

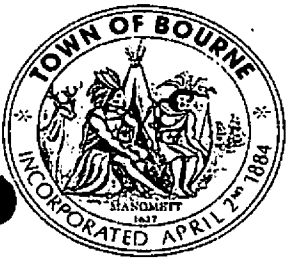
*Anne Woloschuk*

*8-25-13*

**2013**

# **Meeting Notices**

**Selectmen, Board of  
Selectmen's Task Force  
on Local Pollution  
Sewer Commissioners, Board Of**



# Board of Selectmen Meeting Notice AGENDA



2013 JAN 4 PM 12 48

Date

Tuesday  
January 8, 2013

Time

7:00 p.m.

TOWN CLERK'S OFFICE  
BOURNE

Location

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

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 12.18.12
5. Correspondence

6. Licenses/Appointments:

- a. Transportation Committee: 6 applicants
- b. Barnstable County Home Consortium – William Grant
- c. Bourne Human Services – School Rep. - Christina Stuart

7. Department of the Army - Sign Easement (Pipeline)

8. Town Administrator's Report

- a. DPW

9. Selectmen's business:

- a. Mandates meeting discussion
- b. Vote on Keno License Application for Luke's Liquors & More

10. Adjourn

Board of Selectmen  
Minutes of January 8, 2013  
Bourne Community Building  
Bourne, MA 02532

2013 MAR 1 PM 1 27

TA Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

John Ford, Chairman (excused)  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

**Meeting Called to Order**

7:00 pm.

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

**Public Comment – Non-Agenda Items**

None.

**Approve Minutes: Regular Session of 12/18/12**

Zuern MOVED and SECONDED by Meier to approve minutes of 12/18/12 as submitted.  
VOTE 4-0.

**Correspondence**

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

Item B – notification which is within scope of the contract.

**Licenses/Appointments**

**a. Transportation Committee**

TA Guerino – the at-large vacancy will expire 6/30/13. Tonight there are five (5) applicants.

Pickard - asked applicants present tonight to introduce themselves and to include a brief summary of qualifications.

Ms. Cynthia Parola – distributed a list of her qualifications which included Wareham School Committee and the Wareham Board of Selectmen. Also was elected Plymouth County Representative to the Southeastern MA Metropolitan Planning Commission.

Mr. Wesley Ewell – full time resident of Pocasset. Master's of Community Planning Degree with experience in numerous projects with the Steamship Authority. Town experience includes the Charter Review Committee, Main Street Steering Committee, Comprehensive Planning Committee and as a consultant for the Comprehensive Transportation Plan for Buzzards Bay.

Mr. Ewell is open for modifications to the Plan for Buzzards Bay when asked by Zuern.

TA Guerino – other tasks asked of this committee is also to better roadways and safety and asked if it is an issue with any of the candidates.

Ms. Parola – she was in municipal service for 12 years and it is not an issue.

Mr. Ewell – he has no issue with the mundane portion of this committee.

Mr. John Forte – he brings MBTA experience for 28 years and has an interest in the public transportation and the future rotary work.

Meier – tallied up the votes for appointment.

Zuern MOVED and SECONDED by Meier to appoint Mr. Wesley Ewell as an at-large member to the Transportation Committee for a term to expire 6/30/13. VOTE 4-0.

Pickard - thanked applicants for their interest and encourages them to apply for other openings in the future.

**b. Barnstable County Home Consortium – William Grant**

Mr. Grant unable to attend tonight's meeting due to a conflict.

Meier MOVED and SECONDED by Zuern to appoint Mr. William Grant to the Barnstable County Home Consortium for a term to end 6/30/13. VOTE 4-0.

**c. Bourne Human Services – School Rep – Christina Stuart**

Ms. Stuart is looking to connect with other people in the community and is anxious to serve as School Representative.

Meier MOVED and SECONDED by Baldwin to appoint Christina Stuart to the Bourne Human Services as a School Representative for a term to end 6/30/14. VOTE 4-0.

**Department of the Army – Sign Easement (Pipeline)**

TA Guerino – 12-inch drain where testing on the plume is done at the Cape Cod Canal and over a portion of government-owned land. The easement (current and an extension) was granted in 2011 as a temporary easement. Town Meeting approved and now the board has to approve the easement as permanent for 20 years.

Meier MOVED and SECONDED by Baldwin the Selectmen sign three (3) copies of the easement for the Department of the Army. VOTE 4-0.

**Town Administrator's Report**

**a. DPW**

TA Guerino – with regard to Mr. Tellier's retirement letter, he recognized his service to the town for almost 40 years and will be missed. Mr. Tellier's last official day is 1/16/13 and he will officially retire on or about 3/29/13.

**Selectmen's business**

**a. Mandates meeting discussion**

Zuern – with regard to the 911 system, an informal meeting including the two Chiefs (Police and Fire), TA Guerino, one Selectman, State Representative Hunt in lieu of a televised meeting in front of the board would be better.

TA Guerino - will coordinate with Zuern for dates and locations.

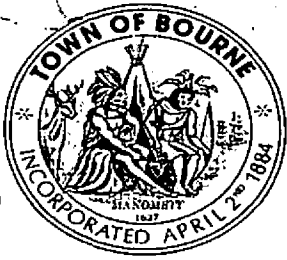
**b. Vote on Keno License Application for Luke's Liquors & More**

Pickard – suggests to have in the board's correspondence and the TA Guerino discuss option to either endorse or not as to not alarm the license holder.

**Adjournment**

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 7:35 pm.

Respectfully submitted - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



6:30 P.M. Executive Session:  
Doherty

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 22, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center, 239 Main Street, Buzzards Bay

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 1.8.13
5. Correspondence

6. 7:15 – Joint meeting with Board of Selectmen and Planning Board to fill vacancy.

7. Licenses/Appointments:

- a. Subway – Change in ownership
- b. MMA – approve various licenses for renewal
- c. Appointment to the following Committees to replace DPW Superintendent, Rickie J. Tellier:
  - Public Works Facility Building Committee
  - Cape Cod Joint Transportation Advisory Committee (member/alternate)
  - Local Emergency Planning Committee
  - Transportation Advisory Committee

8. Town Administrator's Report

9. Selectmen's business:

- a. Gov. proposes sweeping consolidation of Local Housing

2013 JAN 21 AM 9 17  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Authorities - For discussion and perhaps discuss taking a position

b. By-law Committee vacancies

10. Adjourn

Board of Selectmen  
Minutes of January 22, 2013  
Bourne Community Building  
Bourne, MA 02532

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TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

John Ford, Chairman (excused)  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

**Meeting Called to Order**  
6:30 pm.

Pickard MOVED and SECONDED by Zuern to go into Executive Session to discuss Doherty and and reconvene in public session. Roll Call – Meier – yes; Baldwin – yes; Zuern – yes; Pickard - yes.

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

**Public Comment – Non-Agenda Items**  
None.

**Approve Minutes: Regular Session of 1/8/13**  
Zuern MOVED and SECONDED by Meier to approve minutes of 1/8/13 as submitted. VOTE 4-0.

