and 5<sup>th</sup> for permitting unauthorized gambling.
- H. A letter from Anne Matthies of Cataumet requesting a stop sign be considered on Shore Road between the intersections of County and Redbrook Harbor Road in Cataumet.

**5) Mr. Adam Fine, Mr. Chris Haven – Introduction/Review related to a proposal for a Secure Medical Marijuana Dispensary to be known as the Haven Center.**

Christopher Taloumis | 508 -360 -9644 | Chris.HavenCenter@gmail.com



[www.HavenCenter.me](http://www.HavenCenter.me)

Top in house operations team.

- Security, public safety, anti diversion, and substance abuse
- COO – Dr. Seth Bock, Green Leaf Compassion Center; Dispensary Owner, Portsmouth RI
- Expert cultivators
- Excellent consultants
- World class CFO
- Pharmacist/ dispensary manager
- Patient care, medical professionals
- Compliance experts

## **Responsible corporate citizenship**

The Haven Center is a well-funded non-profit organization comprised of a team of leading experts.

Currently, the needs of medical marijuana patients are not being met in the area.

We are eager to work with Your community to provide a host community benefit package as part of our responsible corporate citizenship. However, in order to move forward with our project, we need your support or non-opposition

## **Safe and Secure**

The Haven Center is committed to operating a facility that is beneficial to patients in need while safe and secure.

The general public will not have access to the facility – only registered medical caregivers, registered patients under medical supervision, and employees who have undergone extensive background checks will have access to the site. Additionally, The Haven Center will not provide treatment for anyone who is not under a doctor's care and will not serve individuals who walk into the facility that are not registered patients.

## Safe and Secure

To ensure the safety of our patients and the surrounding community, The Haven Center will perform CORI checks on all employees of the facility. Our employees will be required to register with the Massachusetts Department of Public Health to work in a Registered Marijuana Dispensary. Our team is made up of medical, operational, and security professionals, and we will hold any new employees to the same standards of excellence.

The security of patients, our employees, and the community is of utmost importance to The Haven Center and our leadership team.

We will be instituting security measures to our facility that will ensure that only those who should have access to The Haven Center can have access.

## Objectives

**The key objective of The Haven Center is to not only become a respected medical resource and flagship dispensary in the Massachusetts market, but to emerge as the ideal model for medical/retail marijuana centers in the United States.**

- Maintain a safe, secure, **operationally compliant organization**
- Establish itself as the area's most trusted dispensary
- Secure and maintain a reputation as a **respected local business**
- Build a loyal patient base that is large enough to sustain business
  - Generate enough surplus capital to expand operations for **community betterment**
  - Move forward with integrating key programs and support initiatives
  - Charitable contributions to **local human services**

## Location

The Haven Center is considering a location in this area, though other locations in nearby county markets will also be considered.

**Dispensary:** A medically focused RMD that is bright, naturally lit, and upscale – with a clean feel.



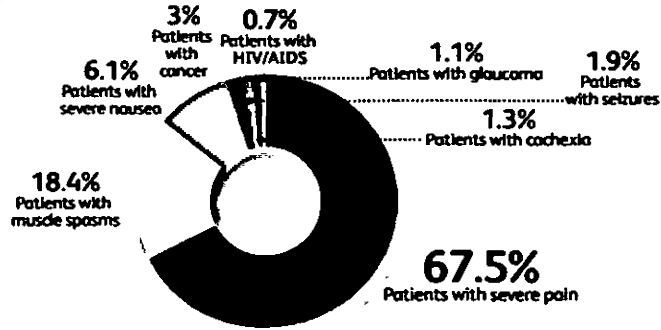
## Relief from suffering

For sufferers of chronic illnesses including cancer, AIDS, fibromyalgia, multiple sclerosis, and Crohn's Disease, the use of medical marijuana has been proven to provide relief from suffering.

# Patients

Based on research and industry benchmarks, the initial Massachusetts patient is approximately **145,120 residents** who will potentially seek medical marijuana.

Major market segmentation (2013)



SOURCE: [WWW.IBISWORLD.COM](http://WWW.IBISWORLD.COM)



## Dispensary

- Provide medical products for chronically ill persons
- Employ disabled persons, veterans groups, and patient groups, e.g., MS, AIDS/HIV, cancer
- Physician education: provide continuing education for medical professionals helping to manage chronic disease and reduce the burden of chronic disease on the health care system
- Enhance safety and security of products

11

## The Haven Center.

### Other Benefits

- a. Provide medical products for chronically ill persons
- b. Employ disabled persons, veterans groups, and patient groups, e.g., MS, AIDS/HIV, cancer
- c. Employment opportunities, local job creation.
- d. Community grants supporting community nonprofit organizations, local schools, community colleges and host community human services.

12

- Knowledgeable retail sales staff.
- Multiple medical and low THC strain selection
- Physician education: Sponsor and development of symposiums on Medical Cannabis Therapeutics. Helping to bring awareness to physicians about medicinal marijuana, usage and dosage for the patient.
- Public safety and security experts

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## Dispensary

- Accredited public health authority.
- Multiple medical and health care services.
- **Physician education:** sponsor and develop a series of symposiums on Medical Cannabis through 2016. Helping to bring our patients to the forefront of medical marijuana, its use and dosage and to educate public safety and security experts.

## The Haven Center.

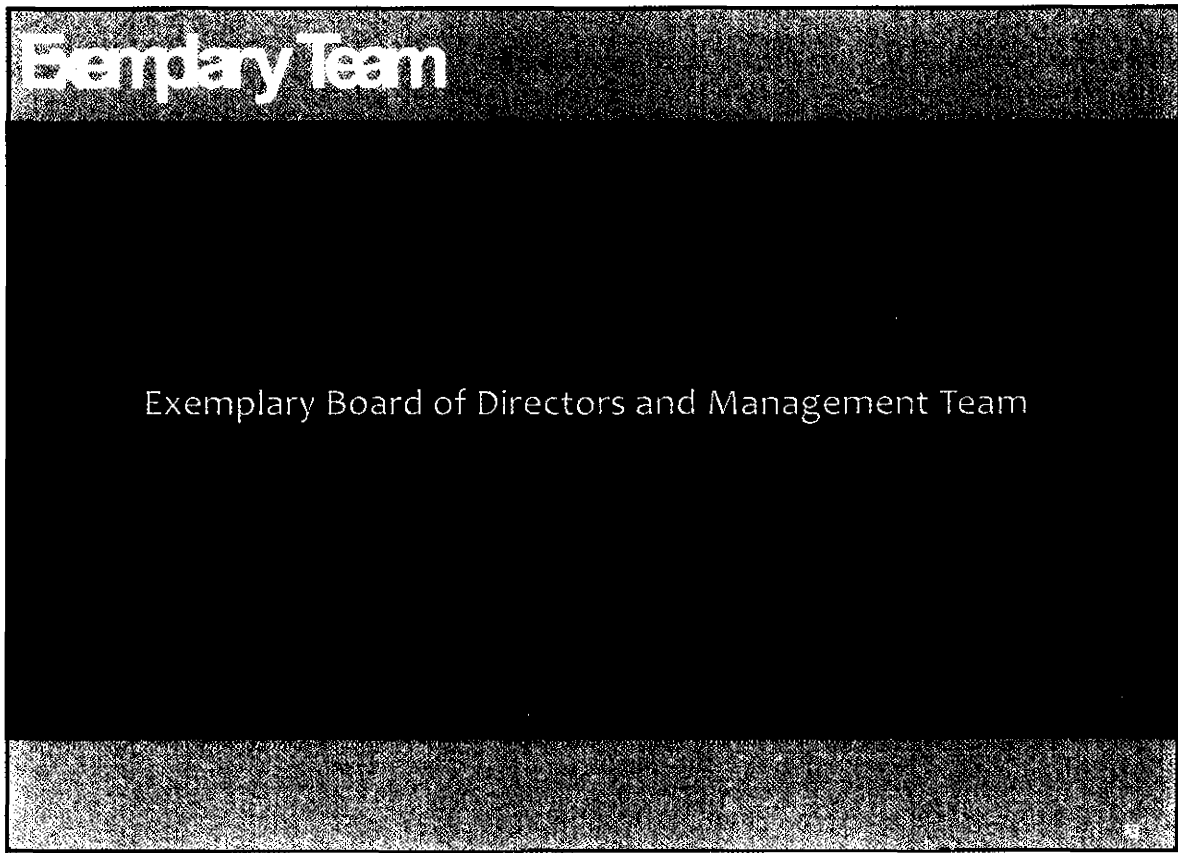
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## Management Team

***Experts say that The Haven Center has built the most experienced team applying for a Medical Cannabis license in Barnstable County, and one of the best in Massachusetts.***

▪ **Chris Taloumis | Executive Director | GM | Co-Founder**

brings a lifetime of business management experience to the table. Chris has assembled a formidable and passionate RMD management team to ensure success. Compiling local Barnstable County management staff and board members, as well as leading industry consultants and dispensary operators to train the Haven staff with time tested, tried and true, proven methods.

▪ **Dr. Alan Shackelford | Medical Advisory Director**

Dr. Shackelford has studied the use of cannabis as a medical treatment option extensively, has advised legislators in a number of US states on its medical uses, and has testified before several legislative committees. He has served on the Colorado Department of Revenue Medical Marijuana Advisory Work Group and was recently appointed to the Scientific Advisory Counsel of the Colorado Department of Health, tasked with reviewing cannabis research applications.

▪ **Dr. Seth Bock | Director of Operations**

As COO, Seth will train our EMT and staff. Dr. Bock currently owns one of two RMD's in the state of Rhode Island and was issued the first medical marijuana state license in the country. Seth will provide first hand knowledge, saving the Haven team countless hours of lost time due to trial and error. A R.I. licensed Doctor of Acupuncture, Seth has owned Newport Acupuncture and Wellness Spa, Inc., an integrative medicine and holistic wellness center for 11 years.

# Management Team

## Finance

- **Thomas Kennedy Jr. | CFO**  
is an American Software Architect and technology visionary. He is well known for creating rapid application development platforms beginning as early as 1979. Tom is the founder & CEO/CFO of Kennedy & Associates and founder & CEO of BackOffice Associates, a global software and services company employing over 600 hundred employees that work with over 40% of the Fortune 500 companies. Tom's company developed and provided best in class data migration and governance software services to organizations including Johnson & Johnson, Merck, Wyeth, Pfizer, the U.S. Army, Unilever, Sysco, Raytheon, Kraft Foods, ExxonMobil, Home Depot, and Estee Lauder, to name a few. BackOffice Associates experienced exponential growth and profitability and was purchased by Goldman Sachs in 2012. Tom also founded Zudy, one of the most advanced intuitive application development platforms companies in the world.

# Management Team

## Security, Public Safety, anti diversion, substance abuse

- **James Ehrhart | Director of Security**  
operated and managed a municipal police department charged with the public safety of the residents and visitors for the Town of Brewster for 33 years. Under Massachusetts G.L. Chapter 41, Section 97A, Jim Ehrhart was responsible for the hiring, training, and management of all employees hired by the department. In this capacity, Jim was responsible for effective law enforcement, prosecution of all offenders, and providing confident operations for the residents and visitors.
- **Edward Dalton | BOD | Anti-Diversion Advisor**  
Edward has been employed in the criminal justice system for 40 years with the Office of Community Corrections. Ed will help advise and establish anti-diversion programs within The Haven Center. Ed also sits on many non profit boards. His non profit experience will help guide the Haven Center in our non profit mission .
- **Sarah Burrill | BOD | Drug Prevention Advisor**  
Senior Prevention Specialist. She previously served on the board of the Cape Cod chapter of Together We Can, supporting local youth in non-use activities, and she also worked with the Freedom From Addictions Network. She attended the Berklee School of Music in Boston and is a nationally acclaimed singer and songwriter.

# Management Team

## Patient Care

- **Jill Taloumis, RN | BOD | Co-Founder | Outreach**  
brings an essential skill set to the operation of an RMD. During her tenure as an OR and a dialysis nurse there was no tolerance for mishaps which required continual reiteration through education. Jill found her OR experience extremely rewarding, as she worked with New England Baptist Hospital's orthopedic seasoned staff, who worked together as a team, to train each newcomer. This team approach, where 'it takes a village', worked almost seamlessly in educating staff.

Jill is a member of the ACNA (American Cannabis Nurses Association), and she continues to educate herself on the benefits, policies, and administration of medical cannabis for future patients. She has successfully completed several courses in Marijuana for Medical Use for nurses to help better educate and advise patients in the appropriate use of medical cannabis. Jill has become certified in medical cannabis and will impart this education to her patients, staff, peers, and colleagues. Educating cannabis patients, their families, and caregivers will play a crucial role in the outcome the RMD.

- **Donald Macphail | Pharmacist | Dispensary Manager**  
A registered pharmacist in MA with over 20 years' experience in dispensing medications in the community setting. Donald has years of experience in compounding, preparing, and dispensing medications to patients throughout Massachusetts. Our strategy is to use the traditional pharmacy model that has been so successful in providing patients with their medication in a safe, informed, and courteous manner.

# Relief from suffering

For sufferers of chronic illnesses including cancer, AIDS, fibromyalgia, multiple sclerosis, and Crohn's Disease, the use of medical marijuana has been proven to provide relief from suffering.



Attorney Adam Fine on behalf of the Haven Center is here to request a letter of support or non-opposition, which is part of the registered marijuana dispensary application process. This is part of the requirement to become licensed in this state to have a letter of support or non-opposition from the host community.

Chris Taloumis spoke about the Haven Center, which is made up of Doctors, Nurses, and cannabis experts looking to open an RMD, Registered Marijuana Dispensary for medical purposes in Bourne. It is to provide registered qualified patients with safe high quality and affordable organically cultivated medical marijuana products and operating as a not for profit organization for the benefits of patients and the community, and thereby protecting qualified patients from the risks associated with opiates, and many other pharmaceuticals. We are dedicated to providing a safe haven for our patients where our staff will provide an atmosphere of care, compassion, and warmth incorporating transparency and best practice into all of our operations. The Haven Center is committed to operating a facility that is beneficial to patients in need while safe and secure. The general public will not have access to the facility. Only registered patients under medical supervision and employees who have gone under extensive background check will have access. We will provide only lab tested high quality medical cannabis. All growing operation will adhere to pesticide free processes within a controlled and organic environment. We will be alert to specific needs of our patients and welcome the opportunity to provide the proper strains for particular debilitating conditions such as MS, Alzheimer's, arthritis, cancer and many other diseases. We acknowledge the trust the Common Wealth of Massachusetts has put in us and we will honor that trust by observing the laws and regulations that the Common Wealth of Massachusetts has for the benefit for all the patients we serve. Our vision is to have a facility in the community in which the valiant needs of the patients are met in a safe effective and properly regulated manner.

Valerio Romano spoke about the application process requirements.

Stephen Mealy requested Mr. Romano go through the application process, and questioned if it is only for dispensing; and there will be no cultivation at this particular site.

Mr. Romano spoke about the process and how many licenses the Department of Public Health hands out. The first part of the application process is the notice of intent. The Department of Public Health will review the application. Then you are invited to proceed to the second part of the process, the management and operations profile. The third phase of the process will be the siting profile. You have to tell the Department of Public Health where you will be located. We are expecting to be invited back for the siting profile within the next few weeks. At that time we would like to submit a letter of support. The location is of sufficient size where cultivation would be possible, but the Haven Center doesn't have an immediate plan to cultivate there. If the Board believes cultivation is inappropriate, we are here at the Boards pleasure. The cultivation portion, there is no real risk. The security requirements and the regulation are incredible. In cultivation or retail will have cameras inward facing and outward facing with push button option for the police in Bourne to look

at each camera just by clicking buttons. We will have limited access areas, vaults where cannabis and money will be stored. Only employees that need to be in the cultivation facility will be allowed in. In the event in the future I would not want to preclude the Haven Center from having that as an option.

Mr. Fine stated that every employee has had two background checks, they reviewed every background check and everyone has an absolute clean background check.

Mr. Mealy questioned if it is a separate process for cultivation.

Mr. Romano stated it is not a separate application. It is all under one application process, cultivation, processing, and dispensing.

Mr. Mealy questioned if there is a proposed location. Mr. Romano stated it is at 340 MacArthur Blvd.

Stephen Mealy questioned Mr. Guerino if the town has verified with the appropriate local officials that the proposed RMD facility is located in a zoning district that allows such use by right or pursuant to local permitting?

Mr. Guerino stated that would be himself, Coreen, and the Chairman of the Planning Board.

Don Ellis questioned if the Board is granting a license to the operation.

Mr. Romano stated it is not a license; it is a letter informing the State that the Board and the town do not oppose, or potentially supports the siting of the dispensary at that location.

Mr. Romano stated they are taking over the location of the go-cart track property so there will no longer be children congregating at that location, as per the state regulations. Mr. Ellis stated within the documentation that was submitted for the application there is no reference to the Chief of Police of the Town of Bourne. Mr. Romano stated they are very early in the application process. Once we know we can secure the property we will be working on extensive security plans and will work with the Chief of Police and the Fire Department. The Haven Center will pay for all the equipment needed.

Mr. Fine wanted to add the guidance they get from the Police Department is what they will follow. We would ask the Police Department how they would like this set up, how many days of surveillance they would like stored, and whatever they want will be written into the security plan.

Peter Meier stated you can't be within 500 feet of a child care facility. You are not within 500 feet but you are within about 2000 feet, there is one around the corner. Mr. Romano stated under the Federal Guidelines, which states; 1000 feet, and we are in excessive of that.

Michael Blanton questioned the economic development standpoint; what kind of employment opportunity would be offered through the operation, wages, how many employees would you be looking for, and any local employment opportunities?

Mr. Taloumis stated typically the start of a RMD for dispensing runs about 20 jobs. The pay goes from General Manager down to Dispensary Agent that would be behind the counter.

The pay for a General Manager is about \$110,000 and it scales down from there. Local employment is what we will be looking for.

Mr. Romano stated having consistent solid employees is a priority.

Mr. Blanton also questioned what is your financial plan for handling the money and transactions, is it going to be a cash only business, how are you handling the banking.

Mr. Romano stated we will be using Century Bank. It will be largely a cash business; we are looking at the option of putting an ATM on location or close by. There will be frequent cash sweeps, the money comes out of the drawer and goes into a safe. Century Bank has the option to have that cash moved from the facility to the bank.

Peter Meier questioned if mitigation is an option.

Mr. Romano stated helping the town mitigate any perceived ills is an option. The Haven Center is committed to working with the town. Mitigation revenue can help address needs, which may be a substance abuse counselor that can tour the schools, a squad car. You will be a stakeholder and be able to decide where the mitigation money goes.

Don Pickard stated based on the potential positive economic development with employing 20 highly paid workers and that the Haven Center, Inc. has presented an extremely concise plan of action; this merely puts them closer to their goal of opening up an RMD in Bourne.

**Voted** Don Pickard moved and seconded by Peter Meier to support the Haven Center, Inc. to offer a Registered Marijuana Dispensary here in Bourne. Don Ellis opposed.

Mr. Blanton questioned are we entertaining a letter of support, primarily in regard to the zoning district, and also the project in concept; and we are not supporting any particular plan.

Mr. Mealy read the letter of support:

A letter dated October 7, 2015.

To whom it may concern,

The Town of Bourne Board of Selectmen does hereby provide support to Haven Center, Inc. to operate a Registered Marijuana Dispensary in Bourne, MA. The Board of Selectmen have authorized this letter on behalf of the Town of Bourne Board of Selectmen by a vote taken at the duly noticed meeting held on October 7, 2015.

The Town of Bourne Board of Selectmen has verified with the appropriate local officials of the proposed RMD facility is located in a zoning district that allows such use by right or pursuant to local permitting.

Mr. Guerino stated that at any time during the process over the next several months or year and a half, the Board of Selectmen, or one of its agents finds itself not enthralled with the process or the proposal that comes forward, can withdraw the letter of support at any time.

Vote 4-1.



**6) Override outcome discussion**

Peter Meier stated that members of the Board have taken the time to try to explain, and sell the situation to the best of our ability, hoping for a positive outcome. However we did not. We have to respect the wishes of the voters. We have to try to have the best Town of Bourne we can have.

Michael Blanton stated there is work to be done to prepare for Town Meeting. We are hoping Town Meeting goes as smooth as possible given the situation. Hopefully we can put together the best vision going forward with the limited resources we have.

Don Ellis stated he is extremely proud to be elected as a member of the Board of Selectmen to represent the people. Would like to mention the comment that continuously came up was the perceived inflation of many town employees' salaries. We need to conduct a study of salary scales that we offer to either confirm or refer these observations before we hand out any more automatic raises. A few questions I'd like to propose to the Board and any members of other committees involved; As of this date should we have a wage freeze on any and all raises. We need closer ties in union negotiations, the Selectmen need to be more involved. Who determines the pay scale for non-union employees? We as Selectmen need a stronger say on all contracts before they go to Town Meeting; it is our budget. If the Charter will not allow the Selectmen to get involved in the above issues then the Charter should be changed. It is obvious the message from the voters is we need to make changes in the way we do business. Hopefully the people will understand as we go forward in the next year or two, the difficulties it is going to be for all of us to sustain what has been voted.

Don Pickard stated the people have spoken. That is a message that this Board needs to do a better job of handling the peoples' money. We should, as a board, meet in a workshop in an executive session because it may have an impact on various bargaining units and discuss where cuts are going to be made. There are things we can discuss, like employee incentive programs, early retirements, things of that nature. We need to embrace that fact that we need to tighten our spending.

Stephen Mealy stated the voters of our town have indicated by a slim margin of only 34 votes not to approve the override for the town's budget. The vote was close enough it could have gone either way. It was not a mandate for either the supporters or the proponents of the override.

I too want to thank everyone who participated on both sides for being involved. I know we may not agree with all that was said or done, but we can agree to disagree. I learned a great deal about our town and the people in our town.

We cannot dwell on what happened and we must go forward on to the work ahead. We must undertake those actions to insure the integrity of our town, make the hard decisions and move onward to continue to make Bourne a better place for all.

Jim Mulvey questioned what possible motions will be made at the Town Meeting regarding the budget?

Stephen Mealy stated we passed a budget in May for the entire year with the understanding that it would depend on the successful passage of the override in order to fund it, not for this year but for years to come. With the failure of the override, the adjustments we have discussed will have to be put in place in order to insure the town continue forward and still meet the financial policy obligations we have agreed to, as far as the minimum free cash balances and to insure the fiscal stability of the town in the years to come. There will have to be adjustment made to the budget we have previously approved, reductions to the budget line items for several of the departments that will end up resulting in the reduction, minimalizing or cancelation of some services and the reduction of personnel that work for the town.

Tom Guerino stated the article is to move that the vote taken under article 3 of the Annual Town Meeting be amended to read something as follows: We move that the Town vote to appropriate the sum of \$56,820,658.00 for the regular annual expenses of the town year July 1, 2015 to June 30, 2016. Salaries and expenses be segregated into accounts, what will be transferred to the ambulance fund, what will be transferred from the water ways fund. It is a restating of the Annual Town Meeting budget article through an amendment and the numbers will be downward from where they were in May, to meet the obligations that we have indicated to the public, the Board of Selectmen, the Finance Committee, the School Committee, and the Working Group. Those numbers will be reduced to reflect the reductions in the budget that have been discussed for several months.

Michelle Spinney from Monument Beach questioned what date we will start to see the cuts in services. Mr. Mealy stated we still have a budget for the entire year in place today. Until Town Meeting votes to change that, nothing can be done or under taken until Town Meeting. Mr. Guerino stated there will be rolling reductions from now until the end of December. When the Selectmen brought forward these numbers it was determined it would be half year reductions, for the most part; Six months reductions then a full year reductions going into FY17 in July. Some reductions will take place this month. Other reductions will take effect January 1, 2016.

Michelle Spinney also asked if an override will be asked again once people start to realize the services that will be cut. Mr. Guerino stated that will be up to the Board of Selectmen. There was some discussion as to whether a ballot could be petitioned. An override or underride to increase real estate and personal property taxes requires a majority vote of the Selectmen or City Counsel to be placed on the ballot and the purpose to be stated. It is only by elected officials. No one can put that forward except the Selectmen.

Mary Jane Mastrangelo, speaking on behalf of herself and not as the Finance Committee Chairman, wanted to take the opportunity to share some of her thoughts. She stated as we go into the FY17 budget season, it is important for the Board of Selectmen to vote on the budget priorities and to use the yearend review to establish where the town stands in terms of financial policies and how this will affect the upcoming FY17 budget. There were some reoccurring themes during the override discussions. One is the high salaries' of town employees. Other comments were health insurance benefit costs, make sure budgets are available for public review, and finding ways to increase revenue outside of the tax levi.

From a Finance Committee perspective there are three items that need clarification. First is on the employee contract, a former selectmen commented that all contracts are subject to Town Meeting approval. The Finance Committee is charged to review all article expenditures at Town Meeting. The Finance Committee is obligated to tell Town Meeting members whether funding of contracts will exceed future available revenues. The Finance Committee represents the watchdog of the community and if Town Meeting says no to the contract it is not valid. Neither the Board of Selectmen if it is a town contract nor a school committee if it is a school contract may speak against a signed contract. Only the Finance Committee plays the role of watchdog. Mary Jane Mastrangelo questioned the Town Counsel through the Board of Selectmen and the Town Administrator what contracts are subject to Finance Committee review and Town Meeting approval and what is the process by which Town Meeting can vote on a contract, and she would like an answer as soon as possible. Mrs. Mastrangelo also spoke about health insurance benefits. She would like a broad based formal committee as soon as possible to start the review of health insurance benefits, including a review of alternatives and cost analysis. We should enter into an analysis of entering the GIC and what procedures are required if the town decides to look into the GIC and whether to do so under section 19 or section 20. What is required to start the former process, what is needed to adopt the GIC insurance plan, and what the timeline for doing so; would like the Board of Selectmen to undertake this discussion and to work on setting up that committee as soon as possible.

Third is visual budget and priority base budgeting. Lets establish a process and timeline for getting visual budget up and running and getting the priority base budgeting started sooner rather than later.

The long-term question has to do with budgets for review and budget discussion at Town Meeting. Give serious thought as to how the budget is presented at town meeting and whether it continues to be presented as a blanket article or will we come up with a more detailed way of going through the budget at Town Meeting so the voters know what they are voting for.

Finding ways to increase revenues outside the tax levy.

## **7) Selectmen's Business -**

### **8) Town Administrator's Report**

- a. 208 Planning**
- b. Employee innovation and incentive programs**
- c. Special Town Meeting prep**

a. Tom Guerino stated he expects the visual budget to have its first debut toward the end of the month. The department heads will be meeting in a webinar on the 14<sup>th</sup> with the priority base budgeting folks at the DPW facility.

Mr. Guerino stated they are moving ahead with the 208 planning. Have asked the Cape Cod Commission folks; where they have expertise, to sit down with a team of employees to help scope out what we need to do. Mr. Guerino has asked the Town Planner, the Health Director, and the Conservation Director to come to a meeting at the Commissions office to start the technical piece of the process.

b. Mr. Guerino also brought up the incentive programs, the early retirement system, and the incentive plan. Mr. Guerino looked to find various types of incentives programs. Looking at a safety related program. There would be a safety committee to establish and review recommendations for ideas to help our community with safety improvements. Another program is an incentivized innovation improvement program to help identify new revenue sources and to increase our internal processes. There would be four different types, support responsible spending and continuous operations improvement, have employees identify practical cost reductions and new program revenue sources through its operations for each department. The concept of identifying and implementing new ideas must be coupled with a review.

Don Pickard stated they should set a date to have comments back on these incentives. Stephen Mealy stated to have comments into the Town Administrator by the end of October and bring it back on the agenda by the first week in November.

### **Attach Incentive Programs**

c. We'll be meeting next week with the Moderator to go through the Town Meeting. I am also going to ask for a meeting with the Chairman and the Chair of the Finance Committee to make sure we have our Town Meeting explanation and preparation prepared for discussion. The Pre Town Meeting will be on Thursday, the 15<sup>th</sup> at the lower meeting hall at Town Hall at 3:00 p.m.

Mary Jane Mastrangelo suggested a joint meeting with the Board of Selectmen and the Finance Committee on October 13<sup>th</sup>.

Mr. Guerino wanted to thank everyone who put his or her time into this. The voters spoke and we are to move forward with what we said we would do to make those reductions to keep the town's fiduciary position stable.

### **9) Selectmen's Reports**

Mr. Mealy stated on October 5<sup>th</sup> Korrin N. Petersen, Esq., Senior Attorney for the BUZZARDS BAY COALITION reported that the surrounding communities including Bourne have been invited to submit a full proposal for our "Multi-Community Partnership to Reduce Nitrogen in Upper Buzzards Bay". Full proposals are due on November 6, 2015.

Next step will be to get together with all the partner communities and pull together the exact details of what we will do. She is requesting the town have a meeting within the next two weeks.

The voters of our town have indicated by a slim margin of only 34 votes not to approve the override for the town's budget. The vote was close enough; it could have gone either way. It was not a mandate for either the supporters or the proponents of the override. I too want to thank everyone who participated on both sides for being involved. I know we may not agree with all that was said or done, but we can agree to disagree.

We cannot dwell on what happened and we must go forward on to the work ahead. We must undertake those actions to insure the integrity of our town, make the hard decisions and move onward to continue to make Bourne a better place for all.

We must do what we said or history will repeat itself.

### **10) Other Business**

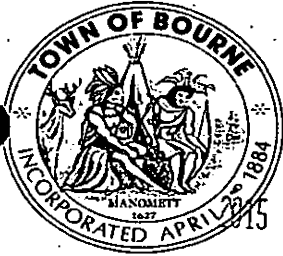
Peter Meier stated it is our responsibility to start looking into tax revenue outside the tax levi, Economic Development; and do that as a workshop.

The next Bourne Selectmen meeting will be on Wednesday, October 14<sup>th</sup> at 7:00 P.M.

### **11) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Meeting adjourned at 8:34 pm. Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.



**Joint Meeting  
Board of Selectmen  
and**

**Finance Committee**

**Meeting Notice**

**AGENDA**

2015 OCT 8 PM 3 45  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Date  
Tuesday  
October 13, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 p.m. Call to order

1. Moment of Silence for our Troops and our public safety personnel
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Selectmen's Business
5. a. Request waiver of \$150.00 from the Friends of the Council on Aging Craft Fair on November 7.

7:10 p.m.

6. Joint Meeting to review, discuss and possible vote on the Special Town Meeting Articles scheduled for October 19, 2015.

**Article 1:** To see if the Town will vote to amend the existing Zoning Map of the Town of Bourne by removing from R-40 and placing in B-2 the land in the village of Cataumet identified as Parcels 67, 68, 69, 70, 71, 72 Bonnie Land and the easterly portion of Anastasia Lane on Map Bourne Assessors Map 52 owned by the Woodland Realty Trust. Said land to be rezoned being designated by a blue line on the copy of the assessors map, a copy of which is on file with the Town Clerk, or to take any action in relation thereto.

***Sponsor – Bonnie Wing and others***

**Article 2:** To see if the Town will vote to appropriate a sum of money for the purpose of the payment of unpaid bills from a previous fiscal year that are legally unenforceable due to the insufficiency of appropriation or take any action in relation thereto.

***Sponsor – Board of Selectmen***

**Article 3:** To see if the Town will vote to amend the vote taken under Article 4 (Sewer Budget) of the 2015 Annual Town Meeting, or take any action in relation thereto.

***Sponsor – Board of Sewer Commissioners***

**Article 4:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to amend the vote taken under Article 6 (Reserve Fund) of the 2015 Annual Town Meeting, or take any action in relation thereto.

**Article 5:** To see if the Town will vote to amend action taken under Article 3 (Annual Budget) of the 2015 Annual Town Meeting, and as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing departmental expenses and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action in relation thereto.

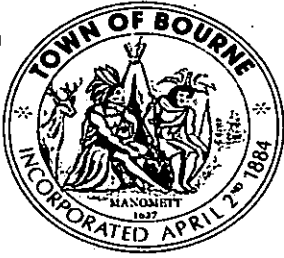
***Sponsor – Board of Selectmen***

6. Other business
7. Adjourn

## Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart
- F. Workshop on Economic Development and revenue enhancements.





## Board of Sewer Commissioners



### Meeting Notice

### AGENDA

Date

Tuesday  
October 13, 2015

Time

6:00 p.m.

Location

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

All agenda items herein may be subject to a vote by or other action of the of Board of Sewer Commissioners

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

Call to order

1. Public Comment
2. Minutes: March 31, 2015
3. Ryan Correia, President of Perry Ave. Corporation – Requesting a 6-month extension for sewer allocation for proposed Hotel at 25 Perry Avenue, Buzzards Bay
4. Zachary Basinski, Project Manager for Bracken Engineering - Requesting sewer allocation for a proposed mixed use development for 100 Main Street block, Buzzards Bay
5. Gregory Wirsen, Green Seal Environmental – Requesting sewer allocation for a proposed Independent, Assisted Living and Memory Care Facility at 12 Wagner Way, Buzzards Bay
6. Sewer Wastewater Advisory Report
7. Other Business
8. Future Agenda Items
9. Adjourn

OCT 8 PM 4 18  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of Tuesday, October 13, 2015  
Bourne Community Building  
Bourne, MA 02532**

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2015 DEC 18 PM 1 36

TA Tom Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

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

**Finance Committee**

Mary Jane Mastrangelo  
John Redman  
Richard Lavoie  
Michelle Ford  
William Towne

Brian Lemee  
George Slade

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the Board of Selectmen meeting to order at 7:35 pm.

Chm. Mastrangelo called the Finance Committee meeting to order at 7:35 pm.

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

**Public Comment - Non-Agenda Items**

William Towne exclaimed his disappointment to find out his letter to resign his term from the School Building Committee also resigned him from the Finance Committee. He was very upset. He wrote the letter to distinguish his resigning from the School Building Committee and not the Finance Committee.

Stephen Mealy apologized and stated he will correct that immediately.

**4) Selectmen's Business**

**5) Request waiver of \$150.00 from the Friends of the Council on Aging Craft Fair on November 7.**

**Voted** Michael Blanton moved and seconded by Don Pickard to waive the fee of \$150 for the Friends of the Council on Aging Craft Fair held on November 7<sup>th</sup>. Vote 5-0.

**6) Joint Meeting to review, discuss and possible vote on the Special Town Meeting Articles scheduled for October 19, 2015.**

Stephen Mealy read Article 1.

**Article 1:** To see if the Town will vote to amend the existing Zoning Map of the Town of Bourne by removing from R-40 and placing in B-2 the land in the village of Cataumet identified as Parcels 67, 68, 69, 70, 71, 72 Bonnie Land and the easterly portion of Anastasia Lane on Map Bourne Assessors Map 52 owned by the Woodland Realty Trust. Said land to be rezoned being designated by a blue line on the copy of the assessors map, a copy of which is on file with the Town Clerk, or to take any action in relation thereto.

**Sponsor - Bonnie Wing and others**

Mary Jane Mastrangelo spoke with Attorney Ford he is planning on drafting the motion. Ms. Mastrangelo also stated the Finance Committee will not be voting on any articles tonight they will be voting at Town Meeting.

Stephen Mealy read Article 2.

**Article 2:** To see if the Town will vote to appropriate a sum of money for the purpose of the payment of unpaid bills from a previous fiscal year that are legally unenforceable due to the insufficiency of appropriation or take any action in relation thereto. **Sponsor - Board of Selectmen**

Don Pickard questioned how many cell phones are in use by town employees.  
Tom Guerino stated there are about 30 cell phones.

**Voted** Don Pickard moved and seconded by Peter Meier that Article 2 be voted favorably. Vote 5-0.

**Voted** John Redman moved and seconded by Richard Lavoie that Article 2 be voted favorably. Vote 7-0.

**Voted** Don Pickard moved and seconded by Peter Meier to take no action on Article 1 of the Special Town Meeting, as it is a private parcel. Vote 5-0.

Stephen Mealy read Article 3

**Article 3:** To see if the Town will vote to amend the vote taken under Article 4 (Sewer Budget) of the 2015 Annual Town Meeting, or take any action in relation thereto.

**Sponsor - Board of Sewer Commissioners**

Brian Lemee suggested showing the amounts then, now, and the difference.

Tom Guerino stated we are reducing the amount to be raised from the sewer users; we are reducing it by \$50,000 and taking \$50,000 from retained earnings.

Mary Jane Mastrangelo stated the rates are going up and in order to prevent the rates going up more than \$15 we are using retained earnings to cover the cost.

Mary Jane Mastrangelo questioned why the expenses went up?

Tom Guerino stated the expenses did go up. We put more into engineering and consultancy for the past couple of years. We have an agreement to work \$30,000 to help offset some of the costs that was associated with Hideaway.

Linda Marzelli stated 2015 was the last year that sewer betterments were added to peoples tax bills. Mary Jane Mastrangelo stated the revenue is down because the betterments are no longer part of it.

Jim Mulvey stated how can you amend a vote that has already been taken at a meeting that has adjourned? Stephen Mealy will check with Town Council on that question. We have done this at Annual Town Meeting where we make an amendment to a previous vote if there was a change in the amounts.

Richard Lavoie stated we are really amending the budget not amending the article, but through this amendment we are changing the budget.

Mr. Guerino stated you are changing the funding mechanism of the budget; you are not changing the budget amount. Mr. Lavoie stated the total dollars are staying the same; it is just a matter of how it is being produced.

**Voted** Peter Meier moved and seconded by Don Pickard to support Article #3. Vote 5-0. No Action taken by the Finance Committee.

Stephen Mealy read Article 4

**Article 4:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to amend the vote taken under Article 6 (Reserve Fund) of the 2015 Annual Town Meeting, or take any action in relation thereto. We are recommending the article be indefinitely postponed.

**Voted** Peter Meier moved and seconded by Don Pickard to recommend to indefinitely postpone Article #4.

Mr. Guerino stated the proposals under the new policies that were passed by the Town and the Finance Committee concurred by the Finance Director, myself, and the Treasurer, call for the reserve fund to be ½ of 1% of the General Fund Operating Budget. The intent was to increase the reserve fund from \$200,000 to \$290,000 had the override passed. The override was not successful, and the funds aren't available to do that at this point. It is recommended that the article be indefinitely postponed.

Vote 5-0.

Mary Jane Mastrangelo asked the Finance Committee if they have any comments; and them stated we do have to mention in the report that we are indefinitely postponing this article, but we will not be in our financial policy. We haven't used any of the reserve funds at this time, we are still at \$200,000 which was appropriated at Town Meeting.

**Voted** John Redman moved and seconded by Richard Lavoie to indefinitely postpone Article #4. Vote 7-0.

Stephen Mealy read Article 5

**Article 5:** To see if the Town will vote to amend action taken under Article 3 (Annual Budget) of the 2015 Annual Town Meeting, and as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing departmental expenses and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action in relation thereto.

The motion is to move the vote taken under Article 3, (Annual Budget) of the May 2015 Annual Town Meeting be amended, to read as follows:

We move the Town vote to appropriate the sum of \$56,820,658.00 for the regular annual expenses of the Town for the fiscal year July 1, 2015 to June 30, 2016, of which \$12,295,814.00 shall be for salaries and wages and \$44,524,844.00 shall be for expenses, all segregated to the accounts as printed in the Budget recommendations attached to this motion and incorporated herein by reference, except that amounts for Town and Regional Schools may wholly or in part be used for salaries and wages; and to meet this appropriation, we further move that sum of \$220,621.00 be transferred from PL874 grant funds for the town's school expense, the sum of \$1,070,000.00 be transferred from the Ambulance Fund to the Town Ambulance operation, the sum of \$30,000.00 be transferred from Conservation Commission Receipts reserved for appropriation for the Conservation Commission, the sum of \$637,444.00 be appropriated from FY2016 Estimated Community Preservation Fund Revenues for debt expenses for Open Space and Recreation purposes, the sum of \$30,602.00 be transferred from the Community Septic Management program, the sum of \$215,445.00 be transferred from the Waterway Improvement Fund, the sum of \$638,661.00 be transferred from Free Cash, the sum of \$763,661 be transferred from Free Cash and the sum of \$53,852,885.00 be raised and appropriated.

Linda Marzelli went over the Fiscal Year 2016 Voted & 2016 Cuts Sources and Uses Funds, the General Fund Revenue and the General Fund Expenses.

FISCAL 2016 VOTED & 2016 CUTS SOURCES & USES OF FUNDS				
GENERAL FUND REVENUES				
	Voted Budget 2016	Budget with Cuts 2016	\$ Increase / Decrease	% Increase / Decrease over
<b>Property Taxes</b>				
Prop Year Tax Levy Cont	40,007,801	40,007,801	0	0.00%
2.5% Allowance	1,000,195	1,000,195	0	0.00%
New Govt	300,000	300,000	0	0.00%
Overseas			0	
Subsidies	41,307,998	41,307,998	0	0.00%
Debt Exclusion	1,073,114	1,073,114	0	0.00%
State Doc Commission Tax	182,030	182,030	0	0.00%
Unsettled Debt Capital			0	#DIV/0!
<b>Total Tax Levy</b>	<b>\$42,563,140</b>	<b>\$42,563,140</b>	<b>\$0</b>	<b>0.00%</b>
<b>State Aid</b>				
Charity Sheet Net Revenue	1,056,816	1,056,816	0	0.00%
Charity Sheet Assessments	3,820,522	3,820,522	0	0.00%
Chapter 70 Total	4,877,338	4,877,338	0	0.00%
Charter School Reimbursement	209,894	209,894	0	0.00%
School Choice Receiving Tuition*	375,044	375,044	0	0.00%
School Lunch*	10,783	10,783	0	0.00%
Unrestricted General Govt Aid	1,304,407	1,304,407	0	0.00%
Veterans Benefits	86,066	86,066	0	0.00%
Exemptions Vets, Blind, Surv Sp & Elderly	109,023	109,023	0	0.00%
State Owned Land	570,001	570,001	0	0.00%
Public Libraries*	16,744	16,744	0	0.00%
<b>Total State Aid</b>	<b>\$7,559,309</b>	<b>\$7,559,309</b>	<b>0</b>	<b>0.00%</b>
<b>Local Receipts</b>				
Motor Vehicle Excise	2,350,000	2,468,000	118,000	5.02%
Other Excise	130,000	130,000	0	0.00%
Meals Tax	350,000	325,000	(25,000)	-7.14%
Penalties & Interest	275,000	225,000	(50,000)	-18.18%
Payments in Lieu	25,000	20,000	(5,000)	-20.00%
Marinas	1,165,000	1,145,000	(20,000)	-1.72%
Other Dept Revenue	285,000	315,000	30,000	10.53%
Licenses & Permits	585,000	585,000	0	0.00%
Fines & Forfeits	130,000	120,000	(10,000)	-7.69%
Investment Income	35,000	35,000	0	0.00%
Miscellaneous-Recurring	25,000	15,000	(10,000)	-40.00%
Miscellaneous-Recurring Energy Credits	600,000	600,000	0	0.00%
Miscellaneous-Non Recurring	38,265	305,265	267,000	684.70%
<b>Total Local Receipts</b>	<b>\$5,993,265</b>	<b>\$6,501,115</b>	<b>290,000</b>	<b>4.84%</b>
<b>Other Sources</b>				
ISWM General Fund Support	1,986,364	1,986,364	0	0.00%
Sewer General Fund Support	131,983	131,983	0	0.00%
Host Community Fee	\$600,000	\$600,000	0	0.00%
<b>Total Other Sources</b>	<b>\$2,718,347</b>	<b>\$2,718,347</b>	<b>\$0</b>	<b>0.00%</b>
<b>Special Revenues</b>				
Conservation Comm.	30,000	30,000	0	0.00%
PL 874	220,621	220,621	0	0.00%
Ambulance Fees	1,000,000	1,070,000	70,000	7.00%
CPA Fund Debt Service	637,444	637,444	0	0.00%
Title 5 Loan Repayments	30,602	30,602	0	0.00%
Waterways Fund for Operating Budget	110,985	215,445	104,459	94.12%
<b>Total Special Revenue Funds</b>	<b>\$2,029,653</b>	<b>\$2,204,112</b>	<b>\$174,459</b>	<b>8.60%</b>
<b>Total General Fund Revenues</b>	<b>\$60,863,705</b>	<b>\$61,328,184</b>	<b>\$464,459</b>	<b>0.76%</b>
<b>Use of Reserves</b>				
Stabilization for Budget		125,000	125,000	#DIV/0!
Free Cash for Budget	1,792,345	838,661	(1,153,684)	-64.37%
Free Cash for Articles	73,500	73,500	0	0.00%
<b>Total Use of Reserves</b>	<b>\$1,865,845</b>	<b>\$837,161</b>	<b>(\$1,028,684)</b>	<b>-55.13%</b>
<b>Grand Total Revenues</b>	<b>\$62,729,550</b>	<b>\$62,165,328</b>	<b>(\$564,222)</b>	<b>0.90%</b>

**FISCAL 2016 VOTED & 2016 CUTS SOURCES & USES OF FUNDS**

GENERAL FUND EXPENSES				
	Voted Budget	Budget with Cuts	\$ Increase / Decrease	% Increase / Decrease over
	2016	2016		
<b>Operating Expenses</b>				
Administrative Services-Salaries	1,905,575	1,865,475	(40,100)	-2.10%
-Expenses	1,077,976	1,050,646	(27,330)	-2.54%
Public Safety Services-Salaries	7,956,423	7,956,423	0	0.00%
-Expenses	1,238,283	1,123,283	(115,000)	-9.29%
Public Works Services-Salaries	1,457,158	1,423,548	(33,610)	-2.31%
-Expenses	571,385	571,385	0	0.00%
Health & Human Services-Salaries	638,207	588,464	(49,743)	-7.79%
-Expenses	343,710	333,588	(10,122)	-2.94%
Culture & Recreation Services-Salaries	616,711	578,904	(37,807)	-6.13%
-Expenses	191,145	150,070	(41,075)	-21.49%
<b>Total Town</b>	<b>15,996,573</b>	<b>15,639,786</b>	<b>(356,787)</b>	<b>-2.23%</b>
<b>Schools</b>				
Bourne School Department	20,879,994	20,399,231	(480,763)	-2.30%
Upper Cape Technical School	3,294,382	3,294,382	0	0.00%
<b>Total Schools</b>	<b>24,174,376</b>	<b>23,693,613</b>	<b>(480,763)</b>	<b>-1.99%</b>
<b>Shared Costs</b>				
Shared Costs-Public Utilities	1,140,000	1,140,000	0	0.00%
Shared Costs	13,077,032	13,060,357	(16,675)	-0.13%
<b>Total Shared Costs</b>	<b>14,217,032</b>	<b>14,200,357</b>	<b>(16,675)</b>	<b>-0.12%</b>
<b>Total Operating Budget</b>	<b>\$54,387,981</b>	<b>\$53,533,758</b>	<b>-\$854,225</b>	<b>-1.57%</b>
<b>Capital Budgets</b>				
Debt Service Budget	3,286,902	3,286,902	0	0.00%
<b>Total General Fund Budget</b>	<b>\$57,674,883</b>	<b>\$56,820,660</b>	<b>-\$854,225</b>	<b>-1.48%</b>
<b>General Articles</b>				
ATM Articles	73,500	73,500	0	0.00%
STM Articles			0	#DIV/0!
Elected Officials	50,074	50,074	0	0.00%
Reserve Fund	200,000	200,000	0	0.00%
<b>Total General Articles</b>	<b>\$223,574</b>	<b>\$223,574</b>	<b>\$0</b>	<b>0.00%</b>
<b>Off-Budget Expenditures</b>				
Cherry Sheet Assessments	3,820,522	3,820,522	0	0.00%
Cherry Sheet Offsets*	402,571	402,571	0	0.00%
Court Judgement		290,000	290,000	#DIV/0!
General Reserve	500,000	500,000	0	0.00%
<b>Total Off Budget Expenses</b>	<b>\$4,723,093</b>	<b>\$5,013,093</b>	<b>\$290,000</b>	<b>6.14%</b>
<b>Grand Total Expenses</b>	<b>\$62,729,550</b>	<b>\$62,165,325</b>	<b>(\$564,225)</b>	<b>-0.90%</b>

GENERAL CAPITAL				
<b>Capital Financing Sources</b>				
Enterprise Receipts for Shared Capital Projects	30,000	30,000	0	0.00%
Article Closeouts			0	#DIV/0!
Wareways Fund for Capital Budget	263,000	263,000	0	0.00%
Free Cash for Capital Articles	369,800	369,800	0	0.00%
STM Borrowing			0	#DIV/0!
ATM Borrowing	1,461,900	1,461,900	0	0.00%
<b>Total Capital Financing Sources</b>	<b>\$2,124,700</b>	<b>\$2,124,700</b>	<b>\$0</b>	<b>0.00%</b>
<b>Capital Expenditures</b>				
STM Articles Capital			0	#DIV/0!
ATM Articles Capital	2,124,700	2,124,700	0	0.00%
<b>Total Capital Expenses</b>	<b>\$2,124,700</b>	<b>\$2,124,700</b>	<b>\$0</b>	<b>0.00%</b>

Linda stated she is working on creating a breakdown by departments.

Don Pickard questioned after Town Meeting votes these articles and they pass, is this just for this year? We know we are experiencing an equally or more difficult FY2017; why would we not look further and try to trim more and do it earlier than January 1<sup>st</sup>.

Tom Guerino stated when we did this and we looked at the scenarios we did a 6-month and a 12-month. There is some notice on some of the contracts, but not 90 day notices. Our explanations to the public was there would be 6-month and 12-month reductions, it doesn't mean the Selectmen can move to do something different.

Peter Meier questioned would it be out of line to go back to the bargaining unit to ask for a wage freeze. That question did come up during the course of the discussions of the override.

Tom Guerino stated he could broach the unions and ask that question.

Stephen Mealy agreed that taking the \$854,225 in reductions and breaking them into line items and how they affect and pass it off to Linda. Mary Jane Mastrangelo stated we need to clarify what the reductions are so people will understand the reductions.

**Voted** Don Pickard moved and seconded by Michael Blanton that the Board of Selectmen recommends to approve Article 5 as amended. Vote 5-0.

Mary Jane Mastrangelo asked the Finance Committee if there is anything they want to see, in terms of discussion or explanation, at Town Meeting that should be included in the Finance Committee's report. Richard Lavoie stated he has been asked about the Fire Department, the Safer Grant, and the layoffs. Mr. Guerino stated that is was stated previously that when we accepted the grant it was with the understanding if the override failed the reality would be to loose 8 safer grant funded fire fighter paramedics plus 4 staff non grand funded paramedics, that had nothing to do with the staffing of the three station. It was very clear this was going to happen should the override not pass.

## **7) Other Business**

Stephen Mealy said there is a question about the Bourne Rule. I don't think the Bourne Rule applies to this meeting. Tom Guerino stated we are at levi capacity and that is one of the questions that will be asked. It is going to be a pay go; if you want something to go to place A you have to take it from place B. Mr. Mealy stated he doesn't think the Bourne Rule applies, because the changes that are being proposed are reductions. Mr. Guerino stated he thinks it needs to be discussed with the moderator on Thursday. Mr. Mealy stated on Thursday there is going to be a pre Town Meeting rehearsal with the moderator and Town Counsel, and a review of all the motions.

Mary Jane Mastrangelo stated review for the Finance Committee; George Slade is handling Article 1, Bill Towne is handling Article 2, Richard Lavoie is handling Article 3, Michelle



Ford is handling Article 4, I am (Mary Jane Masterangelo) handling Article 5. I need your verbal comments by Saturday or Sunday.

Tom Guerino will post a Selectmen meeting for 6:30 the night of Town Meeting.

Mary Jane Mastrangelo will post a Finance Committee Meeting for 6:00.

Peter Meier made a public service announcement. On Monday evening, October 26<sup>th</sup> there will be a Bourne Elementary School vision workshop; which is being offered by the Peebles School Building Committee. It will be from 6-8 p.m. Childcare will be provided. It is the consultants that are working with us want to show us different samples of how dynamic academic progress in school facilities is changing to meet the needs of the 21st century teaching and learning.

### **8) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Board of Selectman Meeting adjourned at 8:55 pm. Vote 5-0.

**Voted** John Redman moved and seconded by Richard Lavoie to adjourn. Finance Committee Meeting adjourned at 8:55 pm. Vote 7-0.

Respectfully submitted - Carole Ellis, secretary.

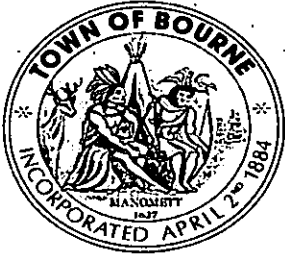
BOARD OF SELECTMEN

Joint Session Board of Selectmen, Moderator, Assistant Moderator, Finance Committee, Town Clerk, Town Counsel, Finance Director, Town Planner, Treasurer

<u>Date</u>	<u>Time</u>	<u>Location</u>
Thursday, October 15, 2015	3:00 p.m.	Bourne Town Hall Lower Meeting Room, 24 Perry Avenue Buzzards Bay

1. Call Meeting to Order
2. Discussion, Review and possible votes for the Special Town Meeting.
3. Other business
4. Adjourn

2015 SEP 29 PM 3 47  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Selectmen Meeting Notice



2015 OCT 15 AM 9 22

### AGENDA

TOWN CLERK'S OFFICE  
BOURNE, MASS

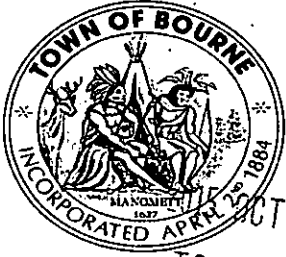
<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday October 19, 2015	6:00 p.m.	Bourne High School Auditorium 75 Waterhouse Road Bourne

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:15 p.m. Call to order in Open Session

1. Call Meeting to Order
2. The Board of Selectmen will meet in open session to participate, discuss, and vote on the Special Town Meeting each session until the conclusion.
3. Designation of Public Safety Official in accordance with Chapter 487 of the Acts of 2014 relative to recess and continue a town meeting.
4. Adjourn



## Board of Selectmen Meeting Notice



OCT 16 AM 8 16  
TOWN CLERK'S OFFICE  
BOURNE, MASS

### AMENDED AGENDA

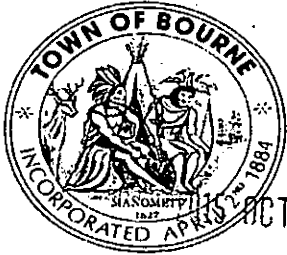
<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday October 19, 2015	6:30 p.m.	Bourne High School Auditorium 75 Waterhouse Road Bourne

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## Board of Selectmen Meeting Notice



ACT 19 AM 9 25  
TOWN CLERK'S OFFICE  
BOURNE, MASS

### AMENDED AGENDA

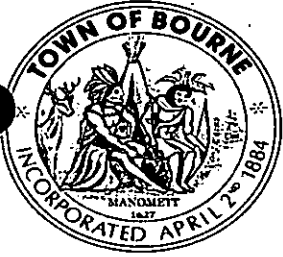
<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday October 19, 2015	6:00 p.m.	Bourne High School Auditorium Stage Area 75 Waterhouse Road Bourne

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.

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3. Designation of Public Safety Official in accordance with Chapter 487 of the Acts of 2014 relative to recess and continue a town meeting.
4. Adjourn



# Board of Selectmen Meeting Notice AGENDA WORKSHOP



## AMENDED

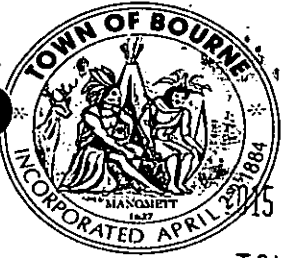
<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 27, 2015	6:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

### 6:30 Selectmen's Business

1. Board to act on a letter regarding the Upper Bay Project, written and managed by the Buzzards Bay Coalition, (wastewater study grant the Selectmen have previously endorsed in the first phase of the application process for Buzzards Bay, Wareham, the MMA and South Plymouth) affirming their participation and support.
2. Licenses and Appointments:
  - a. Hoxie Halloween One Day Liquor (approval formalization)
  - b. MMA One Day Liquor (approval formalization)
3. WORKSHOP
  - a. Session on finalizing Selectmen's goals - facilitated session
  - b. Initial discussion to discuss protocols for FY17 Board of Selectmen's community priorities
4. ADJOURN

2015 OCT 23 PM 2 50  
TOWN CLERK'S OFFICE  
BOURNE, MASS



**Board of Selectmen  
Meeting Notice  
AGENDA  
WORKSHOP**



TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Tuesday  
October 27, 2015

Time

6:30 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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

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Board of Selectmen  
Minutes of Tuesday, October 27, 2015 16 PM 4 15  
Bourne Community Building  
Bourne, MA 02532  
TOWN CLERK'S OFFICE  
BOURNE, MASS

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TA Tom Guerino

**Selectmen**

Stephen Mealy, Chairman

Don Pickard, Vice-Chairman

Michael Blanton, Clerk arrived at 6:37

Don Ellis

Peter Meier

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 6:30 pm.

**1) Board to act on a letter regarding the Upper Bay Project, written and managed by the Buzzards Bay Coalition, (wastewater study grant the Selectmen have previously endorsed in the first phase of the application process for Buzzards Bay, Wareham, the MMA and South Plymouth) affirming their participation and support.**

Wes Ewell spoke about the Buzzards Bay Coalition grant and what towns are putting in cash contributions and what the Town of Bourne's contribution is going to be.

**Voted** Peter Meier moved and seconded by Don Pickard to sign the letter of support.  
Vote 5-0.

**2) Licenses and Appointments:**

**a. Hoxie Halloween One Day Liquor (approval formalization)**

**b. MMA One Day Liquor (approval formalization)**

2 a. Don Pickard went over the one-day liquor license requested for the Hoxie Center's Hoxie Halloween & Harvest Festival (fundraiser) for Saturday, October 24, 2015. The Board of Health wanted to make sure all the food trucks are licensed. The Police Department stated all liquor laws must be complied with.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the one-day liquor license. Vote 5-0.



2 b. Don Pickard went over the All Alcoholic One Day Liquor License for the Mathais Memorial on October 25, 2015. Service/Reception

**Voted** Don Pickard moved and seconded by Don Ellis to approve the one-day liquor license. Vote 5-0.

**3) WORKSHOP**

- a. **Session on finalizing Selectmen's goals - facilitated session**
- b. **Initial discussion to discuss protocols for FY17 Board of Selectmen's community priorities**

**3b.** Stephen Mealy went over the Suggested Approach for the FY17 Budget Review; Establishing goals; Establishing Sub Committees; and the Town of Bourne Budget and Town Meeting Calendar. He also asked the committee members to look over the Handbook for Massachusetts Selectmen Chapter 5 Financial Management.