**Correspondence**  
Meier read correspondence into record. Hard copies are available at the Town Administrator's office upon request.

**Item E – Chm. Pickard asked TA Guerino to formulate a response to Ms. Robin. – Need to respond to Cassandra Robbin**

**Item F – to be put on the agenda for 1/29/13.**

**Item G – for the board's information only.**

**Item I – under Selectmen's business tonight.**



**Joint meeting with Board of Selectmen and Planning Board to fill vacancy**

The Selectmen and Planning Board had quorums tonight. Also present was Ann Gratis, Planning Board secretary. Two candidates to fill the remainder of the appointment on the Planning Board.

Shaun Handy – introduced himself to the boards and briefly discussed his qualifications.

Vinnie Michienzi – introduced himself and briefly discussed his qualifications.

Don DuBerger – thanked Mr. Handy for his application. He asked a quick series of yes or no questions which dealt with honesty, engineer stamp significance, etc. Mr. Handy answered to the best of his knowledge.

**MOTION:**

Chris Farrell, Planning Board Chm., moved to nominate Mr. Michienzi as an alternate member to a fulltime member of the Planning Board and seconded by Howarth and Mr. Handy as an alternate.

Discussion

Jensen – worried about Michienzi recusing himself for some discussions at Planning Board meetings. Planning Board Chm. Farrell doesn't feel the need to look at this issue solely.

**VOTE:**

Planning Board

Doucette – Michienzi  
Jensen – Handy  
Gallo – Michienzi  
Nelson – Handy  
Farrell – Michienzi  
Howarth – Michienzi  
Shearer – Michienzi  
Duberger – Handy

Selectmen

Zuern – Handy  
Meier – Handy  
Baldwin – Handy  
Pickard – Michienzi

VOTE is tie at 6-6.

Zuern – thought Mr. Michienzi was a member on the BFDC and raised issue of being involved in several different boards and would like to have someone who is not a developer themselves as they may have to recuse themselves often.

Meier – having engineer qualifications is a great asset.

Doucette – for clarification, Doucette asked Mr. Michienzi is a member on the BFDC as stated by Zuern. Mr. Michienzi stated he was not.

Howarth – the issue of recusing oneself is a non-issue.

DuBerger – suggested looking at the resume and qualifications of Mr. Handy.

Chm. Pickard – since there is a 6-6 vote, asked if anyone wanted to change their vote. No change of vote.

Chm. Farrell – the Planning Board does not have a full board tonight. The Selectmen do not have a full board tonight.

Zuern – suggested putting on the board next week when Ford is back on 1/29/13. The Planning Board will have a full board.

TA Guerino – suggested calling the Joint Meeting between the Selectmen and the Planning Board for 6:15 pm on 1/29/13. The consensus of both boards is to put nomination on agenda for a vote.

#### **Licenses/Appointments**

##### **a. Subway – change in ownership**

Meier MOVED and SECONDED by Zuern to approve the transfer of a Common Victualer License issued: To Jempee Enterprises, Inc., d/b/a Subway Sandwiches, Devin Baxter, Mgr., 626 MacArthur Boulevard to: Pocasset Subway, LLC, d/b/a Subway #41630, James Turi, Manager, 626 MacArthur Boulevard, Pocasset as noted by Town Clerk. VOTE 4-0.

##### **b. MMA – approve various licenses for renewal**

Meier MOVED and SECONDED by Zuern to approve the MMA license renewal for: Common Victualer Food License for the Beachmoor at MMA, 11 Buttermilk Way, Buzzards Bay expiring 12/31/13; Sunday Amusement for the Beachmoor at MMA, 11 Buttermilk Way expiring 12/31/13; and Weekday Entertainment License for the Beachmoor at MMA, 11 Buttermilk Way, Buzzards Bay to expire 12/31/13 as noted by Town Clerk. VOTE 4-0.

##### **c. Tellier:**

##### **i. Public Works Facility Building Committee**

Meier MOVED and SECONDED by Zuern to appoint George Sala to the Public Works Facility Building Committee for a term to expire 6/30/13 and Jon Nelson as an alternate member. VOTE 4-0.

- ii. **Cape Cod Joint Transportation Advisory Committee (member/alternate)**  
Meier MOVED and SECONDED by Zuern to appoint George Sala to the Cape Cod Joint Transportation Advisory Committee and Jon Nelson as an alternate member for terms to expire 6/30/13. VOTE 4-0.
- iii. **Local Emergency Planning Committee**  
Meier MOVED and SECONDED by Zuern to appoint George Sala to the Local Emergency Planning Committee for a term to expire 6/30/13 and Jon Nelson to attend as an ex officio member. VOTE 4-0.
- iv. **Transportation Advisory Committee – Sala and Nelson as the alternate**  
Meier MOVED and SECONDED by Zuern to appoint George Sala to the Transportation Advisory Committee and Jon Nelson as an alternate member for terms to expire 6/30/13. VOTE 4-0.

Zuern – asked about the private roads committee. TA Guerino would like to wait if the board would like to reactivate the committee or when the board has a position of not accepting private roads. Meier – would like to have on agenda for February.

**Town Administrator's Report**  
Budget presented next week.

Shore Road – Pocasset River Bridge Closure: Hours 7:00 am – 5:00 pm. Tues. 1/29/13, Wed. 1/30/13, Thurs. 1/31/13 and Fri. 2/1/13; Mon. 2/4/13, Tues. 2/5/13, Wed. 2/6/13, Thurs. 2/7/13 and Fri. 2/8/13; and Mon. 2/11/13, Tues. 2/12/13, Wed. 2/13/13, Thurs. 2/14/13 and Fri. 2/15/13.

**Selectmen's business**

- a. **Governor proposes sweeping consolidation of Local Housing Authorities – for discussion and perhaps discuss taking a position**

Meier – introduced Barbara Thurston and Rick Leco.

The Governor's proposal would file legislation to regionalize the operation and financial management of local housing authorities.

Ms. Thurston – The towns of Bourne, Mashpee and Falmouth Directors will be meeting with Chairmen of these boards and with Mr. Leckin (SP). Mr. Vieira is opposed to the proposal.

Mr. Leco – briefly described his experience of 30 plus years. He raised the Chelsea issue and explained it as an administration failure. To resolve the issue is to make the system work correctly. The issue is voluntary vs. coerced. Upon enactment, the State will own every property and control it, and have the right to do. Meier added that Bourne has both State and Federal properties.

Mr. Leco – the Governor's proposal is a grab for all property (HUD, Section 8, etc.). Mr. Leckin doesn't know what the ramifications on the Federal side would be.

TA Guerino – asked what this does to the RCAPs – they will be swept into this. TA Guerino said if Bourne loses its local boards, the town's needs will be put on a priority list when they need to be fixed.

Mr. Leco – is opposed to a regional groups; the Governor believes this will cost \$7M, but Mr. Leco believes it will double.

Zuern – believes in taking care of our community first and is opposed to social engineering. She is opposed to the proposal.

Meier – is vehemently against the Governor's proposal.