**Suggested Approach for FY17 Budget Review for Board of Selectmen**

Stephen F. Mealy

Revision: October 27, 2015

1. Budget reviews to take place by Board of Selectmen (BOS) without joint meetings with Finance Committee (FinCom) and School Committee to allow all Boards independent review and comment.
2. Several joint meetings to be scheduled including both the Board of Selectmen and the FinCom to:
  - Establish Goals and Priorities
  - Review Progress
  - BOS presentation of Budget to FinCom on/before February 1
3. On BOS, establish sub committees of one or two Selectmen to address specific portions of the budget (example/draft list):
  - General Government
  - Public Safety
  - Planning, Economic Development
  - Public Works
  - Health and Human Services
  - Schools
  - Other
4. Review and establishment of Financial Calendar, reference current June 08, 2015  
Revision

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

**Revision June 08, 2015**

Key:

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

*Italics – FPWG Recommended addition to Timeline*

**July 15** – End of Year Billing reviewed by BOS and FinCom

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

**August/September** – Auditors review

**July thru September** – Town's Books are closed

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

**September/October** - Free Cash is certified

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

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

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

**Early November** – Selectmen hold **Initial Budget workshop**

Finance Director – reports on Prior FY close out

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

**Early November** – Department Head initial budget meeting

**Late November** – Budget requests due to Town Administrator from departments

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

Capital Requests and Personnel Requests due to Town Administrator

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

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

**December 31** – Tax Bills Mailed

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

**January 15** –“Town Administrator shall submit to Board of Selectmen a proposed operating budget and a capital program and capital budget for all town departments, including the school department, for the ensuing fiscal year. The proposed budget shall be accompanied by a budget message and supporting documents” (Charter 7-1)

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

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

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

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

*1<sup>st</sup> Wednesday in March* – *School Committee Budget Public Hearing*

*1<sup>st</sup> Wednesday in April* – *School Committee votes School Budget and forwards approved budget to BOS*

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

**21 days before town meeting (April 13, 2015)** – Finance Committee Report available to voters (Charter Section 7-4)

*April 15* – *Voter Handbook to Printer*

**15 days prior to the Annual Town Meeting (April 19, 2015)** – “Voter Handbook shall be available to the public not less than 15 days prior to the Annual Town Meeting” The Voter Handbook shall contain the text of the warrant and the recommendations and counted votes of the Finance Committee, Board of Selectmen, and any other appointed or elected board or committee proposing an article. It shall also include the recommended operating budget with revenue projections, the departmental goals for the upcoming fiscal year and five year financial, debt and capital projections. (Charter Section 2-5c)

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

**First Monday in May (May 4, 2015)** – **Annual Town Meeting**

**Third Tuesday in May- Annual Town Election**

**First Tuesday following Annual Town Election**

Board of Selectmen Re-organize

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

**June 30 – End of Fiscal Year**

Mr. Mealy would like the Committee Members to take a look at the Annual Statement of Policies and Commitments and to make comments.

**Town of Bourne  
FY17**

**Annual Statement of Policies and Commitments  
DRAFT V 20151027**

A general or targeted override will / will not be sought in FY16.

**BUDGET**

Balanced Budget: The Town defines a balanced budget as a budget in which receipts are greater than or equal to operating expenditures and does not use resources for operating purposes in excess of available resources. *For FY16 the Town operating expenses exceed revenues by \_\_\_ and The Town has used \$\_\_\_ of Free Cash to Balance the budget.*

Revenues: *FY16 Projected Revenue for Operating Budgets is \_\_\_ which is a \_\_\_ % increase over FY15.*

General Fund Operating Budget (GFOB) is defined as the operating budget not including Enterprise Funds, Capital or Debt Service. *The proposed GFOB for FY16 is \$\_\_\_ which is a \_\_\_ % increase over FY15.*

Town and School operating budget increases will be capped at 3.0%. *For FY16 this commitment has (or has not) been met.*

UCT – The Town will budget a \_\_\_% increase in UCT. Increases over that amount will be paid for by \_\_\_\_\_. *The proposed current year UCT budget is \_\_\_ which is a \_\_\_ % increase over last year.*

Health care cost increases will be programmed at 7%. Should actual increases exceed this amount, the Town and School budget totals shall be proportionately decreased by the excess amount. Should actual increases be less than this amount as a result of negotiated

health care savings the extra savings will be deposited into the OPEB Trust Fund. For FY16 the Health care cost increases are \_\_\_%.

**FINANCIAL GUIDELINES/COMMITMENTS:**

- A. Free Cash: To maintain a Free Cash balance at all times of at least 3% of the General Fund Operating Account. This shall be known as the minimum Free Cash Balance. The Certified Free Cash Balance at the end of each year will be maintained at 5% the General Fund Operating Budget. *Free Cash was certified as of 6/30/14 as \$\_\_\_\_\_ which is \_\_\_% of the FY15 GFOB. Currently Free Cash is \$\_\_\_ and equals \_\_\_ of the proposed FY16 GFOB.*
- B. Stabilization Fund: To maintain a Stabilization Fund balance of at least 5% of the General Fund Operating Budget. *Stabilization Fund is currently \$\_\_\_ and equals \_\_\_ of the GFOB. \$\_\_\_ will be transferred to the Capital Stabilization Fund.*
- C. Employer Health Insurance Trust Fund: It shall be the policy of the Town of Bourne to hold a reserve in the Health and Dental dedicated fund an amount to be less than four (4) months of average costs of Health and Dental assessments including all administrative fees. Additionally, at no time shall the fund hold less than one million six hundred thousand dollars (\$1,600,000) in reserves at the close of any fiscal year. The Town Administrator shall report the status of the Trust Fund to the Board of Selectman in February of each year and make the necessary adjustments in conjunction with the Town Finance Director. Should an appropriation be necessary, the Town Administrator shall bring forth an article for a Special or Annual Town Meeting for approval by the Board of Selectmen. *Employer Health Insurance Trust Fund is currently \$\_\_\_ and equals \_\_\_ months of average costs of Health and Dental assessments including all administrative fees.*
- D. Overlay Reserve: To establish an annual Overlay Reserve for abatements and exemptions at an appropriate level based on an analysis of historical data and specific circumstances such as a property revaluation project. The Board of Assessors will recommend annually in December the amount required to be kept in the Overlay Reserve for next Fiscal Year. *The Overlay Reserve is currently \_\_\_\_\_ and The Board of Assessors recommends an Overlay Reserve of \$\_\_\_ for FY16. The surplus will be.... Or \$\_\_\_ will be appropriated to the Overlay Reserve.*
- E. Reserve Fund: To budget an annual Reserve Fund under the authority of the Finance Committee for unexpected and unforeseen budget needs of at least 0.5% of the General Fund Operating Budget. *The FY16 Budget will fund the Reserve Fund at \$\_\_\_ which is \_\_\_% of the GFOB.*
- F. Capital Stabilization Fund: To maintain a Capital Stabilization fund up to 5% of the General Fund Operating Budget. Once the Stabilization Fund reaches 5% of the General Fund Operating Budget funds should be accumulated into the Capital Stabilization Fund for large capital items and to support the annual capital plan. *Capital Stabilization Fund is currently \$\_\_\_\_\_ and equals \_\_\_ of the GFOB.*

- G. ISWM Stabilization Fund: Funds set aside to cushion the impact of the Operating Budget after the landfill closes. *ISWM Stabilization Fund is currently \$\_\_\_\_\_.*
- H. OPEB Trust Fund: The Town shall establish an OPEB Trust Fund to accumulate funds for Other than Pension Post-employment benefits. The long term goal for the Trust Fund is to fully fund the OPEB Liability. *The OPEB Trust Fund currently has \$\_\_\_\_\_. The total 30 year OPEB Liability is \$\_\_\_\_\_ as of \_\_\_(date).*

**CAPITAL PLANNING AND DEBT SERVICE GUIDELINES**

- A. Capital Budget: The annual Capital Budget for Town and Schools includes direct cash expenditures, interest and principal of new bonds and debt service on prior bonded expenditures and will be maintained at 3% - 5% of the general fund operating budget. *The recommended FY 16 Capital Budget is \$\_\_\_\_\_ which is \_\_\_\_\_% of GFOB.*
- B. Net Debt Service Guidelines: The Town will budget 2% - 5% of the general fund annual operating budget (excluding debt service) on debt service for capital maintenance and equipment costs. Net Debt Service does not include the debt for Community Preservation, Enterprise funds, debt exclusions and self-supported debt. *The FY16 net Debt Service is \$\_\_\_\_\_ which is \_\_\_\_\_% of GFOB.*

**USE OF RESERVES:** To the maximum extent possible, the Town shall only appropriate reserves as follows:

**Free Cash:** The Town may appropriate up to 50% of the prior year's certified Free Cash Balance that is over the 3% minimum Free Cash Balance as an operating revenue with a majority vote of Town Meeting. *Free Cash available for appropriation for the FY16 Budget and Articles is \$\_\_\_\_\_ and \$\_\_\_\_\_ Free Cash is proposed to be used for FY16.*

Free Cash, Stabilization Fund and Overlay Surplus funds in excess of reserve policies established for each may be used for one-time, non-recurring expenses such as capital projects and equipment and to fund the OPEB Trust Fund. *Funds proposed to be used in FY16 are \_\_\_\_\_*

Capital Stabilization Fund will be used to support the annual capital budget and to fund large capital expenditures. *Funds proposed to be used in FY 16 are \_\_\_\_\_*

It is understood that at times, reserves may have to be used to support the operating budget due to state aid reductions or other revenue and/or expenditure challenges. Any time that the use of reserves is necessary in a fiscal year to maintain an adequate level of essential services and the reserve fund balances fall below established guidelines, the Town should strategically plan on reducing and then eliminating the use of such reserves in the coming fiscal years and should develop a plan to bring reserves to recommended guideline levels within two fiscal years. *For FY16 all reserves maintained according to policy guidelines.*

FINANCIAL PLANNING AND MONITORING

Multi-year Financial Forecasting: Establish and maintain a long-term financial model projecting revenues and expenses for the next five years. *A long term financial projection has been completed for FY16 that shows the budget to be balanced for the next \_\_\_ years at which time the Town will have a deficit if additional revenues are not raised or operating expenses are not reduced.*

Revolving Funds:

Waterways Fund:

PENSION LIABILITIES: The Town will fund pension liabilities on a pay as you go basis and will annually fund the recommended payment to the County Pension Fund. *FY16 Pension Liabilities are \$\_\_\_ which is the amount recommended by \_\_\_*

OPEB (OTHER THAN PENSION POST EMPLOYMENT BENEFITS) LIABILITIES: The Town will fund OPEB Liabilities on a pay as you go basis until the OPEB Liability is Fully Funded and will endeavor to fund at least 10% of the Normal Cost Annual Required Contribution (ARC) each year for the future OPEB Liabilities for current Active employees. *FY16 \_\_\_ OPEB Current Expenses are \_\_\_ for Retired Teachers funded as a Cherry Sheet Offset and \_\_\_ for Town Retirees funded as part of the Group Insurance Shared Cost. The recommended Normal Cost ARC for the Future Liabilities for current active employees is \$\_\_\_. The Town is putting \$\_\_\_ in the OPEB Trust Fund for this future liability which is \_\_\_% of the recommended the Normal Cost ARC.*

COMPENSATION AND BENEFIT GUIDELINES

Compensation and benefits including increases will be funded with current revenues. Compensation of employees should be based on both "market" and "performance." *Proposed FY16 Compensation and Benefits increases total \$\_\_\_\_\_ which is a \_\_\_% increase and is (equal to, greater than, or exceeds) the current year revenue increase of \_\_\_%.*

REVENUE ENHANCEMENT

- A. Property Valuation
- B. Receivables
- C. Foreclosure Properties
- D. Non-tax Revenue
- E. New Growth

***Handbook for Massachusetts Selectmen***  
***Chapter 5***  
***Financial Management***

Sound decision-making by selectmen requires an understanding of the major components of the town's financial management. The town's finances may limit or frame the ability of a board of selectmen to achieve its objectives. To be an active participant in financial policy-making, and to be effective in maintaining a sound financial position for the town, each selectman should have a basic understanding of the following areas:

- Organization of local financial functions and responsibilities
- Budgeting
- Sources of revenue
- Assessment administration
- Proposition 2½
- User fees
- School finance
- Capital budgeting and capital planning
- Debt
- Accounting and financial reporting
- Cash management

Coordinating the activities of the various elected and appointed boards and officers involved in municipal finance is a significant challenge for selectmen in most towns.

### **Finance Roles and Responsibilities**

#### ***Board of Selectmen***

The board of selectmen serves as the chief executive officer of the town, and so should play a major role in formulating financial policy. The board should participate directly in the town's financial planning and budget process, provide leadership in the development of the capital improvement plan, and provide oversight and monitoring of the town's financial performance.

Professional staff, typically appointed by the board, oversee the town's day-to-day operations and finances. These appointees may include an executive secretary, town administrator or town manager, a finance director, a town accountant, and in some instances the town treasurer.

The selectmen should:

- Participate in the budget process by developing budget guidelines, reviewing budgets and evaluating proposals for the expenditure of funds
- Participate in broad policy development on issues that will have a major impact on town finances (e.g., a major expenditure such as a new school, authorization of debt, use of the stabilization fund)
- Ensure the development of a capital improvement program
- Monitor financial performance

The selectmen also have certain statutory authority for financial matters, including:

- Signing bonds or notes when the town issues debt



- Signing the warrants for payment of bills
- Classifying property by use, for taxation purposes
- Setting water and sewer rates and other fees, unless this authority is assigned by bylaw to another board or official
- Placing a Proposition 2½ override or debt exclusion vote on the ballot

Certain substantive areas of municipal finance are often the responsibility of other town boards or officials, but selectmen should acquaint themselves with these areas in order to carry out their own responsibilities in making and coordinating financial policy and preserving a strong financial position for the town.

### **Municipal Budgeting**

A budget is a plan, expressed in monetary terms, covering a specific period of time. A governmental budget consists of three elements:

- An estimate of revenue: Towns have various revenue-raising powers, most granted by state statute and others established by local bylaw or by vote of town meeting, the selectmen or the school committee.

### **The Budget Process**

An effective budget process begins with a clear understanding of who will be responsible for the following essential budget activities:

1. Issuing budget guidelines
2. Preparing budget requests
3. Assembling requests into a comprehensive budget for review
4. Reviewing, analyzing and recommending a budget to town meeting

Statutory responsibilities, town bylaws, the town's organizational structure and established practice dictate, or at least influence, who is responsible for each of these activities. In general, the executive branch of town government (either the selectmen directly or through the board's professional staff) should be responsible for the first three budget development activities. The finance committee should focus on the fourth. Towns with professional administrators generally give responsibility for budget development to the individual holding that position. In towns without a coordinating professional manager, the budget-making responsibility should still belong to the executive branch of government: the board of selectmen. The school superintendent and school committee retain responsibility for developing the public school system budget. In some communities, the selectmen are responsible for presenting a comprehensive, balanced budget to town meeting.

Many home rule charters and special act charters contain detailed procedures for the preparation and presentation of the operating budget and the capital improvement plan. Several recently adopted home rule charters include specific provisions for the board of selectmen, school committee, town manager and school superintendent to meet prior to the budget preparation process. These parties should agree on guidelines relating to expected available revenues that will be used during the budget preparation process.

### *Practical Steps*

The practical steps in this budget-making process mirror the development and publication of the following materials:

- The budget calendar, setting forth responsibilities and due dates, providing for adequate review periods, and allowing for advance notice to the public regarding hearings prior to the town meeting
- Preliminary projections of revenue estimates and non-operating expenses that the town must provide for (Cherry Sheet and overlay assessments) {Early presentation of these projections allows all interested parties (e.g., selectmen, the school committee, the general public) an opportunity to review and ask questions. In some towns, the selectmen and finance committee meet at the beginning of the budget process to reach agreement on revenue estimates that form the basis for the financial plan upon which the expenditure budget is based.}
- Budget guidelines, establishing overall parameters for consolidated town and school budgets and a framework for budget development for department heads and other officials [These guidelines can include a statement of the practices to be followed in developing the budget.]
- Budget instructions, describing how to use the standardized forms and procedures for the preparation of the budget requests
- Budget presentation format, indicating the form and content of the budget document [Will it compare prior years' actual expenditures and the current year's budget? What supplemental data will be included? What special challenges or issues will the document address?]
- Comprehensive budget document, incorporating operating and capital budgets from all town bodies, as well as non-departmental and other budget requests
- Schedule for review and public hearings allowing for public comment, questions, and justification of budget requests

Once these materials are completed, the budget is submitted to the finance committee for review. The finance committee then prepares its recommendations for town meeting.

### *Budget Calendar*

The budget process normally occurs from November to May. In a typical town, budget guidelines, worksheets and instructions are distributed to departments in the fall. Over the winter months, these requests are reviewed by the town administrator and selectmen, by the superintendent and the school committee, and by the finance committee. At some point in late winter or spring, these reviews culminate in the development of recommendations to town meeting. In towns with a professional administrator, it is typical to present a consolidated budget recommendation for consideration by the board of selectmen and the finance committee.

### **Budget Formats**

The Commonwealth does not prescribe a mandatory budget format for towns. Therefore, no two town budget documents are alike. The Department of Revenue's Division of Local

Services has determined, however, that towns may rely for guidance upon Section 32 of Chapter 44 of the General Laws, which sets forth the budget format for cities.

### *Line-Item Budgets*

A line-item budget presentation for each department will likely focus all attention on expenditures, not the results of expenditures. Monitoring expenses and appropriations at the line-item level will require extensive and time-consuming vigilance to limit spending to each specific appropriation. Since every budget is a set of initial estimates, and because circumstances change during the year, reserve fund transfers and supplemental appropriations may be necessary to respond to mid-course corrections.

### *Purposes of the Budget*

The language of budgets is dollars and cents, but a town's budget should communicate more than the relationship of revenues and expenses for a given fiscal year. The Government Finance Officers Association's Distinguished Budget Presentation Award recognizes government entities whose budgets serve four essential purposes. The guidelines require that the budget document be:

1. A policy document: identifying the town's programs, goals, policies and procedures
2. A financial plan: presenting the town's current financial condition, comparing all revenues and expenditures for the prior year, current year, and coming year, stating economic assumptions, and projecting the town's financial condition at the end of the budget period
3. An operations guide: describing municipal services and operations, such as police and fire protection, education, maintenance of streets, parks, water and sewer systems, and identifying measures of activity, effectiveness and efficiency for individual programs or departments
4. A communications device: articulating a community's challenges and priorities for the coming year and summarizing for taxpayers and other interested individuals and organizations how the town's programs, services and finances will meet the challenges and accomplish the goals

### **3a. Goals:**

Tom Guerino started the discussion on goals. The 4 major goals are Fiscal; Environmental; Economic & Community Development; Organizational Management.

### **Organizational Development**

#### **a. Efficiencies**

- Combine maintenance for the town and schools where appropriate - Discuss with Superintendent and School Committee
- Steps & Protocol
- Collective Bargaining

#### **b. Organizational Chart**

- Bulk Corporate Purchasing – Purchasing person/software
- Central Mailing – Town wide / except schools
- Vehicle maintenance/replacement
- Non-emergency vehicles – lease plan

Stephen Mealy asked to look at how many vehicles the town has now

Policy on number of vehicles for the town; number of vehicles for the Police Department; number of vehicles for the Fire Department.

Mary Jane Mastrangelo getting software for the inventory for vehicles instead of having to use three different systems.

- Innovation for municipal software
- Software – Fleet Management
- Regionalization – How can regionalization benefit Bourne
- Equipment & Services

c. Organizational Needs

- One Stop Shopping

d. Economic Development

1. Waste Water Treatment – BB \$\$

Waste Water Advisory Committee - needs capacity cost

2. Reevaluate the Scope

3. Review & Expand Developable land – inventory of buildable land

- Growth Incentive Zone
- New area or expand current

4. Enforce Blight By-law

- New or adjustment / Enforce

5. Study - How to prospect for new development

- Workshop
- Mass Office Business Development
- Successful / germane – communities
- Chamber of Commerce
- BFDC
- Buxton

6. Grow Locally

7. Community Forums

Mary Jane Mastrangelo suggested to also have another way for the town's residents to ask questions/suggestions/give ideas online.

Stephen Mealy wanted the committee members to narrow their priorities down to 3 topics.

Peter Meier brought up the commercial haulers that take up space in the parking lots of the beaches, then residents of Bourne can't park. Stephen Mealy suggested maybe charging a fee for a special sticker for commercial haulers.

The next Bourne Selectmen meeting will be on Tuesday, November 10<sup>th</sup> at 7:00 P.M.

Michael Blanton suggested maybe having a communication goal. That way it can be communicated with the schools so the schools won't schedule kids events on dated the Town will have Town meetings so parents can attend the meeting and not have to worry about missing a child's event.

Don Pickard brought up the numbers for a quorum at special town meetings.

Jim Mulvey spoke about to gage public thoughts on public forums, have a web system set up so people could voice their opinions. Mr. Mulvey also spoke about the finances, budget issues and salaries and explain to the public how/why the salaries are the amounts they are. Explain to the public what comes in under expenses.

George suggested finding a way to use social media to reach goals and get information to the public. There was a lot of incorrect information by word of mouth from the public.

Tom Guerino stated having volunteers managing the municipal on line content is a mistake. No matter how well their intention is. The message has to be from the elected leaders.

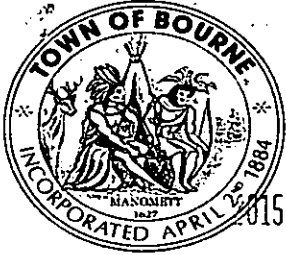
Neil suggested developing some reports on what is happening to 2 ½ down the years on 4-5 of the major budget items and where they are in relation to 2 ½ now vs. then and why. Mr. Guerino stated you can do that in some areas. Neil suggested taking the 4-5 largest items and put them in a spreadsheet and that would provide the Selectmen, the Finance Committee, and the public with a tool to look at the analysis, and where they have varied significantly from 2 ½.

Jim Mulvey suggested being in touch with the public daily. You have to know these problems are out there and the sooner you get on them the better. We should have been better prepared to handle those at Town Meeting and not be blindsided.

## **10) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 8:24 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



Date TOWN CLERK'S OFFICE  
Tuesday BOURNE, MASS 6:00 P.M.  
November 10, 2105

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

6:00 p.m. Call to order in Open Session

1. Executive Session. To conduct strategy session with respect to litigation and collective bargaining as an open meeting may have a detrimental effect on the litigation position of the public body. The Chairman declares that such open discussion will have a detrimental effect to the litigating position of the public body.

Roll call Vote to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7 P.M.

Roll call Vote to reconvene in open session.

Approximately 7:00 P.M. returning to Open Session

2. Moment of Silence for our Troops and our Public Safety Personnel
3. Salute to our Flag
4. Public Comment on Non-Agenda Items
5. Minutes from Meeting: September 15, 2015
6. Correspondence
7. 7:15 – Donna Barakauskas – Principal Assessor - Classification
8. Selectmen's Business
  - a. Discussion and vote on Executive Session regarding Fire Department Dispatch and the Safer Grant
  - b. FY 17 Budget – BOS departmental liaisons with the Town Administrator and continue general FY 17 budget discussion from October 27, 2015.
9. Town Administrator's Report
  - a. Review and first reading of proposed Electronic Communications Policy
  - b. Notice of incentive program
  - c. Proposed organizational structure
  - d. Board and Committee Information request policy
  - e. Wastewater engineering design funding - Mitigation funding available
  - f. Update on Beach Sticker agreement with Sandwich
10. Selectmen Reports
11. Other business that may legally come before the Board
12. Adjourn

Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart
- F. October 27, 2015 Selectmen's Goals Workshop
- G. Other

**Board of Selectmen**  
**Minutes of Tuesday, November 10, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

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TA Tom Guerino

2016 JAN 10 PM 11 38

**Selectmen**

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

TOWN CLERK'S OFFICE  
BOURNE, MASS

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting back into open session at 7:30 pm.

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

**Public Comment – Non-Agenda Items**

Jenn Donnavan from Monument Beach. Ms. Donnavan stated she had written to the Board of Selectmen to express her disappointment in the inequity way that we fund the Upper Cape Tech. How can it change, does it have to be at a Town Meeting, does it have to be an article. I know the five towns have to get together and have heard that the five towns pay different rates to send their students there, and that the town of Bourne pays the highest rate base on the proximity. I want to know where to go from here to get that changed. Looking at the inequity it feels harsh and it seem like they are just giving us a bill and we just have to pay it. It seems unfair.

Stephen Mealy will contacted the superintendent of the Upper Cape Tech and will try to arrange a meeting for the three of us to meet so he can answer all of your questions.

Mr. Ellis wanted to make a point of personal interest. After the chaotic last few months with the budget it seem we have slipped back on the course with the town from going forward. I wanted to reaffirm my support of Stephen Mealy as our Chairman and the Finance Director of the town is Linda Marzelli, not someone from the Finance Committee. At the pre meeting in the Bourne High School Library between the Selectmen and the Finance Commission, I have never witnessed a complete disrespect, an interruption of the Chairman of the Board of Selectmen when he tried to address the Selectmen's budget before the members of the assembled committees. The Chairman of the Finance Committee couldn't even get a majority vote to adopt an indefinite postponement with the article in question. Town



Meeting passed the articles to support the Selectmen and the balance of the Finance Committee on this question. Mr. Mealy showed the right Stuff in his leadership and I am extremely proud of him for that. I did not vote for Mr. Mealy to be our new Chairman, but I can assure you that if the opportunity to vote for him in the future arises I will, because he is the best we have got.

### 5) Minutes:

Don Pickard noted that Mr. Meier was excused.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the minutes from September 15, 2015 as presented. Peter Meier abstained. Vote 4-1-0.

### 6) Correspondence

Michael Blanton brought the committee up to date on the correspondence.

- A. Letter from the Haven Center, Inc. regarding the RMD
- B. Meeting notices of Zoning Board of Appeals
- C. Correspondence from MEMA and FEMA to clarify Snow Assistance Policy
- D. Formal Notification from the Town Clerk on Bourne being part of the MBTA
- E. Notice of upcoming Risk Mapping, Assessment, and Planning Discovery Meeting
- F. Abutter Notification Letter for 6 Salt Works Lane, Buzzards Bay
- G. Open Meeting Law Complaint – Ronald Beaty – 7.16.15
- H. Quarterly Report for the Regulatory Services Department
- I. Permanent Resolution Statement Report on the release of Diesel Fuel at Market Basket
- J. Notice of Intent to Renegotiate Contracts from DPW, ISWM, Units A&B received
- K. Notice – Selectmen's Task Force on Local Pollution and Phase II Stormwater Management Community Oversight Group Meeting on November 9, 2015
- L. Notification of Conditionally Approved Open to Shellfishing in Squeteague Harbor from October 1-June 30

Stephen Mealy stated on the open meeting law complaint by Mr. Beaty, this was because we failed to note that the board would be coming back into open session following executive session.

Mr. Mealy also stated we did receive a letter from the Board of Health from October 30, 2015, Suggesting the Board of Selectmen void the License granted to Future Generation Wind/Con Edison allowing the transport of large trucks/loads over specific roads within the Town of Bourne.

Mr. Mealy also stated on Wednesday November 4, the Board of Selectmen Chairman and Vice Chairman, the Chairman and Vice Chairman of the Board of Health met with Town Counsel and the Town Administrator to discuss concerns related to the Future Wind Generation project. The outcome of the discussion was an outline of options that may be available to the Board of Health to discuss with the full Board regarding any future actions

it is my wish to pursue related to the wind turbine project. The Board of Selectmen were advised to take no action on the previously granted License for heavy truck/load transport.

Peter Meier stated we also go a letter from Mary Jane Mastrangelo about the Safer Grant over the weekend.

Michael Blanton stated we also go a letter from Future Wind Generation Transportation Company saying they have completed the transportation.

**7) 7:15 - Donna Barakauskas - Principal Assessor - Classification**

Seth Woolard, Assistant Assessor, standing in for Donna Barakauskas. Seth Woolard stated Donna wanted me to bring to the board the Property Classification Recommendation for fiscal year 2016. The Board of Assessors recommends that the Board of Selectmen retain one tax rate for all classes of property for fiscal year 2016. 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. The proposed tax rate is \$10.17 per thousand.

Don Pickard questioned at what point does it become a better option to say no to the 150 Split saving the taxpayer \$0.72 per thousand. We would need how much more of an industrial or commercial tax base. Mr. Woolard stated in general it is usually 20-25% of your commercial tax base. We are at about 9-11%. Don Pickard questioned if there is a detriment to economic development and having people come to town if you did have the 125 or 150 split? Mr. Woolard responded stating it is definitely a detriment, it hinders businesses and they will look at other communities with lower tax rates or single rate.

**Voted** Don Pickard moved and seconded by Peter Meier to accept the recommendation of the Director of Assessor and to maintain a single property classification rate for fiscal year 2016.

Michael Blanton stated he hopes that can be revisited depending upon what we see for commercial growth over the next few years.

Vote 5-0

**8) Selectmen's Business -**

- a. **Discussion and vote on Executive Session regarding Fire Department Dispatch and the Safer Grant**
- b. **FY 17 Budget - BOS departmental liaisons with the Town Administrator and continue general FY 17 budget discussion from October 27, 2015.**

a. Stephen Mealy gave a brief overview of the discussion of the Town taking on the Dispatch. Don Pickard briefly went over the cuts for the Fire Department; regarding the Fire Department becoming a certified emergency medical dispatch resource, beyond the

regular training there are other items we don't know the cost of, it could exceed what we have. In the Executive Session discussions it was determined that it is not prudent at this time for the Board of Selectmen to go forward with having the Fire Department personnel to assume dispatch. However, there is support from the Board to maintain the grant through its duration, and utilize the ambulance fees for that purpose through December 31, 2016. Hopefully within that time between the Town Administrator, the Police Chief, and the Fire Chief they come to some sort of resolution to afford the town the opportunity to come forward with a civilian dispatch operation.

Tom Guerino stated he thinks we will be in a much better position in the long term, taking nothing away from the fire fighter paramedics who sat and worked with us on this, to look at a long-term civilian dispatch solution. It is important that we keep the grant personal in place for the duration. Given there is an opportunity to utilize existing funds without cutting other budgets, to keep the Sheriff's Department on line for another 12 months, and using dedicated funds. Would like to move forward with us being able to move toward a civilian dispatch a year from January.

Don Pickard stated his concerns are financially driven. It is an assessment that in the event that at some time during the Safer Grant we have to lay off firemen; what will happen is the Board will recognize there is a \$56,000 per month fee to be reimbursed to the Federal Government for every month back to August 2015. My concern is for the other departments. I don't want to come back and say instead of laying off the firemen we will take money from other departments just to save 8 grant funded firemen, non of whom reside in Bourne.