Baldwin – would like to read through the documentation before making a comment.

Pickard - has mixed emotions and hopes it works out best for the residents. He would like time to digest the information.

TA Guerino – through the Governor's proposal, the monies will not come back to the town's local housing - it will be centralized into the cities.

Zuern – raised concern of local zoning ordinances.

**b. By-law Committee vacancies**

Announcement by Chm. Pickard - Two at-large vacancies on the By-law Committee (terms to expire 6/30/13 and 6/30/14). There is also a vacancy on the Planning Board with a term to expire 6/30/15.

Zuern – attended the LCP meeting regarding stockpile of vaccines and antibiotics. She participated in a cable TV show of the MMA. Attended the Chamber Breakfast at the UCT school.

Meier – attended the Humanity House meeting. He was unable to attend the Chamber Breakfast.

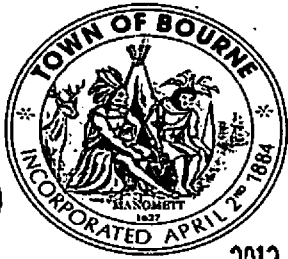
Baldwin – acknowledged the DPW's efforts with the recent snow storm.

Meier – asked about the town flu vaccines. TA Guerino doesn't know what is left in reserve, but can check with the Health Director.

**Adjournment**

Meier MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 8:30 pm.

Respectfully submitted - Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



2013 JAN 24 PM 1 50  
6:30 P.M. Sewer Commissioners Meeting – Assisted Living Facility  
TOWN CLERK'S OFFICE  
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday January 29, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (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: 1.22.13
5. Licenses/Appointments:
  - a. A Bourne Taxi – change in location
  - b. 7<sup>th</sup> Annual Fourth of July Parade
6. Town Administrator's Report
  - a. Fire Department Contract
7. Selectmen's business
8. Joint Meeting- Board of Selectmen and Finance Committee
9. Adjourn

Board of Selectmen  
Minutes of January 29, 2013  
Bourne Community Building  
Bourne, MA 02532

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TA Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

John Ford, Chairman (excused)  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern (excused)

**Meeting Called to Order**  
7:00 pm.

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

**Public Comment – Non-Agenda Items**  
None requested.

**Approve Minutes: Regular Session of 1/22/13**  
Meier MOVED and SECONDED by Baldwin to approve minutes of 1/22/13 as submitted.  
UNANIMOUS VOTE.

**Licenses/Appointments**

**a. A Bourne Taxi – change in location**

Baldwin MOVED and SECONDED by Meier to approve Change of Address for Bourne Taxi Company at 1 Ridgehill Lane, Sagamore Beach, MA for the storage of 2004 Mercury Marquis Public Livery #LV46591 Vehicle to 1 Ridgehill Lane, Sagamore Beach, MA 02562. VOTE 3-0.

**b. 7<sup>th</sup> Annual Fourth of July Parade**

Meier MOVED and SECONDED by Baldwin to approve the 7<sup>th</sup> Annual Fourth of July Parade on Thurs. 7/4/13 to begin at 10:00 am starting at the intersection of Academy Drive and Main Street, finishing at the Bourne Veterans' Community Center parking lot. The parade will be approximately 90 minutes. VOTE 3-0.

TA Guerino – a routing slip will be sent out and will fall under general liability coverage and hopes the board sees fit to move forward.

## **Town Administrator's Report**

### **a. Fire Department Contract**

The Local 1717 Bourne Fire Department contract has been ratified last Wednesday evening. The Union leadership on this contract worked hard and compromises were made. In the end, we have a very good working document. TA Guerino is in favor and asks the board for a vote of concurrence on the contract to move onto the next chapter.

Meier – asked about the cost - \$200,000 which needs to be ratified by Town Meeting.

Meier MOVED and SECONDED by Baldwin that the Board of Selectmen to concur with TA Guerino's determination on the Fire Union Contract. UNANIMOUS VOTE.

### **Selectmen's Business**

Meier – attended in Sagamore the Habitat for Humanity house ceremony on Flintlocke Lane with Zuern.

Pickard – the board will present the Boston Post Cane and put on 2/5/13 agenda. Mr. Sasso's approval of up to 12,000 tons per year to our landfill from their community and collaborate hopefully with solid waste. It is a 10 year contract with a potential 5 year extension. TA Guerino to respond to Miss Robin with regard to her letter of last week about lifeguards.

Meier MOVED and SECONDED by Baldwin to recess for 5 minutes.

Meier MOVED and SECONDED by Baldwin to reconvene to open public comment for Mr. Viera.

Mr. Viera – The Governor's Supplemental Budget is asking for a 1% cut in discretionary local aid. At this point, he doesn't any cuts as the revenue was above benchmark, but hasn't fully recovered. Any changes, he will let the town.

This year's budget was based on a 3.9 increase in Revenues, (slightly aggressive). The Governor's budget recently showed an increase in Local Aid and an increase with Chapter 70. That project for Local Aid is based on \$1.9 billion dollars of new taxes and fees; he is not sure there is appetite to increase taxes and revenue by that amount, but advises to be cautious to level fund or have minor reductions.

TA Guerino – responded that he is comfortable with level funding for Local Aid. He is more concerned about assessments. Bourne is 50% owned by the Commonwealth with regard to the AFNG base: 1) we don't know the year to year assessment of that land; and 2) it is hard to budget monies put on state owned land, as there is no consistency. Rep. Viera to set up a meeting with the Town Assessor and speak with Rep. Hunt for a structural remedy.



Mr. Viera – he believes a structural change is needed to be able to report to cities and towns a level to plan on.

Mr. Viera met with the School Committee and discussed the impact aid issues – structural aid for military children and included reservation children for said monies come to Bourne. The Governor did not include in his budget but Representative Hunt will fight to get it reinstated.

With regard to the legislation to consolidate power with Housing Authorities, these are structural changes. Mr. Viera is working with the Housing Authorities Directors for these structural changes.

Transportation Reform bill was sent back to the Dept. of Transportation to recognize transportation in all areas of the Commonwealth and not just the Boston areas.

Meier – since the Sandy Hook Elementary tragedy, there are still communities struggling and wondered if the State would consider reimbursing and putting the monies back into the schools. Rep. Viera said we need to carve out municipalities who can apply for small school projects with regard to safety. He hasn't heard of funding for a Resource Officer.

Mr. Viera – requesting to come back before the board in April. TA Guerino to put Rep. Viera on a future agenda item.

Meier MOVED and SECONDED by Baldwin to recess for 5 minutes. UNANIMOUS VOTE.

#### **Joint Meeting with FinCom**

*FinCom members present tonight are Vice Co-Chair Elinor Ripley and Jeff Perry.*

Pickard called joint meeting at 7:43 pm.

#### **General Statement and Facts – Summary – January 29, 2013**

As required by the Town of Bourne Charter, I am forwarding the FY 2014 Budget Message. This Message includes a summation of projected revenues, anticipated expenditures and presents a balanced budget for FY2014. The TA PROPOSED Budget understands that the current revenue forecast is limited.

It is anticipated that State aid will remain level funded or slightly diminished overall, and state/county assessments will rise resulting in a net loss. However, the past several years of prudent and conservative revenue forecasts, dependable departmental budget management of expenditures and sophisticated, professional administrative management, the Town remains in an enviable position by again exceeding its' own established policies for reserves. The Town currently holds approximately 15% of the proposed FY 2014 budget in savings after the use of 1.4 million for the upcoming FY 2014 budget year.

Note that the Town has utilized 1.864 million of free cash in budget offsets for FY 13. The use of this money in FY 14 will not diminish the Town's excellent fiduciary position.

FY 2013 has proven to be the year of greatest challenges regarding the balance of adding needed expenditures for Bourne municipal government while keeping in mind the economic realities of this area. Many departments remain in a holding pattern with great need for supplemental investment.

Yet, the investments necessary to provide a fully functioning municipality continue to be unfulfilled in Planning, Economic/Community Development, Natural Resources/Marinas, Internet and Technology, Recreation, Public Works, Education and Administration. New or expanded positions for FY 14 are being offset by revolving fund, water way improvement, and fee revenues, or there is reallocation of currently approved expenditures and are sustainable. An additional expenditure is for a part-time contract professional in the IT department.

The Town has assumed the responsibility of many of the programs and offerings at the Council on Aging. While this has been politically difficult and hard feelings linger, the bumps in the road to make this work effectively have had no measurable impact on the Town finances. Moreover, these actions place the Town in the legal position it should and needs to be. To date the transformation is working extremely well. Legal and workers compensation liability potential has been greatly reduced in this arena.

The professional departmental leaders at Finance, Human Resources, and the COA Director, in Partnership with the Town Administrator, have done an outstanding job in sorting out a very complicated and emotional situation. The new Director of the COA is doing an tremendous job in implementing a new and difficult organizational structure.

The Town reinstated lifeguards and swimming lessons at four town beaches and placed the responsibility of this summer program under the direction of the Recreation Department.

The budget presented will continue the program in the same manner as in the summer of 2012. This department has also assumed the program and implementation responsibilities for SWISH basketball. Both of these endeavors are much more complex tasks than meet the eye.

An important milestone for the Town this year was the securing the financial stability of the Department of Integrated Solid Waste Management ( ISWM ). The long term agreement with Covanta assures the ability of the Town to maintain a significant presence in the field of solid waste management. It also allows the Town to move forward with new technologies to keep this great asset available to the Town of Bourne for the very long term. The Covanta agreement also provides the residents of Bourne extremely inexpensive trash disposal through 2030. The Landfill Futures Working Group has brought together a tremendous amount of business expertise and molded it to work well in a municipal climate.

Pursuant to the expressed goals of the Board of Selectmen, with the concurrence of the Capital Outlay Committee and Finance Committee, my office has retained the services of a Municipal Facilities Manager. The positive impact of the work of this department has been realized in a very short timeframe. There will be additional significant departmental shifts. Recent events have provided an occasion to realign some management functions within the Public Works/Facilities arena.

As appropriate staff is brought into this department in the form of experienced craftspeople, the short and long term savings to the Town (including schools) will be swiftly evident. The proposed budget provides for a full-time craftsperson within the salary constraints of the existing structure.

The Town's financial position remains in excellent shape. We continue to be fully within the Town's financial policies regarding reserves to debt.

The Town's most recent borrowing rate on bonded debt was net less than 1%. We must take advantage of these historic low rates where planned and appropriate. On this, the Town must look to repair and replace aging, neglected facilities and other infrastructure. The Town must build a new public works facility. This project is fully supported by the Selectmen, Finance Committee, Capital Outlay Committee and Management of the Town. Note that almost 60% of the cost is being absorbed by ISWM and strategic use of municipal reserves.

If the long-term plans for ISWM are to be achieved and the town is going to continue to reap substantial benefits from the enterprise operation, the DPW must be relocated. This has been known for over a decade. More important however, is the fact that the current Highway facility is inadequate, outmoded, unhealthy and functionally obsolete.

The Public Works Facility Building Committee has done exceptional work in trimming costs while providing the basics for a well functioning facility.

Year end free cash certifications, and supplemental funds for education (POT HOLE) secured by Senate President Therese Murray continue to help keep the Town in very good shape. However, the continued increase of state assessments on the Town, other fixed cost increases and relatively stagnant Unrestricted General Government Aid keep the Town Administrator and professional staff on guard against unfettered spending.

The School Department has wisely reserved many funds for strategic expenditure but now must help the Town by offsetting current costs for educational purposes with use of those dollars. The Town will again begin to offset a small part (less than 5%) of the cost of School staff benefits with a portion of the pothole money. During the toughest part of the economic down turn the Town halted the split of these funds to assist the School Department in direct program spending. The School Department benefit costs represent approximately 63% of the total benefit spending.

Thus, to help in offsetting the rising cost of benefits the shared use of these funds to is an appropriate use of the legislature's generosity. The above being stated, I extend a note of professional thanks to Superintendant of Schools Steven LaMarche.

Our working relationship is exceptional which transcends to a better school system and town government.

Bourne has budgeted on reports of level or slightly diminished state aid. It has built up financial reserves to offset anticipated substantial projected losses.

Departments do more with less. As a result, the Town has not invested appropriately in needed human and programmatic assets. The little additional expenditure presented this year is sustainable in the long-term. They are smart, well thought, and vetted.

While strong financial reserves are important, necessary and have served the town well, there is a threshold wherein the Town cannot have too much in reserve. Taxpayers demand frugality. This is rightfully so.

The Town should adhere to its' financial policies but must also provide appropriate services today and into the foreseeable future.

The budget presented to the Finance Committee and Selectmen is smart and sustainable in the long term and is balanced. The budget fully adheres to the Town's Financial Policies, continues the municipality to be in compliance with all laws and regulatory requirements. Additionally, this budget provides for a realignment of the Public Works function; realigns support staff in the Finance Department within current salary boundaries; to fund an operational Assistant Chief at the Bourne Fire Department with full intention of filling the position this year; increases hours at the Bourne Recreation through the use of the revolving fund. It also provides for a contract consultant to assist with IT and Web based issues. The Police Department is also brought into a realistic budgetary line. It can finally be stated that we are increasing the staffing authorized through the override. The recommended school budget is up about 2.00%, as are the operations portion of the municipal side of the budget. The Tech School budget is up substantially due to increased enrollment of Bourne students.

General liability and other non-health related insurances are up considerably in FY13 and will stabilize at this higher amount for FY14, similar to most municipalities.

For another year, the Town continues to outpace rival communities in containing health and related insurance costs. The Town has been diligent in holding appropriate reserves in Trust, pursuant to established policies.

Out of pocket expenses and employee deductibles related to prescription drugs, office visits, diagnostic tests and emergency room services rose in FY 13. There will not be an increase in the FY 2014 appropriation, though it is expected that "premium" costs will rise slightly. Please note that any balance in the Trust Accounts may not be used for general fund appropriations.