Peter Meier stated he would like to take a step back and not rush into anything. His goal is to keep the Safer Grant in in its entirety.

Michael Blanton stated he would like to see the Safer Grant maintained. The particular proposal given to us by the local 1717 was challenging to stand behind. It seems there are opportunities to take moneys from the ambulance fund, there are other allocations to be made that can maintain level services while we study this longer and try to find the best possible solution and try to keep as many fire fighters employed as possible.

Don Ellis stated he will vote positive for this because the Chief runs the department, not the other way around. For the betterment of the Town I believe we should vote this in.

Don Pickard stated I believe the Fire Chief that when he said weather he had 32 people or 44 people he will provide the highest level of service possible.

**Voted** Don Pickard moved and seconded by Peter Meier that the Board of Selectmen not accept the provisions of local 1717 assuming the emergency medical dispatch role for the Town of Bourne and further reaffirm that the grant funded firemen will remain in place through August 2017 and said funding for the dispatch will be taken out of the ambulance fees as generated by the fire department and that subject to appropriations.

Dave Dority from Monument Beach questioned what Safer Grant are we operating on now? Mr. Guerino stated we are operating on the second grant. This grant will expire in August or early September 2017. Mr. Dority stated we are operating under Grant 2014, the name of the Federal Governments Safer Grant. Tom Guerino stated you are correct in the title. Don Pickard read the period of performance shall be 28 December 12 to 28 December 14, but because there was delays in hiring and getting the staff in place, it got kicked out about 8 months until August. Mr. Dority stated the 8 firefighters hired under 2014 technically would have to have been laid off to be hired and notices would have been sent in the application. Mr. Pickard stated the majority of the firemen who were in the initial grant were already placed on the active duty roster not covered by the grant. Because of the requirements of the grant the Fire Department had to solicit other names and they continually back fill those empty slots. Mr. Dority stated that the article in the paper said that Special Sheriff Jeff Perry said it is \$125,298 and that expanded capacity and increase membership would result in much greater financial efficiency and less cost in the individual towns. Mr. Pickard stated the total cost to the town for the fire dispatch to be handled by the Barnstable County Sheriff Department is \$125,298. That is for Fiscal Year July 1, 2015 through June 30, 2016. That amount would be lower if the town gave the sheriff their Public Safety Answering Point. The Public Safety Answering Point in Bourne is handled by Chief Woodside of the Police Department. We as a town are not ready to give that up based on his recommendation, the reason is we'd lose money.

**Estimated Total Fees by Town - Combined Dispatch and CMED\***  
**Based on a % Reduction in Budget Deficiency**  
**Current Customers and Bourne**

Town or Fire District	2010 US Census Population	FY17 Estimated Fee	FY18 Estimated Fee	FY19 Estimated Fee	FY20 Estimated Fee
Barnstable Fire District	2,412	\$18,369.14	\$28,770.29	\$40,047.32	\$52,251.28
Bourne*	19,754	\$150,441.09	\$235,625.31	\$327,982.89	\$427,931.93
Brewster	9,820	\$74,786.45	\$117,132.76	\$163,045.05	\$212,731.17
Dennis*	14,207	\$108,196.65	\$169,460.81	\$235,884.02	\$307,766.98
Harwich	12,243	\$93,239.36	\$146,034.26	\$203,275.01	\$265,220.74
Mashpee	14,006	\$106,665.89	\$167,063.28	\$232,546.74	\$303,412.70
Orleans	5,890	\$44,856.64	\$70,255.80	\$97,793.83	\$127,595.38
Wellfleet	2,750	\$20,943.25	\$32,801.94	\$45,659.26	\$59,573.39
West Barnstable Fire District	3,278	\$24,964.36	\$39,099.92	\$54,425.83	\$71,011.48
<b>TOTAL</b>	<b>84,360</b>	<b>\$642,462.82</b>	<b>\$1,006,244.36</b>	<b>\$1,400,659.95</b>	<b>\$1,827,495.06</b>

\*Does not include the the "Emergency Medical Dispatch Fee" for Bourne and Dennis which is posted as revenue. See next chart for Bourne and Dennis totals.

Town	FY17 EMD Fee 40%	FY18 EMD Fee 60%	FY19 EMD Fee 80%	FY20 EMD Fee 100%
Bourne	\$24,755.20	\$37,132.80	\$49,510.40	\$61,888.00
Dennis	\$22,351.20	\$33,526.80	\$44,702.40	\$55,878.00
<b>Total</b>	<b>\$47,106.40</b>	<b>\$70,659.60</b>	<b>\$94,212.80</b>	<b>\$117,766.00</b>

The form I was given tonight, by the Fire Chief, by FY2020 it might cost us close to \$428,000 for the Barnstable County Sheriff Department to handle our emergency medical dispatch, just our emergency medical. Based on the Fire Chief and the Police Chief's recommendation I believe it will be kept in-house, be able to stay with the Sheriff as stated in the motion for a period of one calendar year and then we will go forward, and try to bring the Emergency Medical Dispatchers up to what is necessary to dispatch both police and fire. It is fiscally prudent for the town to spend \$150,00 on hiring additional

dispatchers and paying for the training. We have to have an EMD resource that is certified by the state. Mr. Guerino stated if the Board of Selectmen vote to keep the Safer Grant and fund it through another mechanism that doesn't affect other budgets, there will be no reduction in the fire department personnel, because if you reduce one you reduce nine.

Chief Sylvester clarified when the old grant ended and when the new grant started. In regards to the way the grant is being administered, when individuals retire or decide to go to another department I move the individuals from the grant up to full time Town of Bourne status, which then leaves me opening on the grant side. Under the Civil Service process it takes me a little while to fill these positions. Then they get put on as grant fire fighters. It might look like we have open slots, but it just takes the process time to fill them. At this present time we have been physically running with the grant individuals to keep them going until I got the final OK tonight.

Stephen Mealy stated his concern was that because this is now the middle of November, now we are talking about an implementation of some type of alternative dispatch from within the department sometime perhaps as late as March. Which means we are pushing well into the area of where we should be concentrating on coming up with not a part-time or temporary solution but a full time solution for the town, particularly since we are looking at numbers that are higher than what we were told by the County Sheriff, and because of that I think the alternative of going forward and concentrating on trying to come up with a permanent solution amongst all involved is probably the best solution for our town and recognizing that other towns have undertaken and pulled dispatch internally as well. Mr. Green spoke about the first grant that was under his tenure. We billed it at the end of the month. So anytime you laid those people off the Federal Government reimbursed to the date they walked out the door. There would be no physical money draining other resources to pay back the Federal Government. I have heard it several times about the chunk of money that is going to drain the reserve account that has to go back to the town. Mr. Guerino stated we have been told on several different occasions that if the grant were to be let go between the date of acceptance of the grant and any time that we laid off, the money expended from the time of the grant renewal to the time of the layoff, would have to be reimbursed to the Federal Government. Mr. Guerino restated the grant was renewed in August, say we draw down monthly, if three months down the road the Board of Selectmen or the Town opted to say we are done with the grant; we were told that we would have to pay back from the date of the new grant to the time that we put the grant away, whatever we used we would have to pay back. Don Pickard stated this board has been informed on a number of occasions that in the event that a member of the fire department gets laid off, for whatever reason, then the grant must be repaid back to the initial date of the grant. I have a copy of the grant, and from scanning through it I don't see anything in here that says that. Chief Sylvester stated talking with the grant personnel from FEMA directly, it has been stated that whatever we use we are responsible to pay them back. We only have to pay them what we have used. I will get a copy of the grant agreement tomorrow. Don Pickard stated this board needs to have confirmation of how the grant works.

Peter Meier withdrew his second and Don Pickard withdrew his motion.

Chris Hildburg, Chair of the School Committee, wanted to clarify during special town meeting the voters elected to amend the budget by \$853,000, at that time the Fire Department was looking to amend their budget by \$115,000, under the auspices of overtime. Tom Guerino clarified it was \$105,000 out of overtime and \$115,000 out of personnel. Mr. Hildburg questioned was there a plan prior to Special Town Meeting to use ambulance funds for the Fire Department. Mr. Guerino stated no. Mr. Hildburg questioned are there other sources besides the ambulance fund to generate funds that can be implied to those impacts. Mr. Mealy stated there are, but they are all going to need approval by town meeting. This vote, if it had gone over this evening is also subject to appropriation by town meeting. There are questions from all of the members relative to the Safer Grant. It would be to fully understand the terms and conditions and I would ask those be provided in writing. Don Pickard stated based upon the bit of information that we are seeking, I think the only vote that I would be comfortable with tonight would be worded that the Board of Selectmen move the town not enter into an agreement with local 1717 for the purposes of them assuming emergency medical dispatch for the town and that should be funded through ambulance fees through December 31, 2016 subject to appropriation. That takes the grant out of it and we are only discussing dispatch. Jim Mulvey stated you have specific questions go to the one that administers the grant and see what they say. Mary Jane Mastrangelo stated there seems to be a lot of questions. It is very important to get clarification from Federal Government about the payback. I am concerned about earmarking the funding for the dispatch from the ambulance without clearly vetting about that. Dispatch is in the budget now so you don't need to find out where you will pay for dispatch because it is already a line item in the budget, but for FY16 maybe if we are still paying for dispatch we may have to look at alternative reduction in the Fire Department for FY16.

Peter Meier stated out of fairness to everyone a continuance of this issue to a subsequent meeting would be in order.

Don Pickard disagreed and stated the board could vote not to engage in the dispatch being handled by the fire department and remain with the Sheriff's department. The mechanism for funding it is the ambulance fees. Every year the ambulance fees are pretty consistent. I believe we could take a vote to affirm that we are not entering into the dispatch with local 1717. The dispatch will remain with the Sheriff this year, it will cost us \$125,298 and it has been budgeted.

Peter Meier stated would a week or six days make a difference?

Tom Guerino stated relative to the discussion we had earlier this evening it was fairly clearly determined the board was not favorably inclined to take dispatch through 1717, regardless what the funding may have been. The issue with the grant will be clarified by the Fire Chief and FEMA on Thursday. That will not have an impact whether this board wants to move forward with dispatch.

Michael Blanton stated because we don't know what we will find when we get the information with regard to the Safer Grant and the repayment schedule and the regulations; the costs might have an impact on the other. I don't think we will gain anything by not waiting six days to have all the facts and act on them together, I'd be inclined to move off discussion until that time.

Don Ellis stated we need to do what the Fire Chief has discussed, he runs the department.

Stephen Mealy stated his sense is the board would like to table this until Monday, November 16<sup>th</sup>.

**Voted** Peter Meier moved and seconded by Michael Blanton to table this until Monday, November 16<sup>th</sup>. Don Pickard opposed. Vote 4-1

b. Tom Guerino requested to have this brought up in more detail at the meeting on November 16<sup>th</sup>.

**9) Town Administrator's Report**

- a. **Review and first reading of proposed Electronic Communications Policy**
- b. **Notice of incentive program**
- c. **Proposed organizational structure**
- d. **Board and Committee Information request policy**
- e. **Wastewater engineering design funding - Mitigation funding available**
- f. **Update on Beach Sticker agreement with Sandwich**

Tom Guerino requested item e first item because we have folks from the Waste Water Committee and our consultancy here this evening.

**9e.** Tom Guerino stated the Buzzards Bay Coalition has moved forward on the second round of grant funding. We are in a very good position to be eligible for other grant funding as it relates to the pocket plant by Queen Sewell area through a state funded grant that the deadline for application is in February and that would help us with the bricks and mortar piece with putting the plant and piping into that area. The town needs about \$180,000 to do the design and engineering and we have to have that completed or well under way for us to be eligible for the grant funding that comes up in February. Knowing that we don't have appropriation that we can go to with that; during a meeting on 208 that I had last week with folks from the Cape Cod Commission and others, we were able to identify some old mitigation moneys that we could utilize toward satisfying that goal. We have approximately \$8,332 in an old corridor study on Route 28 that is no longer being utilized. There is \$220,837 in the affordable housing mitigation fund that I am not recommending we tap deeply at all. There is a small amount in a flushing study that we could use for design and permitting of the system. There is \$116,854 in an old transportation improvement fund. I am not suggesting we use the whole transportation funding, because if we move forward with commuter rail in Buzzards Bay we may need to have some of that money available to us. The recommendation for the Board is to utilize the \$8,332 from the corridor fund, the \$557 from the old nitrogen flushing moneys, \$20,000 from the housing pool, and \$61,111 from the transportation improvement. Netting us about half of what we need to complete the entire study, design, and engineering for the wastewater piece at Queen Sewell. The other \$90,000 should be garnered from the folks that are going to benefit from this new system. It is important that we get this moving now. I plan to write a letter to the Commission asking for release of these old mitigation dollars. The Board Members stated they will support this.

Wes Ewell stated we have a schedule of the work and the detailed breakdown of the costs will be for the engineering and permitting. If this \$90,000 can be applied to this we can get



the engineers started immediately doing the fieldwork, we can also start the environmental review process immediately and we can start the engineering. This amount of money will cover the cost to about the end of the fiscal year. That gives us another seven months to find the rest of the money. This project will enable the kind of new development and redevelopment in downtown Buzzards Bay. We can have it in place probably by the end of 2017.

**Voted** Peter Meier moved and seconded by Michael Blanton to endorse Mr. Guerino's proposal. Vote 5-0

Mr. Ewell gave a brief presentation for what the waster water plant will include. It is a packaged Waste Water Treatment Plant. This unit will be about 11' x 11' x 80'. It will fit within a building. Inside the building there is no odor and outside there is no noise. It has a 100,000 gallons per day capacity. It can be put within the portion of Queen Sewell Park where the ground water drains into the canal. There will be some level of mitigation the Mass DEP will get from us. That will be part of the permitting process.

**9a.** Tom Guerino stated he has had a lot of questions whether of not the town has a board level electronic communications policy, texting at meetings, going to the web at meetings, emailing. I am asking the Board to review the policy that I bring forward tonight, and would like the Board to move this forward as step one as a new policy for the town. If they do that, between step one and step two this would be distributed to the boards and committees that would have an interest in this and would have the ability to make adjustment or corrections to the Board and make suggestion to make the policy better, or not do it at all, or enhance it to be stricter. It is a start for us to move toward boards and committees not being distracted by external communication during deliberation.

Stephen Mealy read the policy:

## **Town of Bourne** **ELECTRONIC COMMUNICATIONS POLICY**

I. Purpose. This policy is hereby adopted by the Bourne Board of Selectmen to ensure compliance with the Massachusetts Open Meeting Law and to avoid the appearance of violations thereof.

II. Scope. This Policy shall apply to all elected and appointed members of the Town's boards, committees, commissions and councils.

III. Definitions. Social Media Sites – Web sites that facilitate user participation, networking, and collaboration through the submission of user-generated content. Social media in general includes tools such as: blogs, wikis, and microblogging sites, such as Twitter; social networking sites, such as Facebook, LinkedIn and Pinterest; and video and photo sharing sites, such as YouTube, Instagram, Tumblr and Vine.

Mobile Technology Devices - cell phones, laptop computers, tablet PCs, portable digital assistants (PDA), netbooks, and other mobile electronics that facilitate online communication.

IV. Policy. Members of municipal boards, commissions, and committees are required to comply with applicable provisions of the Commonwealth of Massachusetts Open Meeting Law, which defines deliberation as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." The Law applies when members of a public body communicate in a manner that seeks to evade the application of the law. Moreover, members of Town boards should be aware that copies of electronic communications sent or received during the course of a public meeting may be subject to disclosure pursuant to a Public Records Request.

I.

The citizens of Bourne are entitled to representation and governance that is fair, ethical and in compliance with the letter and spirit of the law. To this end, members of all municipal boards, commissions, and committees shall comply with the following rules when participating in a public meeting:

- 1) Members shall switch all Mobile Technology Devices to silent mode.
- 2) Members shall store Mobile Technology Devices in a location that is out of public view.
- 3) Members shall not use a Mobile Technology Device's voice or voice mail feature.
- 4) Members shall refrain from checking their Mobile Technology Devices for electronic or voice communications.
- 5) Members shall not actively send or retrieve electronic communications; including, but not limited to, e-mail, text messages, and messages, posts or comments on Social Media Sites.
- 6) Members shall not communicate electronically with any other members of the same board during a meeting of the board.

V. Exceptions. A board or committee member may use a Mobile Technology Device during a meeting for the limited purpose of viewing electronic documents that are included in the meeting agenda or packets during the course of a meeting. Additionally, a member may request permission of the chair or presiding officer to periodically check his/her Mobile Technology Device for the limited purpose of responding to an emergency situation including a personal or family emergency.

**Voted** Don Ellis moved and seconded by Don Pickard to take a position to adopt this policy.

Tom Guerino stated if this is going to be a police it will have to go through the policy procedures, first reading, second reading, and then third reading or engrossment. If at the end of the second reading the Board determines there is no comment for change it may adopt this policy upon second reading. If the Board votes to move this forward it will then be distributed to boards and committees for their review and comment by a date certain to return back to the Town Administrator's office. All comments shall be provided to the

Board of Selectmen in their regular meeting packet, where it can be deliberated at a meeting where it will be an agenda item on the Selectmen's regular agenda.

Don Pickard questioned the motion would be to move this forward as a first reading and hold a subsequent second reading on a date certain.  
The second reading will be on December 15<sup>th</sup>.

Mr. Ellis amended his motion to state that specifically. Mr. Pickard amended his second. Vote 5-0.

**9b.** Tom Guerino went over his proposed incentive program for innovation from non-exempt personnel that was brought before the Board about a month ago. No comments were sent to Mr. Guerino except one from Mr. Pickard. Mr. Guerino stated he will move forward with trying to establish a committee, which will not include the Town Administrator. Recommendations will be made to the Town Administrator. We will set guidelines forward for department heads as well as personnel. We do not have money for that funding, but the Town Administrator has a little bit of money in his budget. The next fiscal year Mr. Guerino will recommend a small amount of money be set aside within the union contract to fund this.

**9c.** Tom Guerino requested this item be deferred tonight.

**9d.** Tom Guerino talked about the method for committees and boards to request information from town staff. Need to put some sort of parameters on staff.

Given the current requests for rapid response for information from Town Boards/Committees and the limited ability of staff to respond, effective immediately the following policy is to be used by all Town Boards and Committees. The intent is to provide staff the ability to respond thoroughly and responsibly and to clarify how requests shall be made

1. All requests for information from Departments (via the Department Head) shall be made through the office of the Town Administrator. This protocol is consistent with the Town of Bourne Charter for the Board of Selectmen's requirements. No subordinate staff shall be requested to provide any information unless directed by the Department Head or Town Administrator.
2. All requests shall be made during normal working hours, unless an imminent emergency exists.
3. Information requests shall be responded to with as much detail as possible. All requests shall be answered within 4 working days. If a response is unable to meet or exceed this timeframe, the Town Administrator or his designee shall inform the Board or Committee, through its' Chair requesting the information that additional time may be necessary to comply fully.
4. All requests shall indicate how the information requested will assist the Board or Committee in fulfilling the designated charge it has.

5. If the Town Administrator is unavailable, requests are to be made to the Director of Finance.
6. If the request for information is not clear or there are questions related to the information requested, the Town Administrator and/or the Department Head may request additional information or a meeting with the Chair and, if available, one other member of the committee.

Chris Hyldburg requested to add privacy rules. There have been some requests where the town has had to rule that maybe some of the information may be governed under specific privacy rules. That prevents certain departments from gaining information that are useful in budgeting and planning and employee decisions. Is it possible to incorporate some policy stating who determines the privacy rule? Mr. Guerino stated it will probably be up to the department that has legal jurisdiction over a particular request. Mr. Hyldburg would like there to be a second recourse either the Town Administrator or some other venue. Mr. Guerino will try to incorporate that into the policy.

9f. Tom Guerino gave a brief update on the beach sticker agreement with the town of Sandwich. The Town Manager in Sandwich is designating his DNR officer to work on this. I will be meeting with the Town Manager on Thursday on another matter but will talk about this on a side bar.

#### **10) Selectmen's Reports**

Mike Blanton attended the Veteran's Day celebration

#### **11) Other Business that may legally come before the Board**

The next Bourne Selectmen meeting will be on Monday, November 16<sup>th</sup> at 7:00 P.M.

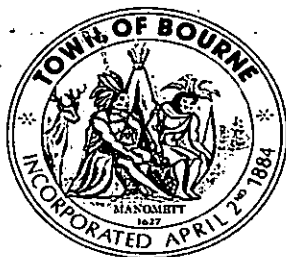
#### **12) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Meeting adjourned at 9:43 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.

Future Agenda Items

- A. Reduction of Energy Committee Membership
- B. Appointment of MBTA Representative
- C. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- D. Cape Canal Area Transportation Study Update
- E. Town Organizational Chart



# Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday November 16, 2015	6:15 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.

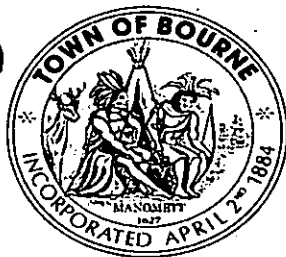
All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. 6:15 p.m. (Items 1-4) Call to order
2. Moment of Silence for our Troops and our public safety personnel
3. Salute the Flag
4. Public Comment – Non-Agenda Items
5. Minutes:
6. Correspondence
7. Discussion and direction for SAFER GRANT program
  - a. Disposition of fire dispatch proposal
8. Town Administrator Report
9. Licenses/Appointments:
  - b. Liquor License Renewals
  - b. One Day All Alcoholic Beverage License - Massachusetts Maritime Academy at Beachmoor – November 28, 2015 from 11:30 a.m. to 5:00 p.m.– Gurnon Luncheon
10. 7:15 Joint Session with Finance Committee and School Committee
  - a. FY 15 financial Closeout and review.
  - c. FY 17 overview of process and priorities
  - d. Next steps for FY 16
11. Adjourn

2015 NOV 12 PM 3 55  
TOWN CLERK'S OFFICE  
BOURNE, MASS

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November 16, 2015

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2015 NOV 13 AM 11 18  
TOWN CLERK'S OFFICE  
BOURNE, MASS



**Board of Selectmen  
Minutes of Monday, November 16, 2015  
Bourne Community Building  
Bourne, MA 02532**

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2015 DEC 18 PM 1 36

TA Tom Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 6:20 pm.

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

**Public Comment - Non-Agenda Items**

None requested.

**5) Minutes:**

No minutes were voted on tonight.

**6) Correspondence**

Michael Blanton brought the committee up to date on the correspondence.

- A. Article from the Beacon - Executive Director's Report: Cadillac Tax would harm communities, taxpayer, employees
- B. Department of Utilities: Notice of filing and public hearing acting together as Cape Light Compact, for approval by Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2016-2018
- C. Board of Appeals meeting notice for November 18, 2015
- D. Division of Marine Fisheries - Open to Shellfishing (Macos, North side of Toby's Island, Pocasset Harbor (Barlows Landing), Redbrook Harbor, Back River and Eel Pond, Monument Beach)

- E. Letter from Department of Housing & Community Development re: Community Development Block Grant Program (CDBG Monitoring Report - Town of Bourne FY2013 Fund I (CDF)

Michael Blanton also stated we received a letter a few weeks ago from Michelle Spinney requesting to be appointed to the Human Services Committee.

**7) Discussion and direction for SAFER GRANT program**

**a. Disposition of fire dispatch proposal**

Stephen Mealy stated this is a continuation from a discussion we had last week on the SAFER Grant for the Fire Department and the disposition of the fire dispatch proposal.

Don Pickard stated since they are two separate and distinct issues can we move the disposition of the dispatch to be discussed first?

Don Pickard stated at the last meeting we were waiting to get more information back on some issues before making a decision.

**Voted** Don Pickard moved and seconded by Don Ellis for the Town not to pursue dispatch opportunities through the Fire Department and that the Town continue to look for more efficient and effective ways to do dispatch for the Emergency Medical Dispatch Vote 5-0.

Michael Blanton questioned the Fire Chief if there is anything new we may need to consider. Chief Sylvester stated there is nothing new since the proposal last week about the dispatch, still waiting for direction from the Board of Selectmen and the Union.

Tom Guerino stated he is still not convinced we have an agreement with the Sheriff Department. Based on his knowledge there is a three-year commitment with a one year out clause. The paperwork was, a view from the Sheriff Department, of what the increase cost would be over the next four years. We have the money allocated. This was a short-term fix, the long-term proposal was to look at a more comprehensive town wide dispatch that would include fire and police and DPW and all the things we do through a joint dispatch center.

Don Ellis questioned Mr. Sylvester how much it would cost to train an individual? Mr. Sylvester stated the cost for the hardware, the equipment would be anywhere from \$12,000-15,000.

Don Pickard stated you will not be the EMD dispatch; the Police Department will be the EMD Dispatch, so there would be training for the Police Department. Since the Police Chief is not here to discuss his part of the EMD process we don't have anything to vote on tonight. I would be happy to withdraw my motion. Don Elis stated he will withdraw his second. Mr. Pickard stated we have to go back to the fact the Town Administrator, the Fire

Chief and the association have an impact bargaining sessions. There seem to be issues that we felt were not in the best interest for the town at this point.

Chief Sylvester stated we did everything from the Fire Department that you asked for. In regards to the dispatch, I did talk to the Police Chief. If I get the OK from the Board of Selectmen I will have the policies and procedures and work with the Police Chief, if it is voted no then I will look at other avenues.

Michael Blanton suggested to table this item to an immediate date certain and request the Police Chief and Fire Chief appear at that meeting.

Stephen Mealy questioned the Board members what the specific questions are so we can get those questions answered in anticipation of another meeting, if required.

Tom Guerino stated he did receive a call from the president of 1717. Mr. Guerino expressed the Boards concerns, and there is willingness for the union to go over those concerns relative to the negotiations. The issue should be whether to keep the grant or not to keep the grant.

Stephen Mealy stated one of his concern is that the implementation, should we go forward with dispatch, would take place on March 1<sup>st</sup>, which means you will have 8 months out of the 12 that you will have to pay for the current services we are receiving. How will the town pay for those services if we take dispatch in-house?

**Voted** Peter Meier moved and seconded by Michael Blanton to continue this until December 1, 2015. Don Pickard and Stephen Mealy opposed. Vote 3-2.

Stephen Mealy asked any board members if they have any questions please forward them to the Town Administrator by tomorrow noontime.

Stephen Mealy stated the SAFER Grant is the other item of this scenario. This involves a grant the town has accepted. We did request an explanation from FEMA and we did receive a response from them this afternoon. Mr. Mealy read the letter.

U.S. Department of Homeland Security  
Washington, DC 20472



FEMA

November 16, 2015

Norman Sylvester Jr., Fire Chief  
Town of Bourne Fire Department  
24 Perry Avenue  
Buzzards Bay, MA 02532

RE: SAFER Grant Number EMW-2014-FH-00613

Dear Fire Chief Norman Sylvester Jr.:

Thank you for your participation in the FY 2014 Staffing for Adequate Fire and Emergency Response (SAFER) grant program. The Town of Bourne Fire Department was awarded \$1,333,104 to support eight (8) retention positions for a period of two years. Our electronic grant management system shows that you accepted the grant award on August 12, 2015.

As we discussed, layoffs during the grant period of performance (08/06/15 - 08/05/17) are strictly prohibited. Appendix C of the FY 2014 SAFER Funding Opportunity Announcement (FOA) states:

*Grantees under the Hiring of Firefighters category who lay off any operational personnel during the two-year period of performance will be considered in default of their grant and the award will be terminated. Grantees may be required to return the federal funds disbursed under the grant award.*

Historically, the SAFER Program Office has followed the guidance outlined in the FOA. We will terminate a grant award if the recipient lays off any operational personnel during the period of performance. In some cases, we have also required recipients to return funds disbursed under the grant award. Each situation is reviewed on a case by case basis. In your case, we recommend that you do not drawdown any grant funds until you can provide us with written assurance that you will not implement any layoffs during the grant period of performance.

or by e-mail at

JULIA  
BARRON

DN: cn=US, o=U.S. Government,  
ou=Department of Homeland  
Security, ou=FEMA, ou=People,  
cn=JULIA BARRON,  
o=U.S. Department of Homeland Security,  
ou=FEMA  
Date: 2015.11.16 15:22:29 -0500

www.fema.gov

Tom Guerino stated he couldn't guarantee that he will not have to look at fire and/or police relative to reductions in staff moving into future fiscal years.

Don Ellis stated relative to paragraph 2 he is concerned about what this letter says.

Peter Meier stated we made the decision in August to accept this grant. What we are doing now is reconsidering what we voted two months ago.

Don Pickard stated as of last week at our meeting it wasn't clear if we had to pay the grant back. It states in the letter "In your case we recommend that you do not draw down any grant funds" and since the Town Administrator cannot guarantee there will not be layoffs, and if at some point this board votes to maintain the grant, because of this payback, we will be less inclined to do anything but cut other departments. We will be robbing other funds to save the grant-funded firemen. It is not fair to other departments. I think it is time to reconsider the original vote.

Michael Blanton stated there is language that says yes layoffs are strictly prohibited, there is language here that says we recommend, not require, and recommend that you might not want to draw down on grant funds. Grantees may be required to return the federal funds; in some cases we have required recipients to return funds. This letter sounds anything but clear; that if we have any layoffs within the fire department during that period of time that we will absolutely have to payback any of the grant entirely or just the funds that have not been disbursed.

Don Ellis questioned Chief Sylvester with the budget the way it is now, and if the SAFER Grant wasn't even considered could you operate your department without any problems? Chief Sylvester stated No he could not. The number of calls compared to the number of personal that would be available. Chief Sylvester also stated I would lose 3 per shift, which would drop me to 8. With the people who are left being Sr. Fire Fighters that would increase my overtime. I don't have additional people to back fill if needed. Services will be slower. The people hired through the SAFER Grant are regular officers, coming in at entry level. If senior officers leave I take grant employees to fill those positions then refill the SAFER Grant employee.

Stephen Mealy questioned if the town were not to take the SAFER Grant and you had to fill for overtime, what would that amount be for overtime compared to what we would have spent on the SAFER Grant. If the decision is made to maintain the SAFER Grant somehow we will have to pay for dispatch services through March that will cost some amount of money. If we determine keeping the grant is in the best interest of the town and to keep the level of services by that department, what is the effect on the budget of the department with the additional fire fighters and how do we pay for that going into 2017, FY18? Tom Guerino stated it is \$93,750 paying for dispatch through March. Mr. Guerino also stated there is no way we can add 8 personnel to any department with the existing budget we have.

Mary Jane Mastrangelo questioned how we deal with the SAFER Grant if we keep it and it terminates a couple of years from now, because we would not be able to absorb those 8 firefighters without a targeted override. You need to do a cost benefit analysis of whether to keep the SAFER Grant or not to keep the SAFER Grant. Does the SAFER Grant save us money? What is the cost of terminating the SAFER Grant, what is the saving of keeping the SAFER Grant? Mrs. Mastrangelo stated I would recommend keeping the SAFER Grant.

Chris Hyldburg, Chairman of the School Committee, speaking as a resident of Bournedale. The letter from FEMA is contradictory, and very challengeable, and would love to see the SAFER Grant continue.

Don Pickard stated we have a few options, 1. We do away with the grant; 2. Accept the grant and take the chance that we will have to pay back the money down the road; or 3. Tell the Fire Chief and the Town Administrator that the Board is not comfortable accepting the grant or is going to reconsider it and ask the Fire Chief to give an evaluation and then put a directed override on the next Annual Town Meeting, to give the voters the decision.

Deputy Chief Joe Carrara stated this is not the time to cut personnel of the Police or Fire Department which elimination of the grant would do. I employ you to find a way to keep the Bourne Police and Fire Departments intact.

Deputy Chief Joe Carrara stated doing away with the grant takes away 25% of the Fire Department. It is worth taking a chance and keeping the SAFER Grant.

**Voted** Peter Meier moved and seconded by Michael Blanton to continue this issue until December 1, 2015 for further action. Don Pickard opposed. Vote 4-1.

Tom Guerino requested any questions the Board may have relative to this issue be sent to him by close of business tomorrow.

### **8) Town Administrator's Report**

Tom Guerino updated the committee and the public on the hours of the Bourne Community Center effective next week. The hours are Monday 11am - 1:30pm; Tuesday 8:45am - 9pm; Wednesday 8:45am - 9pm; Thursday 8:45am - 9pm; The building will be closed Friday except for the lunch, the kitchen will be open for the Supportive Day Program, The Supportive Day Program will continue on a 5 day a week schedule. Swiss Basketball will be at the Community Center on Saturdays and Thursday evenings.

### **9) Licenses/Appointments:**

- a. Liquor License Renewals**
- b. One Day All Alcoholic Beverage License - Massachusetts Maritime Academy at Beachmoor - November 28, 2015 from 11:30 a.m. to 5:00 p.m.- Gurnon Luncheon**

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the All Alcoholic licenses; for d/b/a Aptuxet Post #5988 for a liquor, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement; for d/b/a/ Buzzards Bay Eagles a liquor license, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement; for d/b/a Marconi Club for a liquor and Common Victualer/Food; for Monument Beach Sportsman Club for a liquor, Common Victualer/Food, Weekday Amusement, and Sunday Amusement; for Otis Fish

and Game for a liquor and Common Victualer/Food; for the Pocasset Golf Club, Inc. for a liquor, Common Victualer/Food, Weekday Amusement, and Sunday Amusement; for the Weary Travelers Club, Inc. for a liquor, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement.

Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following licenses as Common Victular All Alcoholic for d/b/a Brookside Club a liquor license, Common Victualer/Food, Weekday Amusement, Sunday Amusement; d/b/a/ Buzzards Bay Tavern for a liquor license, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement; for d/b/a Courtyard Restaurant for a liquor license, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement; for d/b/a/ Cranberry's Restaurant and Pub The Bog for a liquor license, Common Victualer/Food, Weekday Amusement, and Sunday Amusement; for d/b/a/ Flynn's for a liquor license, Common Victualer/Food, Weekday Amusement, and Sunday Amusement; for d/b/a Leo's Seafood Restaurant, Inc. for a liquor, Common Victualer/Food; for d/b/a The Lobster Trap Fish Market and Restaurant for a liquor, Common Victualer/Food, Weekday Amusement, Sunday Amusement; for d/b/a Lost Dog Canal Café for a liquor, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement; for the Mezza Luna Restaurant, Inc. for a liquor, Common Victualer/Food, and Weekday Amusement; for d/b/a The Parrot Bar and Grille for a liquor, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement; for d/b/a Sandy's Famous Seafood Restaurant for a liquor, Common Victualer/Food; for d/b/a Stir Crazy restaurant which is going through a transfer pending of the license for a liquor license, and Common Victualer/Food; for TJ's Grill & Bar, LLC, for a liquor license, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement; for Trading Post Lounge, Inc. for a liquor license, Common Victualer/Food, Weekday Amusement, Sunday Amusement, and Coin Operated Amusement; for d/b/a Trowbridge Tavern & Ale House for a liquor license, Common Victualer/Food, Weekday Amusement, and Sunday Amusement; for Waho Grill, Inc. at 4 Old Bridge Road, Buzzards Bay for a full liquor license, Common Victualer/Food, and Weekday Amusement, there is a transfer pending; for d/b/a Waho Restaurant for a liquor license, and Common Victualer/Food; for d/b/a/ Whaleback Restaurant for a liquor license, Common Victualer/Food, Weekday Amusement, and Coin Operated Amusement.

Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the Common Victualer Wine and Malt licenses for d/b/a Buzzards Bay House of Pizza for a Liquor License and Common Victualer/Food; for d/b/a/ Golden Place Restaurant, which has a transfer pending, for a Liquor License and Common Victualer/Food; for d/b/a/ Graziella's, Graziella's Pizza, LLC for a Liquor License and Common Victualer/Food; for d/b/a/ Pizza by Evan for a Liquor License and Common Victualer/Food.

Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the General on Premise Wine and Malt licenses for d/b/a Ryan Family Amusement for a Liquor License, Common Victualer/Food, Sunday Amusement, Coin Operated Amusement, and General License.

Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the Package Store All Alcoholic Licenses for d/b/a Bourne Bridge Liquors for a Liquor License; for d/b/a/ Gray Gables Market for a Liquor License and Common Victualer/Food; for d/b/a/ Liberty Warehouse Liquors for a Liquor License; for d/b/a/ The Liquor Barn for a Liquor License; for d/b/a/ Luke's Liquor 'N More for a Liquor License; for Portside Liquor, Inc. for a Liquor License; for d/b/a/ One Stop Convenience Store for a Liquor License; for d/b/a/ Sea Side Wine and Spirit for a Liquor License; for d/b/a/ Ye Olde Spirit Shoppe for a Liquor License and Common Victualer/Food.

Vote 5-0.

Don Pickard read the license for a One Day All Alcoholic License for the Massachusetts Maritime Academy at the Beachmoor for November 28, 2015 from 11:30 a.m. to 5:00 p.m. for a luncheon for 100 guests. They are well within their permit and they have the applicable insurance.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve based on a completed application. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to have a five-minute recess at 7:46. Vote 5-0.

**10) 7:15 Joint Session with Finance Committee and School Committee**

- a. **FY 15 financial Closeout and review.**
- b. **FY 17 overview of process and priorities**
- c. **Next steps for FY 16**

Mary Jane Mastrangelo called the meeting of the Finance Committee to order.

Chris Hyldborg called the meeting of the School Committee to order.

**Voted** Peter Meier moved and seconded by Michael Blanton to call the meeting of the Board of Selectmen back to order. Vote 5-0.

Finance Committee Members present are Mary Jane Mastrangelo, Kathleen LeGacy, Bill Towne, Richard Lavoie, Michelle W. Ford, John Redman, Karen Meegen, and George Slade

School Committee Members present are Judy Conron, Heather DiPaolo, Ann Marie Siroonian, Laura Scena, Mitchell McClain, and Chris Hyldborg.

Finance Director present is Linda Marzelli.



Stephen Mealy turned the meeting over to Linda Marzelli.

Linda Marzelli went over the Year End Financial Review.

Appropriation & Expenditures FY2015

Estimating Revenues

Budget vs. Actual – State Revenue Cherry Sheets FY2015

Budget vs. Actual – Local receipts FY 2015

Miscellaneous Revenues

Revenue Over/Under Budget & Expenditures Turn Back History

Financial Policies

History of Free Cash FY2004-FY2016

Free Cash to Financial Policy Reserves graph

Stabilization Fund History

Some Important Factors

History of Snow & Ice Budget

Upper Cape Tech Vocational School Assessment & graph

State Aid Cherry Sheet Revenues

State Aid Cherry Sheet Revenues bar graph

State Aid Cherry Sheet Charges

State Aid Cherry Sheet Charges bar graph

New Growth Budget to Actual

History of New Growth Budget to Actual

New Growth Budget to Actual

Enterprise Funds

ISWM Enterprise Fund Revenues Budget vs. Actual FY2015

ISWM Enterprise Fund Appropriations & Expenditures

Sewer Enterprise Fund Revenues Budget vs. Actual

Sewer Enterprise Fund Appropriation & Expenditures

## Town of Bourne

Year End Financial Review FY2015

Appropriation & Expenditures

- The Town budget is voted by salaries and expenses by departments. The two school budgets are voted in total.
- In FY2015 the turn backs totaled 1,192,707.
- What made up the turn backs in salaries & wages? A hiring freeze was voted on Feb 24<sup>th</sup> 2015 by the BOS. The major turn backs came from unfilled positions & other types of leaves.
- What made up the turn backs in expenditures? Half of the costs turn backed came from Shared Costs under General Insurances and Workers Comp.
- In FY2016 the General Insurance budget was decreased but expenses in FY2016 came in higher than the FY2015 budget.

Appropriation & Expenditures FY2015

	Encumbered Balance 7/1/2014	Appropriation	Expenditures	Transfers & Budget Amendments	Closed to Fund Balance	Encumbered Balance 6/30/2015
General Government	47,996.07	3,189,984.00	3,168,694.03	203,200.62	252,092.15	20,394.46
Public Safety	1,467.56	9,025,828.00	8,659,384.79	16,750.00	383,625.47	1,041.30
Education	86,352.28	23,810,783.00	23,832,065.20		9,230.24	55,839.84
Public Works	356.84	2,125,715.00	2,493,467.94	538,618.29	170,183.19	1,039.00
Human Services		1,090,986.00	1,080,544.59	20,672.20	30,786.61	327.00
Culture & Recreation	74.01	800,779.00	777,336.76		23,407.64	108.61
Debt Services		3,338,972.00	3,324,424.80	25,850.00	40,397.20	
Shared Costs	8,322.15	11,967,083.00	12,042,421.01	350,000.00	282,984.14	
<b>General Fund Total</b>	<b>144,568.91</b>	<b>55,350,130.00</b>	<b>55,378,339.12</b>	<b>1,155,091.11</b>	<b>1,192,706.64</b>	<b>78,750.21</b>

Estimating Revenues

- Cherry sheet estimates are obtained from the latest version of the Cherry sheet estimates published during the budget season combined with prior year revenue history
- Local receipts are estimated conservatively based on both past collections and future anticipated revenues
- The DOR warns towns to make sure any increases in estimated revenues can be justified or they will not set that communities tax rate
- The town has been conservative in estimating its local receipts especially Motor Vehicle Excise. In order for MVE to be a steady source of revenue new cars must be purchased at a rate at least roughly as great as the year before. MVE declines in value from 90% in year one, to 60% in year two, 40% in year three and 25% in year four to a final 10% thereafter.

Budget vs. Actual – State Revenue Cherry Sheets FY2015

FROM THE COMMONWEALTH	Budget	Actual	Difference	%
Veteran's Benefits	86,066.00	91,457.00	5,391.00	106.26%
Exemptions: Veterans, Blind, Surviving Spouse	109,023.00	106,199.00	(2,824.00)	97.41%
State Owned Land	580,849.00	580,849.00	-	100.00%
Unrestricted Govt Aide	1,304,407.00	1,304,407.00	-	100.00%
Chapter 70	4,877,338.00	4,877,340.00	2.00	100.00%
Charter School Reimbursement	245,438.00	228,329.00	(17,109.00)	93.03%
<b>Total from the Commonwealth</b>	<b>\$ 7,203,121.00</b>	<b>\$ 7,188,581.00</b>	<b>\$ (14,540.00)</b>	<b>99.80%</b>

Budget vs. Actual – Local Receipts FY2015

FROM LOCAL RECEIPTS	Budget	Actual	Difference	%
Motor Vehicle Excise	2,326,940.00	2,665,296.02	338,356.02	114.54%
Other Excise (Hotel & Boat)	130,000.00	130,933.28	933.28	100.72%
Meals Tax	150,000.00	303,341.27	153,341.27	202.23%
Penalties/Interest on Taxes	275,000.00	239,278.71	(35,721.29)	87.01%
Payment In Lieu of Taxes	25,000.00	19,636.43	(5,363.57)	78.55%
Recreation	1,175,226.00	1,160,259.02	(14,966.98)	98.73%
Other Departmental Revenue	285,000.00	349,486.31	64,486.31	122.63%
Licenses and Permits	575,000.00	612,378.57	37,378.57	106.50%
Fines and Forfeits	140,000.00	134,820.55	(5,179.45)	96.30%
Investment Income	40,000.00	27,757.82	(12,242.18)	69.39%
Other Federal Revenue	35,000.00	18,798.46	(16,201.54)	53.71%
Other Miscellaneous Income	35,000.00	271,647.35	236,647.35	776.14%
<b>Total Local Receipts</b>	<b>\$ 5,192,166.00</b>	<b>\$ 5,933,633.79</b>	<b>\$ 741,467.79</b>	<b>114.28%</b>

Miscellaneous Revenues

Source	Total
Reimbursement of Benefits	11,999.00
Mass Housing Partnership	3,165.00
Mega Work Comp Audit	25,050.00
Barnstable Cty LED Retrofit	7,764.00
Community TV	3,943.50
Coady Extension	5,000.00
Steamship Authority	8,024.00
Civil Service Transfer	10,000.00
Metering Credits	192,423.18
Miscellaneous Other	<u>4,278.67</u>
<b>Total Miscellaneous Revenues</b>	<b>\$271,647.35</b>

## Revenue Over/Under Budget &amp; Expenditure Turn Back History

Fiscal Year	State Revenue Over/Under Budget	Local Receipts Over/Under Budget	Expenditure Turn-backs
2010	(9,526)	525,361	612,968
2011	(25,592)	453,640	1,406,482
2012	8,146	882,013	1,635,873
2013	(217,165)	1,353,923	831,020
2014	38,893	1,076,627	608,379
2015	(14,540)	741,468	1,192,707

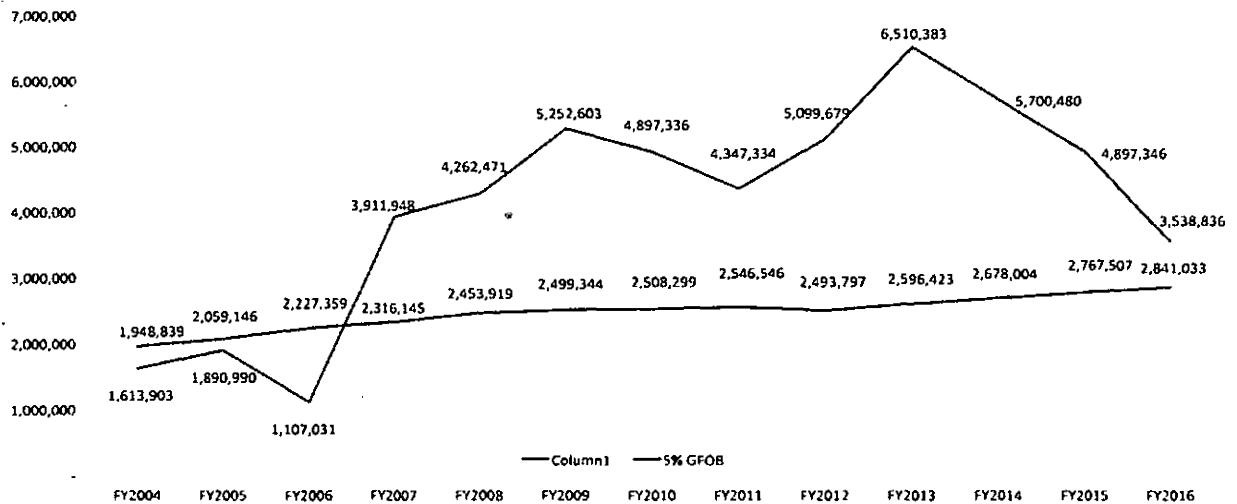
## Financial Policies

- The Town revised its Financial Policies effective September 2015. There were several changes made including some of the following highlights
- Free Cash: The Town should strive to appropriate no more than 50% of the Free Cash Balance that is in excess of the 5% policy as an operating revenue with a majority vote of Town Meeting.
- Stabilization Fund: To maintain a long term Stabilization fund for unforeseen emergency expenses and capital projects in accordance with MGL Ch 40 S 5B. To maintain a Stabilization Fund balance of at least 6% of the GFOB. The town may appropriate funds from the Stabilization fund for any lawful purpose with a 2/3 vote of Town Meeting.
- OPEB Trust Fund: To maintain an OPEB Trust fund to accumulate funds for Other Post Employment Benefits. The long term goal for the Trust Fund is to fully fund the OPEB Liability. The Trust fund currently has a balance of \$585,518.

History of Free Cash FY2004-FY2016

Fiscal Year	Certified Free Cash	As of	Total Voted During Fiscal Year	Used for Following Fiscal Years Budget	Used for Current Fiscal Years Budget	Used for Capital	Transfer to Stabilization	Used for Articles
2004	\$ 1,613,903.00	7/1/2003	\$ 1,439,111.00	\$ 562,736.00	\$ 201,900.00	\$ 674,475.00		
2005	\$ 1,890,990.00	7/1/2004	\$ 1,890,990.00	\$ 700,929.00		\$ 248,853.00		\$ 941,208.00
2006	\$ 1,107,031.00	7/1/2005	\$ (668,167.36)	\$ -	\$ (700,929.00)			\$ 32,761.64
2007	\$ 3,911,948.00	7/1/2006	\$ 1,459,656.57	\$ 553,850.00	\$ 30,749.72	\$ 205,270.00	\$ 587,884.85	\$ 82,102.00
2008	\$ 4,262,471.00	7/1/2007	\$ 1,662,337.40	\$ 850,478.00		\$ 181,980.53	\$ 700,000.00	\$ 129,878.87
2009	\$ 5,252,603.00	7/1/2008	\$ 2,034,697.39	\$ 859,245.00	\$ 22,500.00	\$ 244,000.00	\$ 887,462.00	\$ 21,490.39
2010	\$ 4,897,336.00	7/1/2009	\$ 1,854,907.32	\$ 1,780,737.00				\$ 74,170.32
2011	\$ 4,347,334.00	7/1/2010	\$ 1,340,687.00	\$ 800,000.00	\$ 429,375.00	\$ 8,000.00	\$ 88,312.00	\$ 15,000.00
2012	\$ 5,099,679.00	7/1/2011	\$ 1,908,921.73	\$ 1,400,000.00	\$ 144,395.00	\$ 169,526.73		\$ 185,000.00
2013	\$ 6,510,383.00	7/1/2012	\$ 3,216,255.99	\$ 1,400,000.00	\$ 484,500.00	\$ 594,391.37		\$ 757,364.62
2014	\$ 5,700,480.00	7/1/2013	\$ 2,422,060.00	\$ 2,004,000.00	\$ 107,800.00			\$ 310,260.00
2015	\$ 4,897,346.00	7/1/2014	\$ 3,429,046.00	\$ 1,792,345.00	\$ 865,000.00	\$ 397,800.00		\$ 373,901.00
2016	\$ 3,538,836.00	7/1/2015	\$ (1,025,951.00)	\$ (1,028,684.00)				\$ 2,733.00

Free Cash to Financial Policy Reserves



## Stabilization Fund History

Fiscal Year	General Stabilization fund Beginning of FY Year	Used for Budgets during fiscal year	Voted to Stabilization fund during fiscal year	Interest earned in fiscal year
2004	\$ 1,906,905	\$ (400,000)	\$ 50,000	\$ 26,295
2005	\$ 1,583,200	\$ (200,000)	\$ 183,603	\$ 36,024
2006	\$ 1,602,827	\$ (400,000)	\$ 400,000	\$ 62,736
2007	\$ 1,665,563	\$ (769,898)	\$ 282,213	\$ 70,348
2008	\$ 1,248,226		\$ 1,287,684	\$ 76,628
2009	\$ 2,612,538		\$ 887,462	\$ 51,848
2010	\$ 3,551,847	\$ (88,312)		\$ 39,670
2011	\$ 3,503,206		\$ 88,312	\$ 13,320
2012	\$ 3,604,838	\$ (152,013)		\$ 22,652
2013	\$ 3,475,477	\$ (950,000)		\$ 21,524
2014	\$ 2,547,002		\$ 950,000	\$ 20,283
2015	\$ 3,517,265			\$ 13,616
2016	\$ 3,530,881			

## Some Important Factors

- Snow & Ice has been budgeted at the same level over the past few years at \$92,900. Over the past six years the average expense for snow & ice has been \$385,760. The town has looked at increasing this budget to smooth out the deficits of snow & ice
- The UCRT Vocational School assessment has increased \$1,854,716 from FY2010 to FY2016, an increase of 129%
- Cherry Sheet Revenues: The revenue the Town receives from the State. The columns on the end are revenues which go directly to those departments to offset their costs. They do not count towards the revenues the town can use for budgeting purposes.
- Chapter 70, the largest Cherry Sheet Revenue has remained stable along with Unrestricted Gov't Aid, State owned land has decreased \$335,493 in FY2011 from FY2010 but has stabilized. School Choice has increased \$470,876 from FY2010 to FY2016. FY2016 School Choice is estimated at the FY2015 revenue amount.
- Cherry Sheet Charges are charged to the town as an offset to what the town receives for its monthly state aid revenue. The major changes in the Charges are in the School Choice and Charter School Sending Tuition. In FY2010 School Choice was \$146,090 and in FY2016 is estimated at \$622,519 and increase of \$476,429. Charter School Sending Tuition was \$353,441 in FY2010 and \$1,507,188 in FY2016 an increase of \$1,153,747

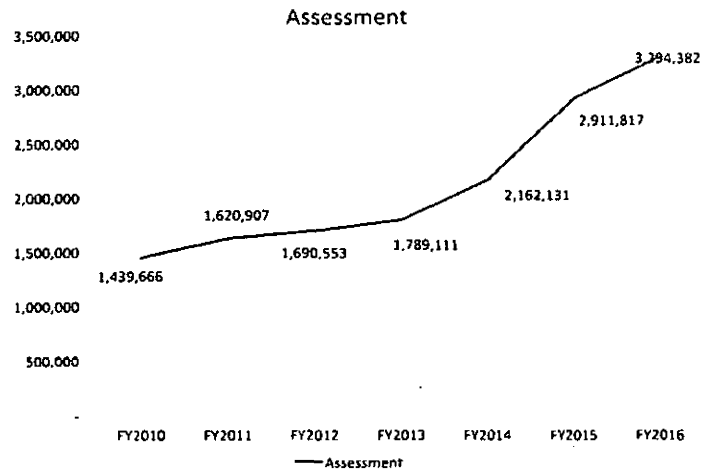
### History of Snow & Ice Budget



	Budget	Amended	Expended
FY2010	92,900.00	203,686.57	296,586.57
FY2011	92,900.00	294,759.34	387,659.34
FY2012	92,900.00	14,583.09	103,662.61
FY2013	92,900.00	318,275.32	411,175.32
FY2014	92,900.00		491,460.37
FY2015	92,900.00	531,118.29	624,018.29

### Upper Cape Tech Vocational School Assessment

	Assessment	Increase from Prior Year	% Increase from Prior Year
FY2010	1,439,666	61,301	-4.08%
FY2011	1,620,907	181,241	12.59%
FY2012	1,690,553	69,646	4.30%
FY2013	1,789,111	98,558	5.83%
FY2014	2,162,131	373,020	20.85%
FY2015	2,911,817	749,686	34.67%
FY2016	3,294,382	382,565	13.14%

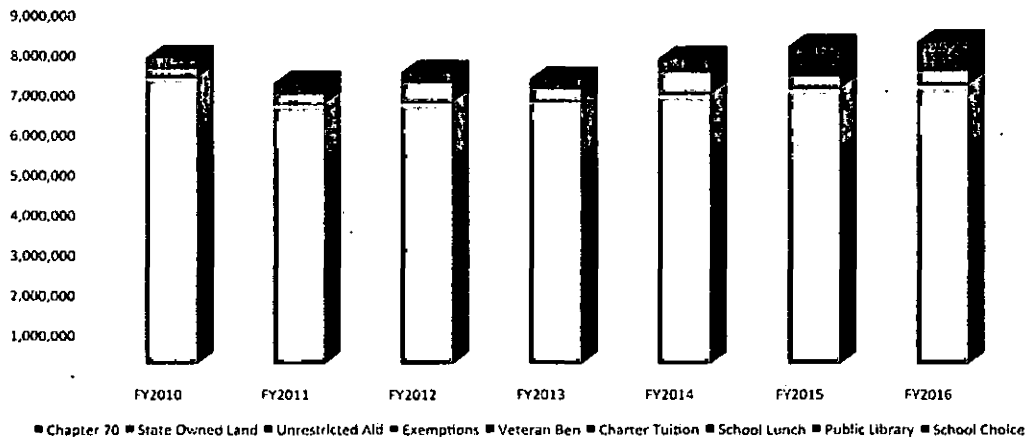




State Aid Cherry Sheet Revenues

	Chapter 70	State Owned Land	Unrestricted Gov't Aid	Exemptions	Veteran Ben	Charter Tuition	School Lunch	Public Library	School Choice	Total
FY2010	4,948,115	828,817	1,291,562	93,743	26,996	188,905	15,569	15,945	252,993	7,662,645
FY2011	4,659,046	493,324	1,239,900	96,664	38,894	213,420	11,370	16,764	260,449	7,029,831
FY2012	4,684,058	510,968	1,239,900	86,185	78,858	430,021	11,756	16,521	247,254	7,305,521
FY2013	4,771,738	511,133	1,239,900	21,160	73,367	255,325	11,446	16,634	231,541	7,132,244
FY2014	4,825,238	521,715	1,269,209	109,023	93,101	462,350	11,617	16,371	335,248	7,643,872
FY2015	4,877,340	580,849	1,304,407	106,199	91,457	228,329	10,783	21,815	723,869	7,945,048
FY2016	4,927,363	580,849	1,351,366	106,199	103,168	247,926	-	21,912	723,869	8,062,652

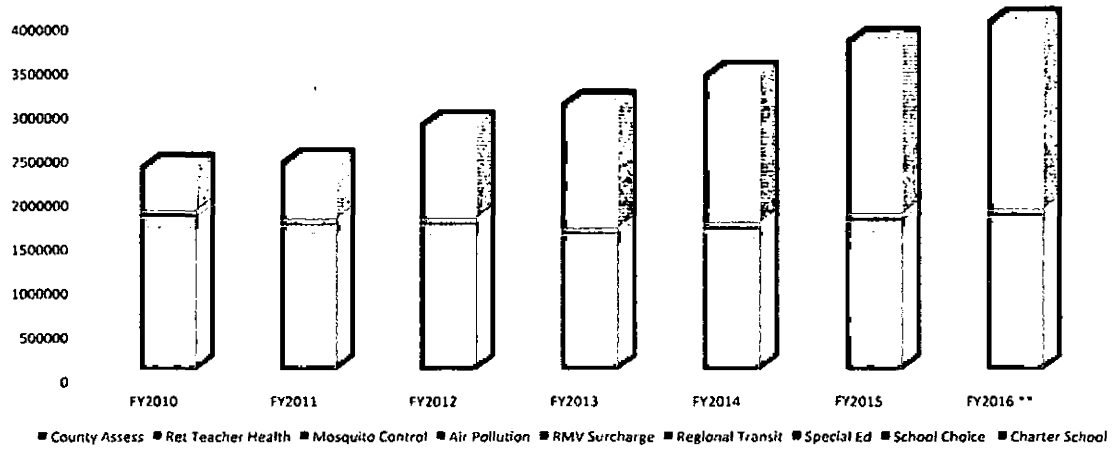
State Aid Cherry Sheet Revenues



### State Aid Cherry Sheet Charges

	County Assessments	Ret Teacher Health	Mosquito Control	Air Pollution	RMV Surcharge	Regional Transit	Special Ed	School Choice	Charter School	Total
FY2010	303,412	1,327,523	90,125	17,693	32,100	31,643	24,892	146,090	353,441	2,023,507
FY2011	310,998	1,229,965	91,486	7,357	25,980	43,486	24,767	200,640	441,923	2,065,604
FY2012	320,868	1,227,692	95,459	7,516	25,680	44,573	30,836	280,471	775,048	2,487,275
FY2013	328,888	1,101,605	99,228	7,781	25,180	44,573	13,822	492,200	921,875	2,706,264
FY2014	337,257	1,143,222	103,862	7,860	31,540	45,687	22,039	512,185	1,157,456	3,023,851
FY2015	345,688	1,232,244	107,833	7,822	31,541	46,829	15,639	643,215	1,313,036	3,398,159
FY2016	342,773	1,283,282	110,321	7,754	31,540	48,000	16,265	622,519	1,507,188	3,969,642

### State Aid Cherry Sheet Charges



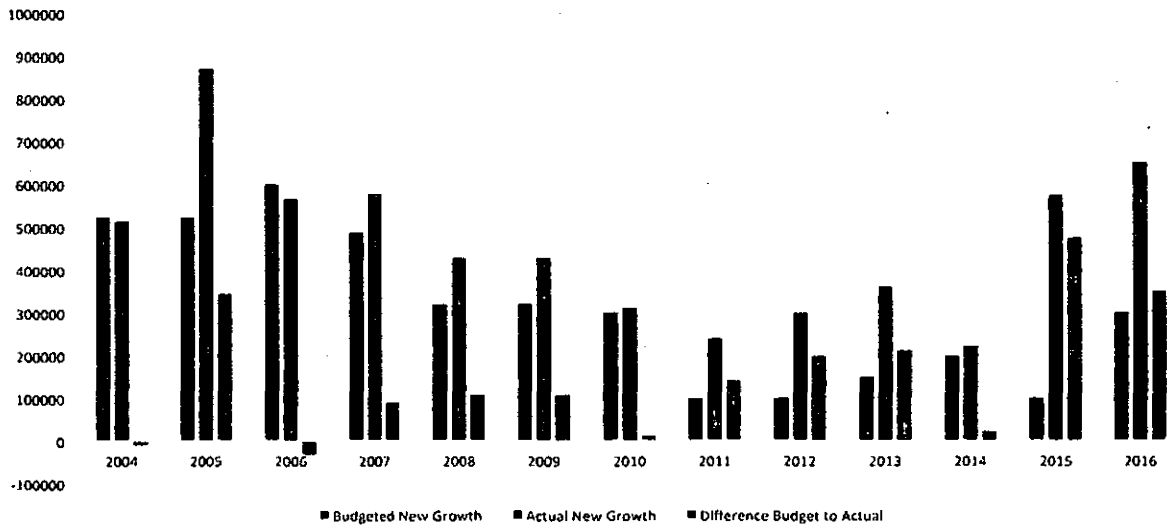
### New Growth Budget to Actual

- New Growth is the additional tax revenue created by any new construction, renovations or other increases in the property tax base during the calendar year
- New Growth is submitted by the Assessor to the State Department of Revenue in the Tax Rate Setting process. Until these forms are completed and submitted the actual new growth amount is unknown.
- The Assessor estimates new growth on the possible completion of construction projects in comparison to building permits.