Notwithstanding the above, this budget meets the expectations of the Townspeople in being fiscally frugal while providing a very good value for the dollar in services offered.

General Government: The current budget represents an \$819,298 increase or an overall 1.4% increase from the current fiscal year. The spending request is within about 1% for the budget of 2 years ago (FY11). New growth in real estate projected by the Assessors is limited to \$200,000 which is an increase of \$50,000 over FY 2013 budgeted amount. Revenues have been predicted at the highest level deemed comfortable by the Town Administrator and Director of Finance.

This budget is a direct result of adhering to policy. The town keeps its' financial integrity in-tact. While there are a number of areas that continue to require attention, this budget continues to slowly and systematically address municipal needs while continuing the Bourne tradition of fiscal conservativeness and sustainability when looking at the larger picture. Capital expenditures are responsible and necessary. We continue with scheduled upgrades and replacement equipment as required. Upgrades/repairs to the Town Hall are needed. Repairs are specifically needed to the roof, a replacement of the back-up generator and upgrades to the electrical system to the Town Hall.

Fiscally Responsible use of Reserves - The Town utilized the reserves to fund portions of the FY 2013 current budget, pursuant to the Financial Policy established by the Selectmen. However, while the Town adhered to the goals within the policies, it did utilize \$1,864,000 of free cash to fund the current year. I recommend that \$1,400,000 be used for the FY 2014 budget as currently presented. Based on trends over the last several years and our own internal forecasting, this is sustainable. It is anticipated that the Commonwealth's budget will at a minimum, be level or slightly reduce general assistance to

cities and towns. There will be a better sense the level of aid once the House/Senate Committee on Conference will report out a FY14 budget recommendation for enactment by the General Court.

The Town's spending restraint and smart town-side labor contracts have resulted in a current General Fund Free Cash balance of \$6,510,383 (July 1, 2012). Town departments returned \$1,623,396 from FY2012 appropriations. Note, this larger than normal year end funds return was an anomaly primarily due to the very mild winter. The Town side of the budget will not continue this level of excess balance returns to the general fund from FY2013. Thus, the town must be prudent to protect reserves to help maintain a positive bond rating. The Stabilization Account is \$3,488,093 (July 1, 2012) and there is currently \$687,181 (July 1, 2012) in Capital Stabilization. Below, please find an historic view of free cash and stabilization balances.

The use of the reserves as recommended (\$1,400,000.00) will do much to help in appropriate funding levels for the School and Town Government. It will also continue to protect the current bond rating provided by Standard and Poor's. As the Board is aware the AA"Stable" bond rating provides the Town more favorable rates on items and facilities purchased via borrowing.

This Town Administrator has steadfastly protected the Town's financial standing and the results of this programmatic implementation have placed the town in very good shape. Though always extremely tempting, I do not recommend that Town leaders entertain discussion for a general fund Proposition 2 ½ override. We are coming to a time of budgets that within the next few years a general override will be necessary. I am however, again recommending a debt exclusion for a new Public works Facility. It is imperative that this facility be constructed.

For the record I will repeat last year's message and the year before that:

Most departments remain understaffed while the complexities of running a municipal business continue to grow. A plan must be developed to address the most critical staffing needs as depicted earlier in this document.

#### **Override Recommendations**

I do not recommend a general fund override for FY 2014.

#### **School Departments**

As indicated in the beginning of this summary statement, and after consultation with the Supt. of Bourne Public Schools, the Town Administrator recommends an increase of approximately 2.00% to the School budget from the current year. Additional Chapter 70 funds and the School Departments wise pay forward policies combined with the school department's placing in reserve a substantial sum of money will assure the schools are well funded and programs are secure.

As noted earlier, the Upper Cape Tech. School budget is up significantly primarily due to increased enrollment.

#### **Enterprise Funds**

##### **ISWM**

The recommended ISWM FY 2014 expenditure budget represents a significant change in how the department will be successful moving forward. The long term contract with Covanta will assure stability over the long run and reduce many of the odor and other potential environmental problems that could occur in this type of operation.

The Department is well run and the Town can look to many years of vitality from this public enterprise fund.

## **Sewer Department**

The Sewer Department continues to function with minimal labor and equipment costs. There is a recommended budget increasing capital expenses from retained earnings. Most Costs associated with this budget are largely a function of costs assessed by the Town of Wareham for materials used and Debt Service at the Wareham Plant.

Note that the underground infrastructure and associated pumping stations are old and will need ongoing commitment. As was noted last year, obtaining timely information from the Town of Wareham is challenging.

The remainder of this report provides additional information for the your and the public's review. Much is redundant to what has been verbally depicted but will provide you more of the basis regarding the construction of this budget.

I will state that the TOTAL FY 2014 General Fund Budget without Enterprise Funds is: \$53,356,829. Without the strong willingness and candor by Bourne's Department Leaders, finding the right balance of expenditures would have been much more difficult. It cannot be forgotten that the proposed budget has continuing implications to service delivery and will change as the review process begins.

I would be remiss if I did not thank several people who have provided great assistance in preparing this budget and Budget Message. The Department Heads have been instrumental in assisting to construct this budget. Without their assistance and willingness to work in finding the right balance of expenditures to projected revenue sources would have been much more difficult. As an Administrator I am fortunate to have the professional departmental stewardship currently in place. Do not forget that the proposed budget has continuing implications to service delivery. I would like to take this opportunity to specifically thank Linda Marzelli, Director of Finance for her continued supportive expertise and her unyielding commitment to the Town.

I look forward to reviewing this budget with the Board of Selectmen and Finance Committee over the next several weeks.

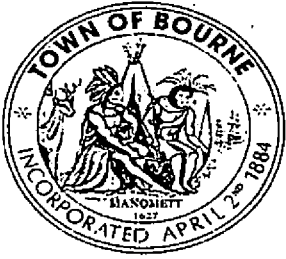
Chm. Pickard – the entire community benefits from the new DPW facility. TA Guerino – we are one of the last towns where citizens are not required to bring their trash to a transfer station. This facility needs to be built.

Chm Pickard – thanked the Department Heads and Ms. Linda Marzelli. He also thanked prior boards and committees.

## **Adjournment**

Meier MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 8:10 pm.

Respectfully submitted - Lisa Groezinger, sec.