### History of New Growth Budget to Actual

Fiscal Year	Budget New Growth	Actual New Growth	Difference Budget vs Actual
2004	\$ 525,000.00	\$ 514,787.00	\$ 10,203.00
2005	\$ 525,000.00	\$ 871,021.00	\$ (346,021.00)
2006	\$ 600,000.00	\$ 587,123.00	\$ 32,877.00
2007	\$ 487,500.00	\$ 578,608.00	\$ (91,108.00)
2008	\$ 321,000.00	\$ 429,623.00	\$ (108,623.00)
2009	\$ 321,000.00	\$ 430,051.00	\$ (109,051.00)
2010	\$ 300,000.00	\$ 312,541.00	\$ (12,541.00)
2011	\$ 100,000.00	\$ 241,638.00	\$ (141,638.00)
2012	\$ 100,000.00	\$ 299,625.00	\$ (199,625.00)
2013	\$ 150,000.00	\$ 361,352.00	\$ (211,352.00)
2014	\$ 200,000.00	\$ 222,805.00	\$ (22,805.00)
2015	\$ 100,000.00	\$ 576,154.00	\$ (476,154.00)
2016	\$ 300,000.00	\$ 651,484.00	\$ (351,484.00)

### New Growth Budget to Actual



### Enterprise Funds

- ISWM ended FY2015 with a Retained Earnings balance of \$7,954,733 an increase over FY2014 of \$2,628,708.
- The increase came mainly from Landfill operation revenues. The contract with Covanta Energy began the beginning of January 2015 increasing disposal revenue significantly.
- ISWM also received higher C&D than expected increasing revenues over \$800,000 increasing over 3.4 million from FY14 to FY15 while expenditures and transfers to closure accounts remained stable.
- The Sewer department's Retained Earnings decreased \$67,686 from FY2014 to FY2015 from \$677,255 to \$609,569.
- During FY2015 the Sewer department maintained the sewer user charge at \$734. This was the fifth year this rate had been maintained at that level. In FY2016 the rate was increased 15 per user to 749 a year.
- FY2015 was the last year of betterment assessment charges for sewer users.

ISWM Enterprise Fund Revenues Budget vs Actual FY2015

	Fiscal 2015 Budget	Fiscal 2015 Actual	Budget Savings (Deficiency)	%
User Charges	10,401,067.00	14,035,341.26	3,634,274.26	134.94%
Other Departmental revenue	240,000.00	322,670.34	82,670.34	134.45%
Investment Income	15,000.00	28,624.75	13,624.75	190.83%
Retained Earnings				
	<u>\$ 10,658,067.00</u>	<u>\$ 14,386,636.35</u>	<u>\$ 3,730,569.35</u>	<u>135.01%</u>

ISWM Enterprise Fund Appropriations & Expenditures

	Encumbered Balance 7/1/2014	Appropriation/ Borrowing	Expenditures	Transfers In (Transfer Out)	Closed to Fund Balance	Encumbered Balance 6/30/2015
<b>Operating Budget:</b>						
Salaries		1,993,962.00	1,767,498.43		226,463.57	
Expenses	148,369.46	3,978,150.00	4,222,697.69	300,000.00	191,627.26	12,194.51
Debt Service		1,894,452.00	1,832,149.61		62,302.39	(0.00)
Reserve Fund		200,000.00		(200,000.00)		0.00
Host Community Fee		600,000.00	774,020.03	200,000.00	25,979.97	(0.00)
Sub-Total	\$ 148,369.46	\$ 8,666,564.00	8,596,365.76	\$ 300,000.00	\$ 506,373.19	\$ 12,194.51
Indirect Costs Total		\$ 1,974,503.00		\$ 1,974,503.00	\$ -	

Sewer Enterprise Fund Revenues Budget vs Actual

	Fiscal 2015 Budget	Fiscal 2015 Actual	Over/Under Budget	%
<b>User Charges:</b>				
Sewer User Fees		799,317.22		
Sewer User Charges Added to Taxes		57,299.94		
Total User Charges	815,000.00	856,617.16	41,617.16	105.11%
<b>Sewer Betterment Receipts:</b>				
Sewer Assessment Paid in Advance		792.76		
Apportioned Sewer Betterment:		29,859.34		
Committed Interest:		1,514.09		
Total Betterment Receipts	28,595.00	32,166.19	3,571.19	112.49%
Other Departmental Revenue:	26,086.00	34,559.75	8,473.75	132.48%
Investment Income:	1,000.00	1,884.19	884.19	188.42%
Retained Earnings	100,000.00	100,000.00	-	100.00%
<b>Total</b>	<b>970,681.00</b>	<b>1,025,227.29</b>	<b>54,546.29</b>	<b>105.62%</b>

Sewer Enterprise Fund Appropriation & Expenditures

	Encumbered Balance 7/1/2014	Appropriation	Expenditures	Transfers In (Transfer Out)	Closed to Fund Balance	Encumbered Balance 6/30/2015
<b>Operating Budget:</b>						
Salaries		\$ 182,195.00	\$ 170,159.53		\$ 12,035.47	\$ -
Expenses		122,451.00	53,647.29		51,733.88	\$ 17,069.83
Wareham - Operation Expense		323,000.00	273,124.94		49,875.06	\$ -
Wareham - Capital Assessment		188,478.00	188,477.53		0.47	\$ 0.00
Debt Service		13,528.00	14,505.63		(977.63)	\$ -
Reserve Fund		15,000.00			15,000.00	\$ -
Sub-Total \$		\$ 844,652.00	\$ 699,914.92	\$ -	\$ 127,667.25	\$ 17,069.83
Indirect Costs Total		126,029.00		\$ 126,029.00		
Total Expenses		970,681.00	699,914.92	\$ 126,029.00	127,667.25	17,069.83

Tom Guerino stated in regards to why we don't use money from ISWM, is because we have been trying to divest our dependents on ISWM, because if there is any kind of problem with ISWM that would have a direct impact on it being able to generate revenue. ISWM will be working with the Finance Director to restructure their debt to shorten their term of debt to be no longer than the estimated life of the landfill. They are also looking at additional land to purchase. It is important for them to keep their retained earnings at a level that is consistent for what they need to do.

Stephen Mealy went through the calendar.

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

**October/November** – Special Town Meeting for Budget adjustments, other business – **We have done that.**

**Late October** – Town receives next year's numbers from UCT based on October 1 enrollment – **Not received anything yet.**

**Early November** – Selectmen hold Initial Budget workshop  
Finance Director – reports on Prior FY close out  
Town Administrator, Board of Selectmen establish budget priorities and plan strategy for next FY budget: Level Service, Level Funded and other finding levels. Review initial long term projection forecast. – **We have done some of this.**

**Special Town Meeting in Early Feb** Primarily to undertake the funding of single stream recycling.

**November 1 – December 31** – Capital Requests due to Town Administrator

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

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

**December 31** – Tax Bills Mailed

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

**January 15** –"Town Administrator shall submit to Board of Selectmen a proposed operating budget and a capital program and capital budget for all town departments, including the school department, for the ensuing fiscal year. The proposed budget shall be accompanied by a budget message and supporting documents" (Charter 7-1)

**February 01** - "The Board of Selectmen shall review the proposed budget and capital plan and make changes as the board deems appropriate prior to transmitting the budget and capital plan to the Finance Committee. (Charter 7-1)

We also have to review the Fire Department Budget and take a look at how that will affect our actions relative to the SAFER Grant and Dispatch.

Chris Hyldburg questioned Linda where is the PL874 Federal Funding?

Linda stated we only budget what we receive to date.

Peter Meier stated people were trying to understand how ISWM pays for the residential free trash pick-up in town. The general public should be told what the benefits are that ISWM does through its host community fee, to help provide certain services that we don't charge.

Tom Guerino stated ISWM pays for the labor, for all trash pick-up in town, pays for the cost of operating the residential recycling area, pays for the cost of new programs for recycling, and if we go to single stream recycling it will pay for the barrels for single stream.

Chris Hyldburg spoke about the Financial Project Working Group. As this board is together and we are constructed with the School Committee in joint session with the Board of Selectmen and the Finance Committee. Those three boards were represented over the past 18 month by the Finance Project Working Group. I would like the boards and the Town Administrator to consider maintaining that Finance Project Working Group.

There is some new growth, there is some turn backs that may provide a reduction in impacts that were voted on at Town Meeting. There might be additional money to apply to the turn backs. I feel we owe it to every department to allocate some additional funding if it is available to mitigate some of those impacts. Does the board intend to reconvene and consider some of these and how much?

Mr. Mealy stated, for himself, there may be some work that can be done and bring it to the voters in February. I would like to do as much as we possibly can. I understand the logic of looking at the turn backs but if there is an opportunity to hire a policeman or fireman and the money is not there you will miss the opportunity. If we go forward with the Safer Grant you are going to hire all those firemen. Between now and February 5<sup>th</sup> there is an opportunity for the three boards to work on a plan on what it is they think they want to go back and ask the votes on adjustment they want to make for FY2016. It could be risky; the voters may come back and say no. As a member of the board I would entertain future discussions on what that is. This Board has to have the budget ready for the Finance Committee by February.

Don Pickard questioned Mr. Guerino or Linda Marzelli about the turn backs. Do we need to go back to Town Meeting to disburse any of that money to the departments? That is a vote at Town Meeting not a ballot vote. Linda Marzelli and Tom Guerino stated that is correct.

Tom Guerino stated relative to the Financial Project Working Group there are a number of things within the charge of the financial project working group that were set when it was first established, we have done some of them, the next part looks at the organizational structure. We have to look at what is the best makeup of the membership, I still think it should be members of the Finance Committee, the Board of Selectmen and the School Committee. Maybe there are other areas of expertise within those organizations to look at different phases of the pieces that we are looking at. I am formulating what is the best way



to put it together and I will bring it before my Board for their review and the Finance Committee as well.

Don Pickard questioned when the term expires for the Financial Project Working Group. Knowing the commitment to that type of group, some people may not want to continue because of business, it is up to each individual and individual committee to select their representatives for that group.

Judy Conron stated that she would like to see the full committees and boards have discussions on some of these issues, because the full boards and committees have their specific expertise. A small group is a different dynamic, and I feel I miss something because I am not part of the Financial Project Working Group. If there is going to be some dynamic change I would like to be part of that discussion.

Michael Blanton questioned if there is a way to compromise and try to salvage the good that has come out of the Financial Project Working Group and possible for this body meet more regularly?

Judy Conron stated that she would like to see the Financial Project Work group continue. It is hard to understand and have a fruitful conversation within a group this large. I would encourage some type of situation where it is a mixed group of people, where people can have ideas and input and figure out ways to ask questions. It is hard to understand because it is so complex and difficult to stay up to speed as a resident, as a bystander, even as someone who is a little bit involved to understand everything.

Peter Meier stated he has been told that when people watch at home, they are lost. We need to figure out a way to simplify it so people at home understand, we will get much more participation from the public because they will understand what we are talking about.

Lynn Freedman from Gray Gables, stated as a resident trying to learn about it, it is very difficult for those of us in the public to understand. Facebook has been a huge asset where it is the only way we can follow. It would be great if someone from the boards can be on those pages and answer some of the questions. We are trying to follow along and learn what is going on and how we can help better the community.

Don Pickard stated it is difficult for board members because unless we take a vote as an elected board it is difficult to say how we feel about issues on social media. We have to preempt our response with saying this is me as a citizen, not as a board, because the board may not have taken a vote.

Tom Guerino stated we are looking at ways so we are more accessible through social media. Depending on finances it may not happen this next year, but we are hoping it does.

Mary Jane Mastrangelo stated we should look into and put more time into the visual gov. or clear gov.

Jim Mulvey stated if you enlarge the FPWG you are defeating the purpose of that group.

The next Bourne Selectmen meeting will be on Tuesday, December 1<sup>st</sup> at 7:00 P.M.

**11) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Meeting adjourned at 9:20 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.

**Board of Selectmen**  
**Meeting Notice**  
**AGENDA**

2015 NOV 20 AM 10 00  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Tuesday  
November 24, 2015

Time

5:00 p.m.

Location

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

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. 5:00 p.m. Call to order
2. Vote to award and signing of Permanent Bond Sold on November 17<sup>th</sup>
3. Annual Renewal of Year Round Liquor License to Stomping Grounds, Inc., d/b/a Stomping Grounds Grille
4. Adjourn

Board of Selectmen 2015 DEC 30 PM 12 40  
Minutes of Tuesday, November 24, 2015  
Bourne Town Hall, Lower Conference Room TOWN CLERK'S OFFICE  
24 Perry Avenue, Buzzards Bay BOURNE, MASS

**Selectmen**

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

Note: If anyone in the audience is recording or videotaping, they need to acknowledge such at this time.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 5:02 pm.

Vote to award and signing of Permanent Bond sold on November 17<sup>th</sup>.

Motion by Selectman Ellis, Seconded by Selectman Pickard and unanimously voted in a roll call vote to award and sign the Bond sold on November 17, 2015.

Annual Renewal of Year Round Liquor License to Stomping Grounds, Inc.

Motion made by Selectman Pickard, Seconded by Selectman Blanton and unanimously vote to approve the annual renewal.

Adjourn

Motion by Selectman Meier, Seconded by Selectman Pickard and unanimously voted to adjourn the meeting at 5:25 p.m.

2015 DEC 29 AM 11 59

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of Tuesday, November 24, 2015  
Bourne Town Hall, Lower Conference Room  
24 Perry Avenue, Buzzards Bay**

**Selectmen**

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

**Note:** If anyone in the audience is recording or videotaping, they need to acknowledge such at this time.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 5:02 pm.

Vote to award and signing of Permanent Bond Sol on November 17<sup>th</sup>.

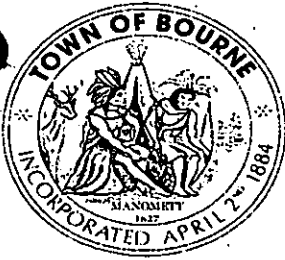
Motion by Selectman Ellis, Seconded by Selectman Pickard and unanimously voted in a roll call vote to award and sign the Bond sold on November 17, 2015.

Annual Renewal of Year Round Liquor License to Stomping Grounds, Inc.

Motion made by Selectman Pickard, Seconded by Selectman Blanton and unanimously vote to approve the annual renewal.

Adjourn

Motion by Selectman Meier, Seconded by Selectman Pickard and unanimously voted to adjourn the meeting at 5:25 p.m.



# Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday December 1, 2015	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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. 7:00 p.m. (Items 1-4) Call to order
2. Moment of Silence for our Troops and our public safety personnel
3. Salute the Flag
4. Public Comment – Non-Agenda Items
5. Minutes: 9.22, 9.30, 10.13 & 10.27
6. Correspondence
7. Andrew Gottlieb – Robert Ciolek – Financial FY17 analysis and Cape Cod Water Protection Collaborative 208
8. Future Generation Wind, LLC – Board of Health Request to engage Town Counsel
9. Licenses/Appointments:
  - a. Stomping Grounds, Inc., Entertainment License
10. Selectmen's Business
  - a. Discussion & vote on Fire Dispatch
  - b. FIRE SAFER GRANT- Final Disposition and vote
  - c. FY 16 and FY 17 budget
  - d. Recycling policy – ISWM
  - e. Discussion and possible action to reduce the committee membership size of the Energy Advisory Committee from 11 to 7 members
11. Town Administrator's Report
12. Selectmen's Reports
13. Other business
14. Adjourn

2015 NOV 27 PM 12 38  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Future Agenda Items

- A. Appointment of MBTA Representative
- B. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- C. Cape Canal Area Transportation Study Update
- D. Town Organizational Chart

**Board of Selectmen**  
**Minutes of Tuesday, December 1, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

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TA Tom Guerino

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:07 PM.

**Moment of Silence for our Troops, our public safety personnel, and the men and women and their families who were affected by Planned Parenthood shooting in Colorado Springs /Salute the Flag**

**Public Comment – Non-Agenda Items**

None requested.

**7) Andrew Gottlieb – Robert Ciolek – Financial FY17 analysis and Cape Cod Water Protection Collaborative 208**

Mr. Mealy introduced Andrew Gottlieb, Robert Ciolek, and Paul Niedzwiecki from the Cape Cod Commission. The discussion tonight has to do with the assistance from the Cape Cod Water Protection Collaborative by offering the services of Mr. Ciolek to the town of Bourne at no charge to assist in the analysis funding capabilities for our 208 plan and doing an analysis and an overview of some of the financial aspects of the town budget. Andrew Gottlieb briefly went over what the Cape Cod Water Protection Collaborative is offering and the financial management and planning and design and the alternatives for the town.

Paul Niedzwiecki, executive director of the Cape Cod Commission, spoke about the 208 Plan. Mr. Niedzwiecki is willing to support the town with technical assistance and bring in



alternative resources, help the town find funding, and would like to be continued to be a resource.

Bob Ciolek spoke about prior to section 208 and the soon-to-be developed Section 208 Wastewater Plant in the budget issues. Mr. Ciolek also briefly went over his background history. Tom Guarino briefly went over the budget issues.

**8) Future Generation Wind, LLC – Board of Health Request to engage Town Counsel**

Mr. Mealy stated they'd like to look at the minutes and correspondence at the end of the meeting. The Board of Health via a letter dated November 19, 2015 has requested an authorization from the Board of Selectmen to speak with Town Counsel to file a civil action for injunctive relief against Future Generation Wind LLC.

Kathleen Peterson, Chairman of the Board of Health, is requesting the Board of Selectmen to appropriate funds to engage Town Counsel in the best interest of the community with regards to Future Generation Wind LLC. for potential nuisances and health risks. These are four industrial size wind turbines. Mrs. Peterson spoke about the health, safety, and well-being of the residents of Bourne.

Don Pickard questioned has there been a budget suggested for what this might cost for Town Counsel?

Tom Guerino stated we are not at the point where we can have a budgetary discussion. His recommendation to the Board this evening is to allow Board of Health to seek guidance from Town Counsel.

Mr. Pickard stated the request from the Board of Health is requesting Town Counsel to file a civil action for injunctive relief against Future Generation Wind LLC. for potential health hazards in town.

Mr. Blanton stated he sees no harm and only positive by allowing the Board of Health to have that conversation with Town Counsel. There will be significant costs that will be incurred sometime, but we did actually receive mitigation monies from this project and I'd like to see some of those funds earmarked towards underwriting the costs associated with this investigation and potential lawsuit.

Don Ellis spoke about the override that wasn't approved which sends a message for the town to save money where they can. If Town Counsel could take this case and file an injunction we're talking about a very large amount of money. At this point the units are not in place, you can't prove there is any flicker from any source at this time, and there is no noise from any source at this time; another problem is in a court of law we are residents of Bourne arguing about a project in Plymouth.

Peter Meier stated we should support the Board of Health with their request.

Stephen Mealy stated, we need to provide the Board of Health with the tools and backing to address the issue that is before us. Mr. Mealy read the letter from Town Counsel to the Selectmen.

Dear Mr. Chairman,

Please be advised that I reviewed the request of the Board of Health for the authorization by the Board of Selectmen for the filing of a civil complaint relative to Future Generation Wind LLC. It is my opinion that the request is within the purview of the Board of Health and should be acted upon by the Board of Selectmen. Nonetheless the predicate of the complaint speculated in my view the concerns expressed by the Board of Health relate to the operational aspects of the turbines and not to the construction as such injunctive relief to prevent construction of the turbines is in my opinion unlikely. As previously expressed it appears that the appropriate framework for consideration of the issues raised by the Board of Health will be germane once the turbines are operational. Moreover the Board of Selectmen's review and consideration of the request will be assisted by empirical accounts by those directly affected; that is those residents in the proximity of the towers.

Thank you,

Robert S. Troy, Town Counsel.

What Attorney Troy is indicating that if the filing of the injunction is done at such time that there is perhaps not the empirical data collected from the actual working turbines, the likelihood of the granting of the injunction may be challenged and may not be granted. The discussion, and the planning, and the strategy necessary to undertake such action by the town need to be started immediately, and I would allow those parties best associated with it make the determination on what time is the best time in order to undertake the action.

Mr. Chris Kapsambelis, from Pocasset, stated wind turbines of this size and that proximity to residents has caused substantial problems with noise, nuisance, and health issues.

Ron Matheson stated we are members of this town. The fact that today it's not making a lot of noise or giving a lot of flicker, it is smack dab in our view. The issue is what is this doing to our property values. Some houses could be taking a huge financial hit in the resale value of their home. The Board should recognize that. I would like the Board of Selectmen and Board of Health to pursue this issue.

Ian Davies, from Buzzards Bay, stated we have taken one of the most pristine beautiful areas of our town and we're letting someone who isn't even affiliated with the town destroy it. It scarred our view. I strongly urge the Board to recognizes the situation and allow Town Council to address this issue.

Chairman Mealy merely spoke about the transport and all the conditions they had to follow to allow the transportation of the equipment. We could not have denied those folks. If we had denied them we would have had an injunction filed upon us.

Karen Gebedise stated she is grateful the Board of Health is here; and presently there is no noise or flicker and the turbines are not in place but I've been watching them be erected nights, weekends, and holidays. We need to let a court decide what to do next. The issue was there was no variance applied for and it was requested repeatedly for that to be done. They have built an industrial turbine in what we thought was a residential area. It doesn't comply with the Cape Cod Commission or the Town of Bourne's bylaws and regulations. Miss Gebedise stated we need action now.

Doug Giard stated when this project went before the town of Plymouth one of the turbines was rejected. It was rejected because it was too close to population of the abutters in Plymouth. That tower is now within the same distance from the residents of Bourne. But since we don't live in Plymouth does it give them the right to wreck our quality of life? Mr. Giard also spoke about how his wife vertigo issues will be effected.

Lydia Manter, Bourndale, stated she is not sure it is just the minority of residents that will be affected by these turbines. Please do what you can to help these people and support our Board of Health.

Margaret Burk, Plymouth, spoke about the Bourne Board of Health and the public's health. If the Board of Health feels the public health of Bourne residents will be compromised it is the right and protective thing to do to authorize Town Council to act.

Mr. John Fitch, speaking on behalf of Future Generation Wind LLC., spoke about litigation, and that the town of Bourne doesn't have jurisdiction over what happens in Plymouth. He read sections from a letter dated October 29, 2015 that he wrote to Attorney Bob Troy. "My conclusion and my advice to my client is that the Board of Health has no present jurisdiction over this facility, meaning there is nothing Future Generation Wind can or should apply for in the town of Bourne. The meetings have been completely civil, but the board has made its displeasure with my analysis known. Whatever the result, I very much want the same outcome with the Board of Health. At the moment we have a disagreement over jurisdiction and it needs to be resolved. If jurisdiction exists, I will admit to being wrong and deal with it. If I am correct that there is no jurisdiction, the Board of Health should acknowledge that. Please send me whatever references and materials you have that would cause me to change my mind." If there is a careful and thoughtful analysis it should be discussed. We shouldn't rush into court. Mr. Fitch strongly encourages there be some dialogue at the conclusion of his investigation before rushing off to court. This may not be a trial court case it would go to appeals court. It could be years. Neither side would want that, keep in mind my client does not want litigation either. As of today no one has cited a case or any rule that says that a Board of Health can control activities across a town line. Mr. Fitch also stated that the residents are not without a remedy if the town chooses not to go forward with litigation. The common-law of the nuisance is well established, and any individual who is the victim of that can take private action. I think it is a serious mistake on anybody's part to go into litigation, especially if you're the plaintiff.

Don Pickard questioned Mr. Fitch after your research and second opinions indicate that the town of Bourne's Board of Health has no jurisdiction on the Future Generation Wind

project; is there any case law to back that up? Mr. Fitch stated it is Heath vs. Stone, Mass. supreme judicial court case 179 Mass. 385. It has never been overturned.

Joanne Helveck, Duxbury, spoke about the Granite Links Golf Course filing suit against the town of Milton. The outcome was that the town of Milton and the operations of the wind turbine could not trespass onto Granite Links golf operations. There is case law about trespassing. There is also case law on air rights. The unbelievable degradation of the acoustic environment for neighbors living within certain proximity of the wind turbines. I would urge you to write a letter to Commissioner Martin Suuberg of the Mass Department of Environmental Protection. There has been some limited acoustic testing performed on existing wind turbine projects in Massachusetts. Mrs. Helveck stated there is evidence of an evaluation performed on one night of testing that was done in Kingston Massachusetts that was done on their single 2-megawatt turbine. When that single 2-megawatt turbine was at 35% power and it was way out of compliance with the Massachusetts Air Pollution Regulations. Representative Vieira has filed a bill, the Bill establishes a fund to compensate people, businesses and municipalities adversely impacted by wind turbines, and another fund to remove or relocate wind turbines. Both funds are supported by money already deducted from electricity bills. The docket number for the bill is HD1780, The Wind Energy Relief Act, by representative Vieira. Mrs. Helveck stated she found a community noise assessment filed by two nationally known acoustical engineers, Steve Ambrose and Rob Rant in Duxbury. She read one paragraph from that assessment.

Karen Gebidise stated Mr. Fitch suggested we not rush into a lawsuit and approach this in a businesslike manner. If we agreed, do you agreed to stop construction until we can come to an agreement as to what works for everybody. Mr. Mealy questioned Mr. Fitch to bring that question back to the owner of the wind turbines. Mr. Fitch stated he would gladly do that.

**Voted** Michael Blanton moved and seconded by Peter Meier that the Board of Selectmen authorize the Bourne Board of Health to engage Town Counsel to meet with, discuss strategy, budget chronology, and any steps up to and including filing a civil action for injunctive release against Future Generation Wind.

Stephen Mealy stated if the intent of the motion is to grant the request of the Board of Health as stated in the letter that is sufficient. If you like to reduce that to something else that has to be clarified.

Mr. Blanton stated they can reduce that down to what was asked for with regards to the letter from the Board of Health which is the filing of an injunction and any other strategy that is required.

Mr. Mealy stated that motion still stands.

Don Pickard stated on the motion the way it is worded it gives the Board of Health control of the purse strings of an unknown budget. If the Board of Health meets with Town Counsel and determines that it is in the best interests of the town in their assessments that an injunction be filed we have no idea what that budget would be.

Stephen Mealy stated Town Counsel would be limited to the available funds in the line item, knowing there is other legal activity that he will be representing the town on. Mr. Mealy suggested to the board is to allow Town Counsel and the Board of Health to go forward and get started. We can ask Town Counsel to update the Board of Selectmen if we start running into an issue with cost.

Mr. Blanton suggest the mitigation funds that came from the transportation of this project being used for this purpose, but it will require a vote at Town Meeting.

Mr. Meier – yes; Mr. Pickard – yes; Mealy – yes; Mr. Blanton – yes; Mr. Ellis – yes. Vote 5-0

**Voted** Don Pickard moved and seconded by Peter Meier to take a five-minute recess at 8:41 PM. Vote 5-0.

**Voted** Peter Meier moved and seconded by Don Pickard to reconvene at 8:49 PM. Vote 5-0.

**9) Licenses/Appointments:**

**a. Stomping Grounds, Inc., Entertainment License**

Don Pickard read the request for Stomping Grounds Grill for an entertainment license for solo duo acoustic music Wednesday through Saturday 11:30 AM to 9:00 PM and on Sunday from 9:00 AM to 2:00 PM.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve based on a completed application. Vote 5-0.

**10) Selectmen's Business -**

- a. Discussion & vote on Fire Dispatch**
- b. FIRE SAFER GRANT- Final Disposition and vote**
- c. FY 16 and FY 17 budget**
- d. Recycling policy – ISWM**
- e. Discussion and possible action to reduce the committee membership size of the Energy Advisory Committee from 11 to 7 members**

a. Tom Guerino stated he thinks the dispatched will be moved back to May before we will be able to take that in-house. His recommendation this evening is to take no further action as it relates to the grant. Mr. Guerino would not recommend at this point in time that we undertake looking at dispatch. Mr. Guerino stated he would like to sit down with both chiefs and the DPW Director and would ask that he have 60 to 90 days to put a plan in place for a recommendation to bring back to the Board of Selectmen.

**Voted** Don Pickard moved and seconded by Michael Blanton not to assume in-house dispatch at this time and instruct the Town Administrator to work with his department

heads on investigating a plan which would at some point bring fire dispatch in-house. Vote 5-0.

b. Stephen Mealy stated the question before us today is whether or not we should maintain the SAFER Grant. The Finance Committee voted unanimously with one abstention to support the Safer Grant as it exists today.

**Voted** Don Pickard moved and seconded by Don Ellis for the town to terminate the SAFER Grant. Vote 2-3.

Don Ellis stated his concern is that if we go forward with the SAFER Grant and after two years it doesn't get voted again would we be subject to a lawsuit if we have to terminate the SAFER Grant employees. Mr. Guerino stated to the best of his knowledge we could not be sued because they are hired through the SAFER Grant and when this grant goes away their positions go way. Mr. Ellis read a section from the letter from FEMA, "as we discussed, layoffs during the grant performance are strictly prohibited. This award will be terminated if anyone from the grant is laid off." Mr. Guerino stated the board was made fully aware that during the period of the grant there could be no layoffs within the fire department for as long as we were accepting the money.

Michael Blanton stated that based upon the Finance Committee's decision from their meeting last night, based upon our numerous deliberations over the SAFER Grant, looking at the ambulance revenues that have increased, it would seem the most beneficial position for the Bourne taxpayers is to continue to have our support for the SAFER Grant.

Don Pickard spoke about the cuts the town has to make, the cut the Fire Chief has to make to his budget, and if we are not cutting these firemen where is the money being cut from? Mr. Guerino stated they would probably look to use a portion of the ambulance fund to offset the additional cuts. Mr. Pickard's concern is that other departments will have to take a hit of their budget to fund the fire department to keep the eight grant funded firemen on duty.

Stephen Mealy stated we have already expended \$167,000. If we were not to take the SAFER Grant we would have to come up with \$167,000 for the payments that have already gone out. I believe the town wants to have the additional protection from the firefighters that have joined us under the SAFER Grant. I think it would behoove this board within 12 months from now to place a targeted override six month prior to the end of the SAFER Grant on the ballot to allow the town to decide.

Mr. Meier – No; Mr. Pickard – Yes; Chairman – No; Mr. Blanton – No; Mr. Ellis – Yes.  
Vote 2-3. The motion failed.

Mary Jane Mastrangelo, Chairman Finance Committee, spoke about the overtime and the staffing with the fire department on the SAFER Grant and before the SAFER Grant. The cost of terminating the SAFER Grant is more than the cost of maintaining the SAFER Grant.

Stephen Mealy directed a statement to the Deputy Chiefs and the Chief that you embrace some type of control and review of the overtime used by the department.

c. Stephen Mealy stated he would like the Board of Selectmen to think about what portion of the budget you would like to be involved in as part of the review as we start getting into FY17. We will bring it up at the next meeting.

d. Stephen Mealy stated the only change to the pamphlet is the residents will no longer be able to pay with cash for landfill stickers. Mr. Guerino stated because of the new phone system the DPW curbside is the same number as the Town Hall, it will be option three.

**Voted** Don Pickard moved and seconded by Michael Blanton to approve the pamphlet with the change to the phone number. Vote 5-0.

e. Mr. Guerino gave a quick overview of why Mr. Schofield is requesting to reduce the committee membership size of the Energy Advisory Committee from 11 to 7 members.

**Voted** Don Pickard moved and seconded by Michael Blanton to accept the proposal from Mr. Schofield, Chairman of the Energy Advisory Committee, and reduce the number of full members to 7. Vote 5-0.

### **11) Town Administrator's Report**

Mr. Guerino wanted to alert the public about a telephone bill from Sprint. This is a scam. If you're not a Sprint subscriber and you get a bill from Sprint call the police department. Another scam is you may get a telephone message stating they are from the IRS and that you owe a bill and they will take you to court. The IRS will not contact you by telephone they will contact you in writing. If you receive this message notify the police department and/or the IRS. Mr. Guerino also spoke about the telecom policy and the Christmas and holiday lights and the lack there of them on the rotaries.

### **12) Selectmen's Reports**

Don Ellis read an article from the Cape Cod Times about the possession and distribution of marijuana products by authorized medical marijuana users.

Don Pickard stated he would like to request a future agenda item relative to the Financial Project Working Group. He would like to see it reconfigured so that it would include the Superintendent of schools and his business manager, the Town Administrator, the Finance Director, as well as one or two members of the Selectmen, School Committee, and Finance Committee.

They should meet monthly as needed throughout the course of the year.

Mr. Blanton stated a number of people in the community have reached out to him about the reduction in hours and availability of the community building.

Stephen Mealy reported that he attended a meeting with Superintendent Robert Dutch and Principle Roger Forget with Mrs. Judith Froman from the Bourne School Committee and Ms. Jen Donovan a member of the School Department (teacher) from Pocasset Village on November 23. The Bourne representatives of the UCV School Committee, Mary Crook and Julie Wing also joined. The fiscal presentation provided an overview of the current school budget, capital spending and allowed discussion of the school's student population compliment from each of the member towns.

The presentation allowed questions and was well received. If the Board of Selectmen would like a similar presentation at one of our future meetings to allow the same information to be provided to our residents, and feels this would be worthwhile, I would be happy to make such arrangements. It may assist the Board members and residents with a better understanding of the UCT schools funding and student population makeup from the member towns.

Mr. Mealy also want to remind the residents the annual tree lighting in Buzzards Bay Park will take place this Thursday night, December 3<sup>rd</sup>, at 5:00 PM it will go from 5:00 PM to 8:00 PM. I am trying to convince Jim Mulvey to act as a tree lighting person. We hope all will join in this annual event.

The Trustees of the Jonathan Bourne Public Library would like to invite you to Christmas in Olde Bourne Village on Friday, December 4<sup>th</sup> at 5:30 p.m. Festivities will begin a bit after 5:30 as the Bourne High School Choral Group will lead participants in singing holiday carols. The Library tree will be lit at 6:00 following an audience countdown.

While at the library, enjoy cookies and cocoa being provided by the Friends of the JBPL and take a glance at the Bourne/Wareham Art Association art show being held on the library mezzanine.

Cape Cod Health Care will be holding a Blood Drive on Friday, December 11 from 10AM - 4 PM at the Sagamore Market Basket. They are offering a free movie pass to entice you to give the gift of life.

### **13) Other Business**

Steve Lamarche spoke about the reductions the School Committee has to make and the struggles they are going through trying to make those reductions. So for tomorrow evening what do I recommend to my school committee to move forward with the \$480 reduction or to hold off? Mr. Mealy stated, they need to come up with the best possible budget that they can and stop looking at the hard numbers. Mr. Lamarche stated he will not be quiet about continued talk about targeted assistance for other departments in this community without talking about the schools.



**5) Minutes:**

**No minutes were voted on.**

**6) Correspondence**

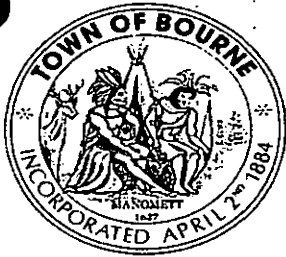
**Voted** Don Pickard moved and seconded by Peter Meier to defer the minutes and correspondence to the next meeting on December 8<sup>th</sup>.

The next Bourne Selectmen meeting will be on Tuesday, December 8<sup>th</sup> at 7:00 P.M.

**10) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned at 10:10 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
December 8, 2015

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.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. 7:00 p.m. (Items 1-4) Call to order
2. Moment of Silence for our Troops and our public safety personnel
3. Salute the Flag
4. Public Comment – Non-Agenda Items
5. Minutes: 9.22, 9.30, 10.13, 10.27, & 11.16
6. Correspondence
7. ISWM Working Group Presentation
  - a. Update to Selectmen
    1. Review letter to Massachusetts Department of Fish & Game to allow Town of Bourne to use effluent line to dispose of treated effluent from landfill and potential Harvest Power Anaerobic Digester.
    2. Discussion of land to the south of the landfill to support current operations and future development.
    3. Discussion of operational impacts of potential expansion of landfill beyond current site assignment.
8. Licenses/appointments:
  - a. Shellfish Rules/Regulations 2016
  - b. License Renewals: Common Victualer [food], Food Vendor, Amusement, Auto Dealers: Class I, II, III, Junk & Taxi and Public Livery.
  - c. One Day All Alcoholic Beverage License for the MMA at the Beachmoor on 12.17.15
9. Selectmen's Business
  - a. FY17 Budget liaison for Board of Selectmen
  - b. Vote to establish Special Town Meeting date
10. Town Administrator's Report
11. Selectmen's Reports
12. Other business
13. Adjourn

2015 DEC 4 PM 3 01  
TOWN CLERK'S OFFICE  
BOURNE, MASS.

## **Future Agenda Items**

- A. Appointment of MBTA Representative
- B. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- C. Cape Canal Area Transportation Study Update
- D. Town Organizational Chart

**Board of Selectmen  
Minutes of Tuesday, December 8, 2015  
Bourne Community Building  
Bourne, MA 02532**

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TA Tom Guerino

2016 JAN 10 PM 11 38

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting to order at 7:00 pm.

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

**Public Comment - Non-Agenda Items**

None requested.

**5) Minutes:**

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from 9/22/15 as presented. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from 9/30/15 as presented. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from 10/13/15 as presented. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from 10/27/15 as presented. Vote 5-0

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from 11/16/15 as presented. Vote 5-0.

Stephen Mealy stated to Tom Guerino that we have to get the minutes released from the Executive Session.

## 6) Correspondence

Michael Blanton brought the committee up to date on the correspondence.

- a. Letter from Anne Garefino regarding commercial events held on Wings Neck.
- b. Letter of interest from David Pelonzi to serve on the Commission of Disabilities.  
Letter of interest from Michelle Spinney to serve on the Human Services Committee  
Letter of interest from Daniel Chauvin to serve on the Planning Board
- c. Otis Fish & Game Club surrendering of their State Club Liquor and Common Victualler's License
- d. Robert Hoffman III appealing Harbormaster denial of a mooring permit to DEP
- e. Division of Marine Fisheries: Status - Open to Shellfishing - Megansett Harbor
- f. Extensive Cape Light Compact activity report for the month of August
- g. Housing assistance Corporation express sincere thanks to the Board of Selectmen for allowing the "Big Fix" to come to the Town of Bourne
- h. Letter from Governor Baker congratulating the Town of Bourne for being awarded a Sustainable Materials Recovery Program grant
- i. Upper Cape Cod Regional Technical School District Committee meeting minutes of October 8, 2015

That concludes last weeks minutes.

Stephen Mealy sated the note from Governor Baker is congratulating the Town of Bourne for being awarded a grant for \$350,000 for use in order to erect and construct a treatment works plant. This is part of the Harvest Power Plant.

This weeks minutes are:

- j. Bourne Historical Society, Inc. Paving the way to a New Future - ONE BRICK at a TIME at the Grover Cleveland Gray Gables Rail Road Station on the grounds of the Aptucxet Trading Post Museum.
- k. Letter from Cape Cod Mosquito Control Project re: State Reclamation Board Budget Notification
- l. Letter of interest from Shawn Goulet to serving on one of the following committees: Recreation Committee, Recycling Committee, and Education/Scholarship Committee

Tom Guerino stated Mrs. Spinney and Mr. Pelonzi's request for appointment will be on the Board of Selectmen's agenda for the 15<sup>th</sup>. That is Mr. Goulet's second inquiry. The Recycling and Education/Scholarship Committee are either at or above; but I will get back to him in regards to his interest in the Recreation Committee and forwarded his name to the Rec Director.

**7) ISWM Working Group Presentation****a. Update to Selectmen**

- 1. Review letter to Massachusetts Department of Fish & Game to allow Town of Bourne to use effluent line to dispose of treated effluent from landfill and potential Harvest Power Anaerobic Digester.**
- 2. Discussion of land to the south of the landfill to support current operations and future development.**
- 3. Discussion of operational impacts of potential expansion of landfill beyond current site assignment.**

1. Dan Barrett, General Manager of ISWM, spoke about the letter addressed to the Dept. of Fish & Game regarding the hookup to the effluent pipeline out of the Joint Base Cape Cod sewer system plant. This will serve the landfill and the ISWM Department, but hopefully in the future it will serve the Anaerobic Digest Waster Water Treatment Plant as well. We need to file with the Department of Fish & Game to start legislation in motion to grant us an easement or a variance to enter onto the Base's land. Rep Vieira offered to assist us through the legislation process.

Representative Vieira spoke about article 97, which puts land into conservation. Because of the conservation restrictions and the upper cape water supply reserve we need to dispense with a portion of the article 97 foot-print in order to get the easement to run the pipe. We will request the legislation be draft with the language and we will pre vet it with House and Senate Counsels. As soon as we get a formal request from the Town we will work with the Department of Fish & Game the draft legislation, it will be cosponsored by Representative Hunt and myself, in the house, Sen. Demacedo, in the Senate it will move this as quickly as we can.

Dan Barrett spoke about the grant that Phil Goddard worked on. We would ask the Board sign the letter.

**Voted** Don Pickard moved and seconded by Mike Blanton to accept the December 2015 letter to Commissioner Peterson at the Department Fish & Game and authorize the Chairman to sign on behalf of the Board of Selectmen. Vote 5-0.

Mr. Mulvey questioned Mr. Barrett status of Harvest Power.

Mr. Barrett stated right now they have applied to Eversource through their RFP process to get a power purchase agreement. We are anticipating the decision from Eversource will probably be the end of this month or early the first of the year.

2. Dan Barrett also spoke about moving into Phase 6 and the possibility of expanding the property of the landfill beyond the footprint on the south of the landfill. An expansion into Phase 7 will expand the life of the landfill for another four years. If we do nothing the landfill, also our operational expenses, is scheduled to last until March 2024. That puts us three years beyond the current Covanta contract.

Looking at a 4-year extension of the contracts we have. The revenue stream, the net, would be around 12 million dollars. Minus the expenses associated with building the liner, capping the landfill, also our operational expenses. The expenses, for just the operation of the landfill, are around 31 million dollars. We are thinking of moving Harvest Power's 5 acres out to the land at the south, if we purchase that land. That would open another phase for potential landfill, which would be called Phase 8.

Phase 8 we are looking to make around net profit of 6.4 million, while also continuing to run the landfill, off of the services that we get in town, is providing service to southeastern Massachusetts. That will get us through to January 2032. All of this is contingent upon modifying the site assignment. We ran it by the Working Group last night. The Working Group encouraged us to come in front of the Board of Selectmen tonight. I will present it to the Board of Health tomorrow night.

Mr. Pickard questioned would another aspect of DEPs chiming in on this be the fact that there are a number of places closing in the near future? Dan Barrett stated certainly. One of the largest landfills in the state, Southbridge, scheduled to close 2019. Fall River is already closed. Taunton will be closing very soon. Pretty soon we will be the only one in town.

Peter Meier questioned could we go up on our spot market. Mr. Barrett stated we could. We are looking at bringing in almost \$18 million dollars, which is net.

Mr. Blanton stated the 18 million dollars was based on a fairly conservative number and factoring in 2 ½%. The potential markets opening up and the other landfills close will increase our fees, but also the speed at which we bring those materials in, that would eat into our airspace. Will that speed up the timetable at which we might look at closure? How would we monitor that?

Mr Barrett stated we will not change how we operate the landfill. When we go before the Board of Health to modify our site assignment, in relation to the Harvest Power projects, one of the things we're looking at doing is increasing the overall tonnage into the facility. Currently we are limited to 825 tons per day. We are only allowed to put 600 tons per day in the landfill, not to exceed 700 tons on any given day, not to exceed 4900 tons in any given week, and not to exceed 219,000 tons annually. We have no intentions of changing that.

Mr Blanton questioned how close are we coming to those numbers now, how much room do we have to expand?

Mr. Barrett stated with the current contracts we have we are coming close. Covanta contracts takes up about 85%. When you combine the town of Bourne and the town of Falmouth, that leaves us about 12,000 tons per day that we are not using. We went to make sure the debt for the landfill is paid off when the landfill closes, also anything we buy or fund doesn't go beyond the current closure date on the landfill.

Peter Meier questioned the single stream recycling.

Tom Guerino stated the folks from the landfill and the Working Group will be coming to the Board of Selectmen on January 5th, the Board will get a full presentation on everything single stream.

Dan Barrett stated Jonathan Nelson, George Sala, and Phil Goddard have been working on it. Tomorrow we will have a meeting with Capital Outlay to go over how it will work. I think the rollout will be pretty quick.

Don Ellis questioned are you getting questions from other towns to use the facility?

Dan Barrett stated through series of meetings, the town wishes to be a residual only landfill. Covanta's contract terminates on December 31, 2021.

Dan Barrett wants to get an answer from the town where do you want us to go? Last night at the Working Group meeting we were hopping to get direction from the Selectman to talk about opening up negotiations for that piece of land.

Tom Guerino stated there have been some discussions with the owner of the land south. I would recommend to the board, since Mr. Pickard has had the primary contact with the owner and the Company representatives, that he, and working with myself, consider the board allowing us to talk to the owner of the property and do nothing until we bring it back to the full Board of Selectmen for discussion in an appropriate setting.

**Voted** Peter Meier moved and seconded by Michael Blanton to allow Mr. Pickard and Tom Guerino to talk to the owner of the property, south of the landfill, and do nothing and bring it back to the full Board of Selectmen for discussion in an appropriate setting. Vote 5-0

#### **8) Licenses/Appointments:**

- a. **Shellfish Rules/Regulations 2016**
- b. **License Renewals: Common Victualer [food], Food Vendor, Amusement, Auto Dealers: Class I, II, III, Junk & Taxi and Public Livery.**
- c. **One Day All Alcoholic Beverage License for the MMA at the Beachmoor on 12.17.15**

Mr. Mullan, Harbor Master went through the major changes to the Shellfish Regulations. A lot of the changes are dates. Other changes are to add on page 1 "presently prohibited" "and any shellfish, including, but not limited to". On Page 2 add "mussels" in that same sentence.

Mr. Blanton questioned is there a run on mussels, why include it this year.

Mr. Mullan stated, mainly because we do our best to manage the popular fisheries in town. \$15 each permit sold goes right into our propagation fund.

Tom Guerino questioned if this is going to be unique.

Mr. Mullen stated Not at all. Every town on the Cape requires permits for harvesting any shellfish.

Mr. Mullen continued going over the changes, on page 3 to clarify, on the top paragraph add



"Any other shellfish not listed shall be in compliance with State Regulations." Change clam, quahog, and oyster, to shellfish. In section 1.7 add "or lightly covered with soil when dry digging"; on the next sentence add "with soil" to remind people when they're digging, especially for soft shell, clams to fill in the potholes they are creating. Change dates on page 3. On page 6, section 1.18 on the line no persons other than the appointed Shellfish Constable or his assistant shall plant, relocate, add the word "store", or transplant, shellfish. This is a problem; we can't transfer or relocate any shellfish with out a permit. A lot of people store their catch for later date, hanging it off their dock. We can't transport shellfish like that without going through serious testing for disease before we relocate it anywhere. You can't store shellfish anywhere other than where it is caught. Page 8 add section "1.25 DIG HOLES: All holes created above the Mean Low Water Line while shellfishing shall be backfilled before leaving the area, taking care not to break or crush any seed shellfish." Under section 2.4 on page 8 add "and other shellfish." On page 9; there was a change in the state regulation regarding the harvesting of eels in the minimum length which was six is now nine; add "in excess of 25 total are"; under section 2.5 take out clams, quahogs, or oysters and add "shellfish". On page 11 the size of the eels has changed from six to nine; and on the last page change the date.

**Voted** Peter Meier moved and seconded by Don Pickard to approve the 2016 shellfish regulations and rules as presented with the edits. Vote 5-0.

Mr. Guerino questioned if the Board wants the stamp used as opposed to their personal signature on all of these licenses? The Board members agreed.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following auto dealers class I licenses for 2016: Atlantic Subaru, Battles Buick GMC, Bobcat of Bourne, Cape Cod Harley-Davidson, Falmouth Toyota, New England RV & Marine, and Nissan of Bourne. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following class II auto dealers for 2016 auto license renewals, they are: Bay Motors, Buzzards Bay Garage, Canal Auto, Cape Cod Car Care, Cape Cod Restoration, Inc, Cataumet Auto Sales, Coastal Motors and Equipment, Diamond Auto Sales, Diamond Motors, Falmouth Motorcar, GAF Auto Brokers, Kent Auto, Miracle Auto Sales, R & R Auto Dealer, Shoreline Automotive, Inc., Southeast Truck Center Inc., Towers Used Cars, T Wheels, and Try Auto Group. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following for 2016 class III auto dealer license for Knowlton's Garage, Inc. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following for 2016 junkyard license for Knowlton's Garage, Inc. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following for 2016 taxi license for Bourne Bridge 24HR Taxi, Inc. for five vehicles. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following for 2016 public livery license for the following: Any Occasional Limousine, for 3 vehicles, Fantasy Limousine Services, Inc. for 2 vehicles, Cape Cod Connector, for 1 vehicle, and Green Shuttle of Cape Cod for 4 vehicles. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the following for common victualer license: American Lobster Mart, Bayside Café, Beachmoor at MMA, Chen's Kitchen Inc., Clammy's Pantry, Knights of Columbus Council 2911, The Corner Café, The Daily Brew, Dunkin Donuts at 24 Meetinghouse Ln. Sagamore, Dunkin Donuts at 278 Main St. Buzzards Bay, Dunkin Donuts at 174 Clay Pond Rd., Dunkin Donuts at 688 MacArthur Boulevard, Dunkin Donuts at 2 Bourne Rotary, Dunkin Donuts at 343 Scenic Hwy., East Wind Lobster and Grill, Eastwind Seafoods, Friendly Ice Cream Corp., #743, Hoagies Diner, Hollyberries, Jake's Pizza Company, Krua Thai, Market Basket, McDonald's at 370 MacArthur Boulevard, McDonald's at 15 Meetinghouse Ln. Sagamore Beach, Monument Beach Pizza, Mr. G's Pizza and Ice Cream LLC, Nick's Pizza, Primetime House of Pizza, Sam Snack Bar, Skiane's Ice Cream, Stir Crazy, Starbucks Coffee, Subway at 282 Main St. in Buzzards Bay, and Subway #41630 at 626 MacArthur Boulevard Pocasset.

Michael Blanton stated in regards to Monument Beach pizza, Mr. Romkey is in the process of selling that business, does that affect the license. Mr. Guerino stated it won't at this point, at the time the sale or transfer goes through there will be a new CV that will be issued to the Board of Selectmen at that time.

Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the 2016 weekday amusement license for the Knight of Columbus at 5 Armory Rd. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the 2016 lodging license for Noah's Ark. Vote 5-0.

Don Packard read the One Day All Alcoholic liquor license for the MMA at the Beachmoor on December 17, 2015. We have a completed application. There are no adverse comments on the routing slip.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the One Day All Alcoholic liquor license for the MMA at the Beachmoor. Vote 5-0.

**9) Selectmen's Business -**

- a. **FY17 Budget liaison for Board of Selectmen**
- b. **Vote to establish Special Town Meeting date**

9 a. Steve Merely questioned the members of the board if they had any specific department they would like to work with as we get into fiscal 17 the budget.

Don Pickard – Police Department, Fire Department, ISWM

Don Ellis – Police Department, Fire Department

Peter Meier – DPW, Facilities, Sewer, Community Building, COA & Recreation, Schools

Michael Blanton – Education Schools, Library, Planning Development & Inspection

Stephen Mealy – Town Hall, Finance, DNR

Tom Guerino suggested next year the Board Member's alternate the departments so they get an intimate knowledge of the entire municipality.

#### Town Budget Calendar.

A reminder that the Department of Revenue's Municipal Calendar, which was received within the Department's City and Town newsletter of December 3rd reminds the members of city and town Boards of Selectmen and Councilors that December 31 is the date the Boards begin to finalize the Budget Recommendations for review by the Finance Committee. Per our Charter, Section 7-1, all departments are to have operating budget requests by December 8th.

On or before January 15th, the Town Administrator shall submit to the Board of Selectmen a proposed operating budget and a capital program and capital budget for all town departments, including the School Department.

"The School Committee budget shall be submitted to the town administrator in sufficient time to enable the town administrator to consider the effect of the school department's requested appropriation on the total town budget and make recommendations on same."

Per the Charter, Section 1.2.7 "the Board of Selectmen shall review the proposed budget and capital plan, making changes where they deem appropriate and submit to the Finance Committee on or before February 1 of each year.

Per the Town By-Laws, Section 1.2.7, "Each head of a department, board or committee or other officer in charge of the expenditures of the money of the Town shall not later than December 8th of each year".

#### References.

##### Charter Section 7-1: Budget Process.

Prior to the annual town meeting and within a time fixed by by-law, the town administrator shall submit to the board of selectmen a proposed operating budget and a capital program and capital budget for all town departments, including the school department, for the ensuing fiscal year. The proposed budget shall be accompanied by a budget message and supporting documents. The budget message shall explain the budget both in fiscal terms and in terms of work programs. The proposed budget shall be balanced and shall show both proposed expenditures and anticipated revenue. The proposed budget shall provide a complete fiscal plan of all town funds and activities and shall be in the form the town administrator deems desirable or as the board of selectmen requires. The proposed budget shall include a listing of the funds requested by town departments and agencies. The board of selectmen shall review the proposed budget and capital plan and make such changes as the board deems appropriate prior to transmitting the budget and capital plan to the finance committee. The school committee budget shall be submitted to the town

administrator in sufficient time to enable the town administrator to consider the effect of the school department's requested appropriation on the total town budget and make recommendations on same.

Per the Town By-Laws:

Town B-Law Section 1.2.7 Time Limit for Filing Annual Operating Budgets. Each head of a department, board or committee or other officer in charge of the expenditures of the money of the Town shall not later than December 8th of each year file with the Town Administrator an operating budget on forms approved by the Town Administrator indicating the appropriation requested for the regular annual expenses of such department, board, committee or office for the next fiscal year.

On or before January 15th of each year, the Town Administrator shall submit to the Board of Selectmen a proposed operating budget and a capital program and capital budget for all town departments, including the School Department. The proposed budget shall be accompanied by a budget message and supporting documents as required by the Bourne Town Charter Article 7 -1. The Board of Selectmen shall review the proposed budget and capital plan and make any changes deemed appropriate. They will then transmit the budget and capital plan to the Finance Committee on or before February 1st of each year.

Stephen Mealy stated the Chair of the Finance Committee suggested that possibly getting the members of the Finance Committee and the respective members from the Board of Selectmen together so we only have to interrupt the department heads or their representatives a single time. Tom Guerino stated as the Board of Selectmen and Finance Committee hopefully working jointly, establish their meeting time please cc the Town Administrator, so if he feels he needs to be there, he can schedule to be there.

**9b.** There is a vote by the Board this evening to establish Special Town Meeting date; the proposed date is February 8<sup>th</sup>.

**Voted** Peter Meier moved and seconded by Don Pickard to adopt February 8, 2016 as the Special Town Meeting date.

Don Picard questioned if it is the primary focus of this meeting to reevaluate the budget for 2016? Tom Guerino state the primary focus of this meeting was originally to move on the single stream recycling. I anticipate there will be some modification to article 3, which is the budget article, from the school department perspective, and some minor modifications given the fact that there was concern on turn backs. We can look at maybe some salary monies to move around a little bit to help some of those departments that have been hit substantially hard. That will be up to the selectmen to determine if they want to do that.

Don Pickard questioned do we need article 3 to be re-voted to that extent so that some of the monies can be moved from place to place. The only other article at this point is single stream recycling. Tom Guerino stated there will be an article relative to zoning as it relates to the B3 district for the proposed development over on the other side of the bridge at the

old Cabela's property. There needs to be some discussion relative to zoning changes in that B3 district as well.

Don Picard questioned if the vote to undertake single stream recycling is successful and spend the money out of retained earnings and ISWM, when would the start date the town of Bourne be looking to initiate single stream recycling. Mr. Guerino stated probably August or September. We are trying to get it done during the summertime when all the folks are here so we can get the containers out to the residents. Mr. Pickard stated his concern is that residents leave during the winter and you are going to have Special Town Meeting on February 8. Can we wait three months and have a Special Town Meeting in our Annual Town Meeting? Tom Guerino stated that would probably push the single stream recycling off until next summer. Don Picard stated we just had an override that was not successful, we do have a number of seniors who migrate south for the winter, and we usually have difficult weather in February.

Peter Meier stated the warrant has to be signed by the 19<sup>th</sup> of January. Mr. Meier read the warrant. Constable need to certify it by 125 and the last day to register to vote is January 29<sup>th</sup> in order to vote at the Town Meeting on February 8<sup>th</sup>.

Vote 5-0.

Stephen Mealy went over the warrant again. The last date for filing private petitions will be determined by the administration, and the Board of Selectmen's office will announce that. The last day the Board of Selectmen must sign the warrant is Tuesday January 19. The Constable has to post a warrant by Monday, January 25, and the last day to register to vote at the town meeting is January 29. Mr. Guerino suggested the date for private petitions would be Friday, January 7. Mr. Mealy questioned the Board if anyone would object if we did that next week.

#### **10) Town Administrator's Report**

Tom Guerino stated he had a wonderful meeting with the Town Manager in Sandwich, Tim Mullen, myself, and the harbormaster from sandwich. We met and have come to an agreement on the 200 resident beach stickers that would be sold to Bourne residents for the beaches in Sandwich. He's bringing it back to his board for approval. We should have a memorandum of understanding within the next week. The rate would be \$35 with a projected two-year trial.