**Board of Selectmen  
Meeting Notice  
AGENDA**

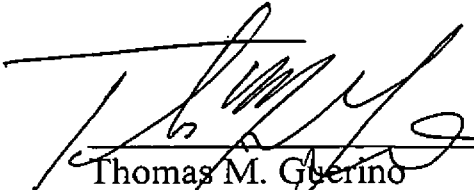


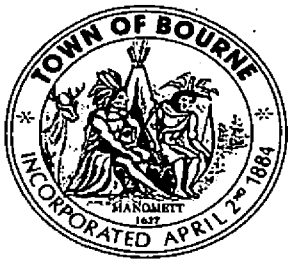
**Joint Session Finance Committee, Capital Outlay  
Committee, DPW Building Committee**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday February 6, 2013	6:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

- A. Numbers recap and possible adjustments
- B. next steps
- C. Town Meeting placement
- D. Feedback from the community on the past vote
- E. Other business
- F. Adjourn

2013 FEB 1 AM 11 50  
TOWN CLERK'S OFFICE  
BOURNE, MASS

  
Thomas M. Guerino  
Town Administrator



**Board of Selectmen  
Meeting Notice  
AGENDA**



**Executive Session – Doherty Case  
Bourne Fire Department**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday February 6, 2013	6:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

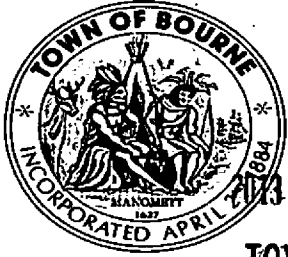
6:00 p.m. Call to order

Vote to enter Executive Session to discuss Bourne Fire Department - Doherty case and return to public session.

Adjourn

2013 FEB 4 PM 3 44  
TOWN CLERK'S OFFICE  
BOURNE, MASS





**Board of Selectmen  
Meeting Notice  
AGENDA**



2013 NOV 7 PM 5 10  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Joint Session Finance Committee, Capital Outlay  
Committee, DPW Building Committee**

Date

Wednesday  
February 6, 2013

Time

6:30 p.m.

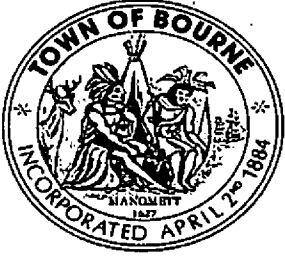
Location

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

- A. Numbers recap and possible adjustments
- B. next steps
- C. Town Meeting placement
- D. Feedback from the community on the past vote
- E. Other business
- F. Adjourn

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Thomas M. Guerino  
Town Administrator



**Board of Selectmen  
Meeting Notice  
AGENDA**



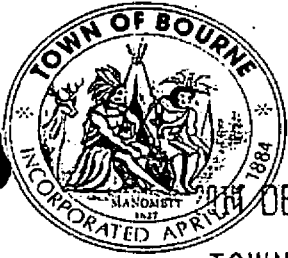
**Joint Session Board of Selectmen, Finance Committee,  
Capital Outlay Committee, DPW Building Committee**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday February 6, 2013	6:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

- A. Numbers recap and possible adjustments
- B. next steps
- C. Town Meeting placement
- D. Feedback from the community on the past vote
- E. Other business
- F. Adjourn

2013 FEB 4 PM 3 44  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Thomas M. Guerino  
Town Administrator



# Board of Selectmen Meeting Notice AGENDA



DEC 16 AM 9 51  
TOWN CLERK'S OFFICE  
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 12, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

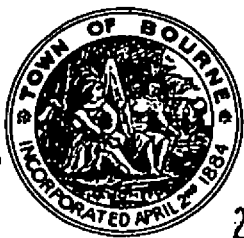
Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, they need to acknowledge such at this time

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 1.29.13
5. Correspondence
  
6. Town Administrator's Report
  - a. Hoxie School RFP
  
7. Selectmen's business:
  - a. Signing on Cheryl Lane
  - b. Budget Discussion

8. Adjourn

Cancelled due to Snow Storm



**TOWN OF BOURNE  
BOARD OF SELECTMEN**

24 Perry Avenue  
Buzzards Bay, MA 02532  
Phone 508-759-0600 ext. 11 – Fax 508-759-0620



2013 FEB 7 AM 11 17

TOWN CLERK'S OFFICE  
BOURNE, MASS

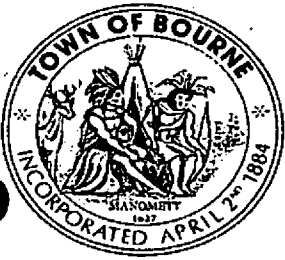
**MEETING NOTICE**

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

The Board of Selectmen will hold a public meeting jointly with the Finance Committee on Monday February 11, 2013 at 7 PM at the Community Building as follows:

1. Review budgets (Sewer Dept., HR, Library)
2. Other Business
3. Adjourn

*Cancelled*



# Board of Selectmen Meeting Notice AGENDA



2013 FEB 7 AM 11 17

TOWN CLERK'S OFFICE  
BOURNE, MA

Date

Tuesday  
February 12, 2013

Time  
7:00 p.m.

Location

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

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 1.29.13
5. Correspondence

6. Town Administrator's Report

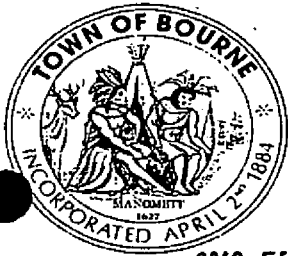
- a. Hoxie School RFP

7. Selectmen's business:

- a. Signing on Cheryl Lane
- b. Budget Discussion

8. Adjourn

*Cancelled*



# Board of Selectmen Meeting Notice AGENDA



2013 FEB 16 AM 4 19

Date TOWN CLERK'S OFFICE  
Wednesday, BOURNE, MASS  
February 20, 2013

Time  
7:00 p.m.

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

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

7:00 – 7:15 (Items 1-5) Call to order

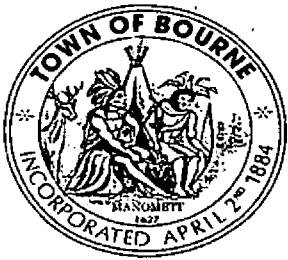
1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 1.29.13
5. Correspondence

6. Town Administrator's Report
  - a. Hoxie School RFP
  - b. Blizzards Update

7. Selectmen's business:
  - a. Margaret Stevens – Power Plant Petition
  - b. Budget Discussions
  - c. Signing Order of Assessment of Betterments - Cheryl Lane
  - d. Boston Cane
  - e. Discussion and possible vote Public Works Emergency Expenditures

8. Adjourn

*Actually received in Clerk's office on 2/15/2013. Date changed to Wed, 2/20/2013.*  
BJS  
Clerk



# Board of Selectmen Meeting Notice AGENDA



## AMENDED

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday February 20, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 1.29.13
5. Correspondence

6. Town Administrator's Report

- a. Hoxie School RFP
- b. Blizzards Update
  1. Temporary Easement – 34 Sagamore Road

7. Selectmen's business:

- a. Margaret Stevens – Power Plant Petition
- b. Budget Discussions
- c. Signing Order of Assessment of Betterments - Cheryl Lane
- d. Boston Cane
- e. Discussion and possible vote Public Works Emergency Expenditures

8. Adjourn

2013 FEB 20 PM 12 18  
TOWN CLERK'S OFFICE  
BOURNE, MASS

2013 MAR 27 AM 10 59

**Board of Selectmen**  
**Minutes of February 20, 2013**  
**Bourne Community Building**  
**Bourne, MA 02532**

TOWN CLERK'S OFFICE  
BOURNE, MASS

.....

TA Guerino

John Chm. Ford, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk Earl Baldwin  
Earl Baldwin  
Linda Zuern

Guests: Fire Chief Greene, Jon Nelson Facilities Manager

Documents  
None

*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.*

**Meeting Called to Order**  
By Chm. Ford at 7:00 pm.

**Moment of Silence for our Troops**

**Salute the Flag**

**Public Comment – Non-Agenda Items**  
None.

**Approve Minutes: January 29, 2013**  
Meier MOVED and SECONDED by Pickard to approve minutes of 1/29/13 as submitted.  
VOTE 3-0. Abstentions from Ford and Zuern.

**Correspondence**  
Meier read correspondence from 2/12/13 (postponed meeting) and 2/20/13 into record. Hard copies are available at the Town Administrator's office upon request.

Item M – Don Morrissey resignation. TA Guerino to draft letter on behalf of the board for recognition.



Item D - (2/12/13 correspondence) – Meier will be attending on 3/20/13.

Meier – recognized the letter of Mr. Paul Bushueff with regard to the snowstorm. He added praised the Bourne staff for their involvement in the recent storm.

#### **TA Administrator's Report**

##### **a. Hoxie School RFP**

TA Guerino requests the board re-RFP the building and move forward with or without the word "lease". The town will have issues with the building as it ages without activity. Because of the amount of time for the original RFP, he asks the board to re-RFP the building and either adding or not adding a lease figure into it.

Based on inspections, it is not appropriate nor will it be approved to have a portion of the building to be brought up to code. Atty. Troy said the town can write up a lease that would not hold the town liable with regard to the insurance. TA Guerino said we would keep the building minimally heated (45-50 degrees costing the \$15,000 last year). The town will have issues as it ages. He recommends the town put the building out for a re-RFP.

Chm. Ford – comfortable with the lease if Atty. Troy puts in a condition that the town is not responsible at the time of lease. TA Guerino will have Atty. Troy write that up.

TA Guerino – because of the way the building is set up, it is not appropriate – nor will it be approved – to have only a portion of the building up to code.

Pickard MOVED and SECONDED by Meier to authorize TA Guerino to re-advertise the RFP as it relates to the Hoxie School and to include purchase, sale, re-use or lease. VOTE 5-0.

Diana Barth (Bourne Enterprise) – asked if CPC money could be used for the school. TA Guerino said if a group doesn't have control with a municipality, CPC money will not be available per Town Counsel. John Ford concurred as that was his understanding also.

##### **b. Blizzard Update**

TA Guerino – commended all employees for team effort during the storm. The town did everything they knew possible every day of the storm and after the roads were re-opened. The town was not able to do what they should have due to the lack of the ability to communicate.

Pickard – it should be a policy to identify how emergency departments to allocate resources about the regional shelters.

Mr. Charles Noyes – there is a program that provides sheltering utilizing resources identified and organizations are part of that program (Cape wide or one town event). There are five (5) regional shelters on the Cape. Shelters opened as needed. When the storm originally started, there was only one shelter open in Yarmouth. Shelters were activated later on that day.

Sandwich was the first shelter to open, however, it had concerns of floods and looking at possible flooding. Bourne doesn't have its own shelter, therefore one was not opened. The situation is being looked at but not developed and formulated at this time. We need shelters on both sides of the canal for regional or local events.

On 2/8/13, sheltering notification of Sandwich and Falmouth would be opened commenced with the Community Center or BMS as warming shelters over the course of the weekend. Looking back, the regional shelters didn't work for Bourne as well as other towns on the Cape. Bourne is looking further into said program at this time.

TA Guerino – for Hurricane Irene, Bourne had volunteer groups consisting of two people.

Chm. Ford – Mr. Noyes' job is to get a group together ahead of time and a lot of people (volunteers) were not called.

Mr. Noyes – we draw personnel from not just the 12 leaders and group organizers.

TA Guerino – to become a full functioning shelter, we have to look to get materials from the regional suppliers. We want to become pet friendly and draw service out of volunteers (tax write-off for seniors suggested by Mr. Carriera). Ford said we need a certain number of paid staff.

Zuern – said some people were not able to get out to a shelter due to not being able to get through the snow. She suggested getting people more educated on what people should have to do so they are prepared (metallic blankets, wood, coolers for food) and if had to get out, know they can call someone to come get them if needed.

Chm. Ford – people were picked up by the Fire and Police Department.

June McCarthy (Bourne Oaks) – called the Police Department for a neighbor and was told they were unable to send anyone on Sunday morning. Sunday evening a family member of hers called the Police Department a second time and had an immediate response. She asked about a list of senior citizens at risk and to get them out during a blizzard. Ford – the COA has an outreach system as would Ms. Barbara Thurston. TA Guerino will follow up with the Police Department with regard to Ms. McCarthy's first call to the Police Department.

Meier - the only public housing facility that has a generator in Bourne is at 871 Shore Road in the common areas.

TA Guerino – The Police Department from 2/8/13 – 2/12/13 logged 312 calls for service; 76 well-being checks; 21 rescue calls; and 14 public service calls.

Mr. Noyes – there was a Reverse 911 call made on Friday morning, there was notification on the front page of the newspaper and TA Guerino notification to the media. Mr. Noyes requests from the board, re-iterating from NStar, Bourne’s identified critical areas for quick restoration of power list, which has been for the past 30 years. Every day during the storm, Mr. Noyes and TA Guerino and requested a priority list and it was like it was new to NStar.

Meier – asked why the UCT was not listed as a shelter site. Mr. Noyes said it was not in the staffing plan. Meier said we need to take care of our own Bourne residents.

Pickard – Bourne needs a crisis management plan. This should include the TA, Emergency Management, Police and Fire chiefs, Director of Public Works and asking the Housing Authority. Regional Emergency Management caused us to fall short and he suggests looking at a policy where Bourne takes care of Bourne possibly at the Community Center and the BMS for example.

Mr. Noyes – we need the volunteers and ones with appropriate skills to bring to the shelter.

TA Guerino – said in a meeting with Senator Murray, if we don’t have medical capabilities at the shelters on a short term basis, it was suggested to utilize the nursing homes that have the staff. There is no doubt we followed the protocols.

Lois Gibbs – utilized the shelter for the last day. She called the Police Department and a bus was sent out. She commended the Red Cross volunteers.

TA Guerino – budget issues will include generators.

Zuern – the regional plan looked better on paper.

Meier – asked the criteria on calling the National Guard for resources. Mr. Noyes said all we have to do is ask and they will come.

Pickard – asked TA Guerino when to expect a written shelter plan for publicizing. TA Guerino said Mr. Noyes is currently obtaining cots, LAPC is working on having a plan and to bring names to us moving forward. TA Guerino and Mr. Noyes both agree the town has to do better.

### **Selectmen’s business**

#### **a. Temporary Easement**

TA Guerino – due to the storm, there is a home in Sagamore Beach where work needs to be immediately done. This is a temporary easement from 2/22/13 - 3/23/13 at 34 Sagamore Road, Sagamore Beach.