Based on last week's meeting with the 208 planning and the Cape Cod Commission being here; Linda and I will be meeting with Mr. Ceolik tomorrow for our first meeting to go over some of the 208 planning and other financial matters as we discussed at the meeting last week. He is going to want to meet at some point with the Chairman of the Board of Selectmen and the Chairman of the Finance Committee should the time be available.

Today I received a memorandum of understanding between the Cape Cod commission and the town of Boerne as it relates to the mitigation monies being drawn down. It is not a grant it's not money that goes into the general fund we have to submit invoices. I intend to sign it tomorrow after I have had a chance to review it more thoroughly.

Today was a rough day at Town Hall. We started the required notices of layoff, a lot of the folks are either being adjusted to other departments, hours are being reduced or positions are being eliminated. I expect that to be concluded tomorrow and the final letters on where people will be relocated, reduced, or eliminated will be completed by days end tomorrow.

I have taken a kind of behind the scenes fundraising effort to try to keep the senior bus going and to date I wanted to note we have raised \$9000. Special thanks goes to Covanta and Market Basket. We are continuing to look at other options. That's certainly with some money from the gift account from the Council on aging, about \$4000. Right now we have enough to carry us for about 3 ½ months. We will continue to work on private donations to try to keep that bus up and running through June. We will figure out during our budget discussions for 17 where that goes.

Peter Meier wanted to clarify when we approve the policy for ISWM for the recycling center, once the information is been corrected Mr. Meier like it put online. Mr. Meier also wanted to clarify that if someone paid by credit card would it be a fee attached to it? Phil Goddard, ISWM, stated he believes there is no intent to pass the fee onto the residents. Mr. Goddard stated they put the policy on the ISWM website.

### **11) Selectmen's Reports**

Peter Meier stated it was a meeting tonight at the Peebles School. The school building committee had the third informational meeting to see what the town's direction is going forward with replacing Peebles School. Some of the options are to add on to Bourndale Elementary School in have one elementary school. Another option is to put a brand-new Peebles Elementary School on the site where the Peebles, Middle and High school are already located. The third option is to rehabilitate the Peebles School and add on to it. They will be a recommendation but the school building committee going forward for what options they want to pursue for special town meeting next fall or by a debt exclusion at some point.

Don Picard questioned now the Peebles School is before the police station in our capital plan? Peter Myers stated because of the 44% reimbursement it is his understanding that the Peebles School has jumped ahead of the police station.

Michael Blanton also attended the Peebles school meeting. Mr. Blanton said there were four different options. It was a K-4 option, there was a pre-K-4 option, there was a K-5 option, and there was a pre-K-5 option.

Mary Jane Mastrangelo stated currently the police station and the Peebles Elementary School are on the capital plan. They are both on for presentation in FY18. In one of the options that is being considered for Peebles Elementary School, which is the add-on of Bourndale would make that Peebles site available for perhaps the police station. We need the police station facility committee looking at sites. One of things we don't want to happen when the Peebles School comes before the voters is to have no answers on the police station. I would like to be of the tell the voters at that time this is what Peebles replacement

is going to cost, this is what the police facility is going to cost, and this is our plan for going forward with both projects.

Don Pickard would like to bring something to attention; this has been a very busy year for us, with the override, the community outreach, and all the different things going on. In fairness to the Town Administrator, I believe it would be incumbent upon the board, perhaps the chair and one other member visit with him between now and the next meeting and work on our goals, to maybe three goals that are manageable because his evaluation is somewhat predicated on goals. Mr. Mealy questioned the board, who would like to sit with him to go over the goals. Peter Meier and Michael Blanton will get together. They will let the Town Administrator know when they will meet.

Michael Blanton stated he attended the holiday lighting ceremony in the Buzzards Bay Park. It was well attended, we estimated a little more than 200 people who attended. Mr. Guerino wanted to thank Mr. Mulvey for turning the lights on for the holiday season. Mr. Blanton also attended the Christmas in olde Bourne Village.

Don Ellis stated in the village of Sagamore they had the housing assistance redo a house. They did an outstanding job, brought the house back. It was for Vietnam veteran.

Stephen Mealy stated they will be a Board of Health meeting tomorrow evening. Dan Barrett will give an update. There will also be a discussion on the wind energy conversion systems being put up on the boarder of Bourne and Plymouth. Stephen Mealy read the bottom item on their agenda: a continuation from November 8<sup>th</sup>. John J Cahoon and Karen Gebedise requesting a hearing regarding the impacts to the bone residents for the future when generation, discussion possible votes. That meeting starts at 7 PM and is at the lower conference room in the Bourne Town Hall, tomorrow evening December 9<sup>th</sup>.

Phil Goddard, Monument Beach, speaking as a private citizen of Bourne, wanted to speak about the public-private partnership related to the third Canal Bridge. Wanted to express his concern that that not be an option. Mr. Goddard stated he has concerns about paying back private entity with a toll system in the middle of the winter and the pressures placed on the other bridges. I do not think they need to be a third bridge. And would purge the Selectman to work with representative Viera. The Core of Engineers has a responsibility to replace and repair the existing bridges, and that is my preference. There are a bunch of other implications, going into Camp Edwards.

Representative Viera stated he just put the request into his staff to organize a get together in February. We'll have some preliminary and local aid numbers, I will also give you an update on the P3 Partnership Oversight Commission. Representative Viera will attend the first Selectmen's meeting in February with updates.

## **12) Other business**

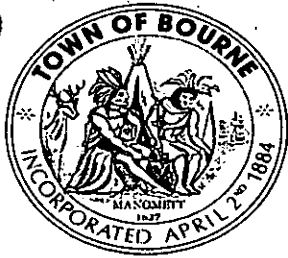
The next Bourne Selectmen meeting will be on Tuesday, December 15<sup>th</sup> at 7:00 P.M.

**13) Adjourn**

**Voted** Don Pickard moved and seconded by Peter Meier to adjourn. Meeting adjourned at 8:40 pm. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.





# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
December 15, 2015

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.

TIME 6:00 p.m. Call to order in Open Session

1. Executive Session. To conduct strategy session with respect to litigation as an open meeting may have a detrimental effect on the litigation position of the public body. The Chairman declares that such open discussion will have a detrimental effect to the litigating position of the public body.

Roll call Vote to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7 P.M.

Roll call Vote to reconvene in open session.

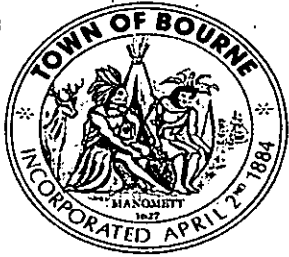
All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. 7:00 p.m. (Items 1-4) Call to order
2. Moment of Silence for our Troops and our public safety personnel
3. Salute the Flag
4. Public Comment – Non-Agenda Items
5. Minutes: 12.01.2015
6. Correspondence
7. Compassion Care Clinic, discussion of establishing a cultivation and processing of medical marijuana facility at 170 Clay Pond Road, Monument Beach.
8. Laura Kelley, Director of Protect Our Cape Cod Aquifer, requesting the Board of Selectmen to:
  - a. Write a letter in support of Senator Dan Wolf's bill #S.478 to Massachusetts Department of Agriculture Resources to allow towns to stop herbicide spraying along town owned and privately owned right-of-ways.
9. Discussion relative to use wage monies in Board of Selectmen's office for administrative support
10. Selectmen's Business
  - a. Deadline for submitting private petition articles for February 8, 2016 Special Town Meeting – December 28, 2015
11. Town Administrator's Report
12. Selectmen's Reports
13. Other business
14. Adjourn

2015 DEC 11 PM 3 25  
TOWN CLERK'S OFFICE  
BOURNE, MASS

## **Future Agenda Items**

- A. Appointment of MBTA Representative
- B. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- C. Cape Canal Area Transportation Study Update
- D. Town Organizational Chart
- E. Labor Contracts
- F. Executive Minutes Review
- G. Upper Cape Vocational Technical School operations overview



# Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday December 15, 2015	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.

TIME 6:00 p.m. Call to order in Open Session

1. Executive Session. To conduct strategy session with respect to litigation as an open meeting may have a detrimental effect on the litigation position of the public body. The Chairman declares that such open discussion will have a detrimental effect to the litigating position of the public body.

Roll call Vote to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7 P.M.  
Roll call Vote to reconvene in open session.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

1. 7:00 p.m. (Items 1-4) Call to order
2. Moment of Silence for our Troops and our public safety personnel
3. Salute the Flag
4. Public Comment – Non-Agenda Items
5. Minutes: 11.24.2015, 12.01.2015
6. Correspondence
7. Compassion Care Clinic, discussion of establishing a cultivation and processing of medical marijuana facility at 170 Clay Pond Road, Monument Beach.
8. Laura Kelley, Director of Protect Our Cape Cod Aquifer, requesting the Board of Selectmen to:
  - a. Write a letter in support of Senator Dan Wolf's bill #S.478 to Massachusetts Department of Agriculture Resources to allow towns to stop herbicide spraying along town owned and privately owned right-of-ways.
9. Discussion relative to use wage monies in Board of Selectmen's office for administrative support
10. Selectmen's Business
  - a. Deadline for submitting private petition articles for February 8, 2016 Special Town Meeting – December 28, 2015
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12. Selectmen's Reports
13. Other business
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2015 DEC 11 pm 2 36  
TOWN CLERK'S OFFICE  
BOURNE, MASS

## **Future Agenda Items**

- A. Appointment of MBTA Representative
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**Board of Selectmen**  
**Minutes of Tuesday, December 15, 2015**  
**Bourne Community Building**  
**Bourne, MA 02532**

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TA Tom Guerino

2016 JAN 10 PM 11 38

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Selectmen**

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

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

TIME 6:00 p.m. Call to order in Open Session

1. Executive Session. To conduct strategy session with respect to litigation as an open meeting may have a detrimental effect on the litigation position of the public body. The Chairman declares that such open discussion will have a detrimental effect to the litigating position of the public body.

Roll call Vote to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7:00 P.M.  
Roll call Vote to reconvene in open session.

**Voted** Don Pickard moved and seconded by Michael Blanton to go into executive session.  
Roll call vote: Mr. Meier – Yes; Mr. Pickard – Yes; Chair – Yes; Mr. Blanton – Yes; Mr. Ellis – Yes.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**Documents**

**Meeting Called to Order**

Chm. Mealy called the meeting back into open session.

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

**Public Comment – Non-Agenda Items**

Ronald Matheson, wanted to talk again about the wind farm being built in Plymouth. Mr. Matheson stated they are devaluating a substantial portion of the town. Concerned about

the revenues in the town, and letting this project devalue the properties in town, and the inaction addressing the windmills. They have been working day and night. They have put up two, and are working on a third, and we have done absolutely nothing. You authorize the Board of Health to higher Attorney Troy. He went in and basically waved his white flag and said if I pursue this I'm going to lose. I don't think we need a person representing us that has that losing attitude. Mr. Troy also stated he will not address a jury. I recommend we go out and hire an aggressive attorney who understands what the problem is and attacks it immediately. We have to act on this immediately.

Mary Jane Mastrangelo, speaking as a resident of Bourne, wanted to bring up the topic of goals and budget priorities to find out when they might be agenda items for the Board of Selectmen. The Board of Selectmen under the charter is the policy-setting group. Through the goals and the budget priorities that the Board of Selectmen set the Town Administrator gets his direction on where he should be focusing his efforts and how he should be constructing a budget to meet the goals of the Board of Selectmen. Mrs. Mastrangelo wanted to know when the selectmen would be able to address those two items. Stephen Mealy stated the Town Administrator shall submit a budget to the Board of Selectmen on or before January 15. I will comment tonight about liaisons assignments. Two members of the board have met to determine goals for the year. We have not met the requirements for the goals. I hope that within the first two weeks of January prior to the town administrator handing over the budget to the board we'll have priorities set up for that.

#### **5) Minutes: 11.24.2015, 12.01.2015**

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from November 24, 2015 as presented. Vote 5-0.

**Voted** Don Pickard moved and seconded by Peter Meier to approve the minutes from December 1, 2015 with one correction the typo on Page 6.

Peter Meier wanted to clarify a typo on the 11-24-15 minutes, fix the word sold.  
Vote 5-0.

#### **6) Correspondence**

Michael Blanton brought the committee up to date on the correspondence. There is only one letter of correspondence. Mr. Blanton read the letter from Mr. James Danene addressed to all the Selectmen regarding the Hen Cove Beach status and request.

Tom Guerino stated the DPW will look to do some of the raking, as much as the equipment allow, after the winter. The issue relative to bringing landfill area sand down to the beach is probably not going to pass from the Conservation Commission because it's not the same type of sand.

Mary Jane Mastrangelo questioned whether the removal of the rocks is a subject for conservation to consider.

Stephen Mealy read one other letter/email that Chief Woodside forwarded to the Selectmen from Phil Lamorie addressed to Chief Woodside Side. Mr. Mealy read the letter about the excellent team of Police Officers in the Town of Bourne.

**7) Compassion Care Clinic, discussion of establishing a cultivation and processing of medical marijuana facility at 170 Clay Pond Road, Monument Beach.**

Michelle Stormo, Executive Director for Compassion Care Clinics, and Holly Carol, Director of Patient Care, for Compassion Care Clinics, Dr. David Aubry, COO/CFO for Compassion Care Clinics.

Michelle Stormo, Executive Director, Brighton Health Advocates Inc. DBA Compassion Care Clinics stated I incorporated this nonprofit organization in 2013 in response to the Massachusetts law allowing marijuana for medical use in Massachusetts. Mrs. Stormo gave a brief history of her experience, the background of the company, and what brings her here tonight. We have already found a host community for dispensing marijuana for medical use and we are seeking a host community for cultivation and processing. We have already completed most of our security protocols and will exceed what DPH (Department of Public Health) requires to ensure safety for the community and our employees. We would prefer input from the local police department and want to collaborate on developing a security plan for our proposed location if approved. We will provide the community with up to 50 full-time jobs with competitive wages and full benefits.

Due to our unique situation we are looking to expedite the opening of our facility and we are interested in a property up on Clay Pond Road. We have spoken in lengths with the current leaser and property owner and would like to move forward with intent to lease. We are interested in collaborating on a host town agreement with Bourne. We are asking you to sign a letter of support or non-opposition to operate in Bourne for cultivation and processing only.

Our passion in coming to this business is to put money back into the community towards education and prevention for substance abuse. We intend to offer free sessions with patients and their families that come into our center so we can provide direct referrals, direct access to treatment. We intend to form a charitable organization and we will put monies into that fund and invite two members from our host community to sit on that board and decide where that money will be used.

Stephen Mealy read the application process from the Department of Health for medical use of marijuana program guidance for municipalities regarding the medical use of marijuana. This applicant before us is asking for a letter of support or non-opposition.

Don Ellis wanted to bring to the attention of the board that it states under the RMD application it may seek the required special permits. Mr. Ellis questioned is this product that you intend to grow, is that FDA approved? Mrs. Stormo stated under federal law marijuana is still not legal. Mr. Ellis stated so what you want us to do as a board is to approve a site for you to grow marijuana, which is not legal federally; to give you an approval to grow something that is against the law. Mrs. Stormo stated I am asking for non-

opposition or support from your board to open a cultivation and processing for the medical use of marijuana. Many people don't smoke it anymore; it is applied as a salve, applied as a lip balm, applied with oils, patients are not smoking it any more. We are planning on offering a range of high CBD (cannabidiol) low THC (tetrahydrocannabinol) options. Mr. Ellis questioned how do you ship it from point A to point B. Mrs. Stormo stated there are very strict protocols. They require two people, in a van with a lock box, signing off, and with radio contact at all times. I spoke with Chief Woodside and spoke with him about what we would be doing and our transportation procedures. I am open to communication from the residence if they have questions.

Michael Blanton stated there are security concerns. Security with regard to transportation but also security protocols that would be in place around the said facility; and also questioned the financial accounting because of the concern with regard to the legality status of marijuana a number of banks might not involve themselves in handling the monies. With regard to economic development you stated up to about 50 jobs; would there be local hiring preference.

Mrs. Stormo stated it is required by DPH that we have many cameras on site. It is a live feed camera 24 hours a day. If there is an employee on-site there has to be a security guard on-site. Every employee has to have a significant background check. We have a director of security who has been with the state police for 25 years; he has helped us with security protocols. David Aubry stated we have found a bank in Massachusetts that will do the banking for us. Banks that have federal ties are allowed to address medical marijuana but they have very strict reporting requirements. Mrs. Stormo stated there will be no cash on site because there is no dispensing on-site. There are a variety of jobs down to people who have agricultural experience, we have trimmers, we will be looking to hire security guards. As long as they can pass the background check and have the skills needed or can learn the skills necessary to do the job, we would be focusing on local hiring. We have a potential grow manager position. Don Pickard stated you said you'll be cultivating and processing only and you will be dispensing somewhere else. Do you have an agreement with the other community to do the dispensing, and where is that? Mrs. Stormo stated it is in Wareham, we have a letter and a lease. Mrs. Stormo stated we do have a letter for cultivating and processing in another town up North. Mr. Pickard questioned what is your process/schedule for contributions to the community? Mrs. Stormo stated we have done a host town agreement. A lot of them are tied to the revenues percentagewise. For the cultivation facilities a certain amount goes towards the town. We normally sit down with the Town Administrator to negotiate an agreement. In addition to the host agreement we would like to set up a charitable foundation and hope that people from the host town will sit on the board and decide where that money will go. Holly and I, having our history with mental health and substance abuse, will also be investing in the community with prevention and education.

Peter Meier questioned why come to Bourne for cultivation when you already have a site in Wareham for dispensing, why not get a cultivation and processing site in Wareham? Mrs. Stormo stated the site for the building where we are in the process of negotiating a lease is not large enough to do the cultivation piece also. We will have a small medical office dispensary for patients to come in and get the medicine. Mr. Meier questioned if you are a nonprofit why are you paying a for-profit entity? Mrs. Stormo stated we needed investors, to apply for this license, to provide us with money. You can't get a return and invest in a



nonprofit so we set up a for-profit management company where Massachusetts Recovery Services pays for certain employees. Because medical marijuana is not legal under federal law we are taxed 50%, so in order to give more money back to the community and not have to pay 50% in taxes we need a management company, for example, to buy some of our lighting equipment and lease it back to us. We also found landlords probably wouldn't lease directly to a medical marijuana facility because of the risks so they would lease the building to Massachusetts Recovery Services and Massachusetts Recovery Services leased it to Brighton Health Advocates.

Stephen Mealy questioned what kind of schedule are you looking for for the town and what will the expectations be for the town as far as the progress, the development of the plan, and the opening? Mrs. Stormo stated if the board decides to provide a letter of support or non-opposition, and if we got the intent to lease with the Clay Pond building we would submit that with our siting profile; if we did not receive that we would submit the locations we have currently which is Wareham and Holliston. Our siting profile is due December 31. We would keep communicating with the town if we were to move forward with the property. In working with the state towards opening as soon as our inspections were done and received our provisional license we would build out the facility and look to start operations. Mr. Mealy questioned any idea of the timeframe from the time you submit? Mrs. Stormo stated we would first start construction on our cultivation facility because we need at least three months of cultivation and processing before we open the dispensary, and probably at least five or six months until we can do that.

Jim Mulvey wanted to clarify is there any proposed connection between the previous applicant and this applicant? The applicant stated there is no relationship with the prior applicant. Mr. Ellis questioned what are you going to do to prevent dumpster divers from going into your trash? Mrs. Stormo stated we are not allowed to have a dumpster on the property. Any waste we actually have, which is probably minimal, we have to take up to Rochester where they have a facility where they safely dispose of it. Dumpsters are not allowed on the property. Tom Guerino stated the Holliston agreement you have will you pursue that in addition to Bourne. Mrs. Stormo stated under one license we can have two locations that do all three or one location that does all three. We can only have one cultivating and processing facility per dispensary, so we couldn't have one in both towns. Mr. Mulvey questioned does processing cover the production of oils or edibles. Mrs. Stormo stated the word processing could also be manufacturing. Cultivating is the actual growth of the plant and processing is actually turning it into edibles, oils, salves, and balms, all of that type of stuff. Under Massachusetts law we are not allowed to have any candies or anything that is child friendly, bright colors; we will also be offering lockboxes because you have to keep that safe from children and pets. Holly Carol stated one of the components we want to highlight is educating the families and patients around safety. That's my role in particular. Mrs. Stormo stated the average age of the patient in Massachusetts is about 43. The patients who are using it may have never used it before or it has been a long time since they've used it. In educating them we're talking about proper dosing, how to store it, and how to use it. If it does become recreational we will stand behind our mission and still provide what recreational users are not looking for, high CBD the low psychoactive, the more medicinal component.

Mr. Pickard stated based on a couple factors, your timeline, coming into the holidays, and the concern about the close proximity to an apartment complex; I like to have the town

administrator receive the copies of the letters from the other communities and perhaps any agreements.

**Voted** Don Pickard moved and seconded by Peter Meier to table this until our first meeting in February and to give the public a chance to weigh in. We have already approved one facility. I think it would be beneficial to take some public comments if anyone is interested.

Mr. Mealy stated the date would be February 2<sup>nd</sup>.

Vote 5-0.

**8) Laura Kelley, Director of Protect Our Cape Cod Aquifer, requesting the Board of Selectmen to:**

- a. **Write a letter in support of Senator Dan Wolf's bill #S.478 to Massachusetts Department of Agriculture Resources to allow towns to stop herbicide spraying along town owned and privately owned right-of-ways.**

Stephen Mealy stated we can open the agenda item and see if the board wants to continue this on another evening to allow Laure Kelly to be present. Mr. Pickard agreed with that suggestion. Mrs. Manter stated she would like to request the Board not to endorse this bill by Sen. Wolf.

Mr. Mealy gave a brief background on the bill that was filed by Sen. Dan Wolf.

Mrs. Manter stated there are numerous reasons; the first being the ownership of these rights of ways is because some of these rights of ways are owned by private residence and some are owned by the Town of Bourne. The controlling easements on these properties is something this bill does not address. It is very important because, in the case right of way 242 in Bourndale in which the Town of Bourne owns a portion as well as private residence; the controlling easement on that property says that the owner has the right to cultivate the property. How can you cultivate the land or farm it with them spraying these types of herbicides on the property. The other issue is that Eversource has the 100-foot easement swath. They do not have the right to interfere with property outside that 100 foot swath and that is something that I want to see go to court. I feel this bill will hinder the town and also the private property owner from going forth in stopping the spraying. The bill defaults to spring and I'm very concerned about the language regarding the arbitration; is that arbitration binding. In terms of writing to the Massachusetts Architectural Department of Resource the problem with the pesticide regulations the way they stand now as they are is not written into the Mass General Law. Without those regulations being written into law there is no way of really truly enforcing them and them not being enforced. Every town on Cape Cod is in opposition to the spraying. I feel this bill will make Eversource more powerful, and we're giving them the leverage to do whatever they want. I don't think the town, or the people, or the state should be run by a big business. I do not believe we should take away the rights of the people here and going into land court, if necessary and have a judge decide, can they spray on that hundred feet. These herbicides can migrate into the soil, so it doesn't stay within the 100-foot easement. Don Pickard believes since the proponent is not here, we should table this discussion until a meeting in February; and to ask the Town Administrator to contact his colleagues cape wide and see what they have done; we should reach out to Sen. Demacedo's office, he has a legislative director who I

believe is also an attorney, and find out where they see this bill at and whether or not it is some sort of an issue where Eversource seem to be trying to get out of any type of litigation in the future. I do think we should put this off and not take a position on it tonight. Don Ellis stated he would request Mr. Guerino to notify Mrs. Manter when it will be on the agenda again to give her an opportunity to come back in. Michael Blanton questioned Mrs. Manter have you spoken with Sen. Wolf or any of his staff regarding your concerns, and what kind feedback are you getting? Mrs. Manter stated she emailed him and spoke with him. He didn't respond to me directly. Peter Meier read the paragraph that Mrs. Manter has a problem with. Mr. Meier stated this is just a way to stall and eventually get what they want. It is not in the best interest of the residents or for the people that live in that area. I think someone from Mr. Wolf's office should be here in February to defend his own bill. I would like to know why they signed on to a bill that will harm individuals. Mr. Guerino suggested the February 16<sup>th</sup> meeting.

**Voted** Don Pickard moved and seconded by Peter Meier to table until the February 16<sup>th</sup> meeting.

Mary Jane Mastrangelo agrees that you should table it but also that you should communicate with Sen. Wolf's office that you have serious concerns about the way this section is written. They should be defending the rights of the individual and not the Corporation.

Vote 5-0.

#### **9) Discussion relative to use wage monies in Board of Selectmen's office for administrative support**

Tom Guerino stated we have an employee in the Board of Selectmen Town Administrator's office whose position was to be eliminated effective December 31, 2015 with the failure of the override to pass. In the past several weeks we have been notified that another member of the staff will be out of the office for most/all of February and March and perhaps into April as well. The third party in the office is primarily tasked to work on the Sewer issues in the town and that leaves just me. She and I cannot maintain the office ourselves. There is about \$4500 remaining in the \$5000 appropriation for wage money and that would carry the part-time employee through just about to the end of March and give us sufficient time for any delay in a person coming back. I am asking the Board to authorize the use of their money to keep this person on to the end of March at a minimum. Mr. Mealy questioned if Mr. Guerino has a dollar amount. Mr. Guerino stated it is about \$1433.00 a month so it will be about \$4300.00, I would like the authorization for \$4500. Peter Meier questioned if we didn't approve this authorization would you have no other choice but to go to the finance committee for a reserve fund transfer? Mr. Guerino stated yes. For the purpose for what I have to do tonight to get this solidified to make sure we are properly staffed this is what I need to do now. Mr. Blanton questioned is the use of that monies in this particular area going to negatively impact use in another area. Mr. Guerino stated no.

**Voted** Don Ellis moved and seconded by Michael Blanton that we approve use of these monies (\$4500.00) as requested by Mr. Guerino. Vote 5-0.

**10) Selectmen's Business -****a. Deadline for submitting private petition articles for February 8, 2016 Special Town Meeting - December 28, 2015**

Mr. Guerino stated that has been reviewed and re-reviewed by my office and that of the Town Clerk.

Stephen Mealy stated although is not specifically on the agenda I would like to take a moment to go over the liaisons that I typed up from the last meeting and sent out, I noticed some people have a lot and some people don't have a whole lot. Mr. Mealy questioned the Board if there are any changes the members would like to make. Peter Meier stated he feels that the DPW, the Facilities, and the Sewer can be reallocated to someone else. Mr. Mealy stated that would leave you with Recreation, the Community Building, Council on Aging, and schools. Mr. Meier stated Michael Blanton and I are also working on the Library together. Don Pickard stated he volunteered to do the Capital Planning also. Don Ellis will take the Department of Public Works and the Sewer. Mr Mealy stated he will do Facilities with the Town Administrator. Mr. Meier stated he and Mr. Blanton will also be doing the Human Services Committee. Mr. Guerino wanted to let the Board know that during the discussions on the override the Human Service funding was to be eliminated with the exception of the Visiting Nurse Association.

Peter Meier reminded Mr. Mealy they were supposed to appoint citizens to certain committees. The individuals were told at the last meeting the appointments would be done at this meeting. Mr. Mealy apologized to those individuals because since it is not on the agenda it will not be allowed to be acted on. It will be put on the agenda for the first meeting in January.

**11) Town Administrator's Report**

Mr. Guerino stated we have had our initial meeting with Mr. Ciolek on the 208 and other financial related issues. I met with him last week and I will meet with him again on Friday of this week.

Relative to visgov we had our last meeting today. We thought we would go live tomorrow. We found a glitch with rounding errors. We expected to go live next week.

All of the layoff notices, on the initial and at Town hall, have been done. We are still in a step down/bumping in one area that will be completed by weeks end. It has been a hard year. I think this board has worked hard and well together. I wish everyone in town and on this board a Merry Christmas and Happy Holiday Season, and thank you for your support.

**12) Selectmen's Reports**

Peter Meier stated we got emails earlier on the Bourne and Sandwich reciprocity issue. Mr. Guerino stated I don't expect the selectmen will have issue with what has been requested by Sandwich on that. In January I will give Bud a go-ahead, but the Board of Selectmen will need to amend the beach regulations to allow resident rate beach stickers for the shellfish people from Sandwich.

Stephen Mealy read the request, which is a request by the Town of Bourne for allowing Bourne residents to receive beach sticker permits in Sandwich, for up to 200 residents. Sandwich stated they would also like to have beach-parking permits for the shell fishing-permits, which they already receive to be available for their residents for those that receive the shell fishing permits. Mr. Guerino stated unless there is strong opposition from the Board I'm going to move ahead with that, we can change the regulation in January. Michael Blanton would like to praise Mr. Pickard for chairing a nice meeting that most of us attended at the Cape Cod Selectman of Council Association last week at the Daniel Webster Inn to tackle the issue of homelessness, none of us, as a municipality, budget to handle the problems adequately. Paul Gately questioned the status of the new DPW facility. Mr. Guerino gave a brief update on the new DPW Facility.

Mr. Mealy wanted to recognize the men and women from the Fire Department and Police Department for participating in the homeless for the holidays this past week.

### **13) Other Business**

### **14) Adjourn**

**Voted** Peter Meier moved and seconded by Don Pickard to adjourn. Meeting adjourned. Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.  
From Thumb Drive

### **Future Agenda Items**

- A. Appointment of MBTA Representative
- B. Discussion of Public-Private Partnership (3P) as it relates to the funding of a possible Third Canal Bridge
- C. Cape Canal Area Transportation Study Update
- D. Town Organizational Chart
- E. Labor Contracts
- F. Executive Minutes Review
- G. Upper Cape Vocational Technical School operations overview