Meier MOVED and SECONDED by Zuern that pursuant to the town bylaws, Section 3.1.2 and 3.1.27 the Board of Selectmen grant temporary easement to Pinnacle Site Contractors, LLC for

the purpose of constructing a stone revetment under the Board of Selectmen Emergency Certification at 34 Sagamore Road. VOTE 5-0.

**b. Margaret Stevens – Power Plant Petition**

Ms. Stevens is requesting to put petition on the Annual Town Meeting. Should the board opt to not get on the ballot, they will need 1,369 certified signatures by April 8, 2013.

Zuern – doesn't feel comfortable voting tonight and would like to hear from the power plant.

Chm. Ford – agrees with Zuern.

Baldwin – evacuation plan has been set; if you live on Cape Cod, the best option would be to stay at home. If you left the Cape and the winds changed, you would drive through the contamination.

Mr. Noyes – evacuation is still being reviewed.

Bill Moyer – asking to put on the ballot for public awareness.

Pickard MOVED and SECONDED by Meier to put the Power Plant Petition on the ballot for the Annual Town Meeting in May 2013. VOTE 0-5. MOTION FAILS.

**c. Budget Discussions**

TA Guerino – UCT assessment being up higher than anticipated (\$230,604). He asked the board to look for ideas on where to get the extra money. He would like the board to identify areas where come up with \$190,000 tonight.

Chm. Ford:

Town Administrator secretary – decrease by \$16,000 to approximately \$47,000. This will be an approximate extra \$16,000 out of the budget.

Treasurer's Office secretary – no additional salary money, just allocating money.

Collector secretary – moving monies around; with the Finance budget.

Data Processing – recommending \$63,000 for additional software, licensing and bring in a person on a contractual basis. Pickard asked about sharing IT with the school – TA Guerino said we are looking at but not to put in this year. Ford asked about the Library – TA Guerino said it is a possibility for the future.

Independent Audit – contractually done.

Legal – counsel's retainer.

Town Clerk – step and cost of living for secretary.

Town Hall Maintenance – with the retirement of Mr. Tellier, the intent is to bring Mr. Nelson as the Superintendent of Public Works and Facilities. This will also allow the hiring an electrician (one who can also do some minor construction work and will be working directly under Mr. Nelson). TA Guerino said Town Hall repairs are not incorporated into this budget; this will be done at the Fall Town Meeting. This organizational shift will happen in October. Mr. Sala will stay as Director of Roads and Parkways. Mr. Barrett will maintain his position as GM of ISWM. Mr. Nelson will work with Mr. Barrett with the future of the landfill.

Fire Department – county dispatches – contracted. Chief Greene said this is for patching through to the hospital.

DNR – New Secretary – offset by waterways monies. Appropriation for health insurance, level funded for the third year.

DPW – Sanitation. Increase is steps.

Street and Traffic Lights – with regard to vehicle gasoline. Budgeted as fuel to be used in all expense lines.

COA – mini bus drivers. No increases.

Recreation Department – salaries. Lifeguards, summer playground counselors. Down \$5,200.

Sewer – secretary (Ms. Debbie Judge).

Meier:

Free Cash Re-Cap – TA Guerino said when Free Cash is certified in June, Bourne will be back in compliance but will not have \$1.5M turned back. Governor's budget's new Unrestricted Aid formula is not included in budgetary numbers.

TA Guerino – he supports this position and would like to see the board see this position happen.

Pickard – he feels this exercise should be done by the TA. TA Guerino said this opportunity was out of courtesy to the Board of Selectmen as the Board had requested more input on changes after initial submittal.

TA Guerino - Capital recommendations will happen around mid March. Most of big items will be borrowed. Zuern suggested holding off a Capital project. The generators cost (between \$500,000 – \$700,000) we will be borrowing.

Chm. Ford – supports the Fire chief assistant and believes it is needed, but doesn't feel that is something to do this year.

Baldwin – with new hires, your only options are to either delay or to higher them.

Pickard:

- 1 – closing the library for two days a week
- 2 – eliminate the Recreation Department
- 3 – eliminate the COA day program (not an option as it is self funded)
- 4 – take out DNR labor salaries and then raise mooring and slip fees (board to raise fees)
- 5 – do not fill Administrative Deputy Fire Chief

Pickard – asked about the Veteran's Building Director position. TA Guerino cannot quantify the elimination or reduction of this position. Pickard raised the issue of the 3% increase in TA salary.

Chm. Ford – suggested the Police Chief defer hiring for 6 months.

Pickard – suggested raising fees for moorings and slips. TA Guerino commented how Bourne's \$15 beach sticker price is low.

TA Guerino – has some ideas and will come back before the board.

Budget Discussion with regard to Generators – Mr. Nelson

There are issues at the Community Center, Town Hall, Fire Department and the High School. The generator at the Community Center can have a load added to it (the main install has some issues that could be susceptible to flooding). TA Guerino said at the Bournedale School has a half-sized gym. Zuern suggested taking the generator at the Community Building and put at the Town Hall or the Fire Station. Mr. Nelson said it may not be cost effective.

Pickard – asked why generate the whole high school building when the children are in the school 180 days with staff a little longer. Mr. Nelson said we can put in a smaller generator, but it will require additional installation.

Chm. Ford – the total of \$888,435 or generators and a debt schedule briefly discussed. The DPW generator will be included in the cost of the facility. TA Guerino to go to Capital Outlay with the generators. Ford said there are units that can be put outside the elderly housing building for little buildings.

**d. Signing Order of Assessment of Betterments – Cheryl Lane**

Meier MOVED and SECONDED by Pickard that the Board of Selectmen, Town of Bourne open public meeting on February 20, 2013 hereby order and assess the betterments in the amount of

\$24,348 pursuant to the authority of the vote under Article 36 of the May 7, 2012 Annual Town Meeting and pursuant to the authority set forth in M.G.L. Chapter 80 and pursuant to the authority in Section 3.1.28 of the Town of Bourne bylaws to the property owners listed herein and the estimated amounts attached as Exhibit A for upgrades and repairs to be paid by betterment on Cheryl Lane. VOTE 5-0.

**e. Boston Cane**

Chm. Ford – awarded to Ms. Madeline Woodruff who will turn 103 on 3/12/13. The board to meet at Town Hall on Friday, 2/22/13 at 12:30 and visit Ms. Woodruff at her home.

**f. Discussion and possible vote Public Works Emergency Expenditures**

TA Guerino – a total of \$200,000 for revetment, stairs work, stabilize the bank and get the roadway repaired. Based on the estimate, the revetment work is \$140,000. The estimate came from a contractor Bourne has used before and estimates have been spot on. This needs to be done and recommends following Conservation Director's and George Sala's recommendations. Money would need to be appropriated at Town Meeting.

Meier MOVED and SECONDED by Zuern to authorize the borrowing of \$200,000 to pay for the emergency appropriation associated with the town's response to Blizzard Nemo which are described in Exhibit A.

Arnold Carter – asked if monies are subject to reimbursement. TA Guerino said Bourne may be able to get a reimbursement of up to 75%.

VOTE: UNANIMOUS VOTE.

**Selectmen's business**

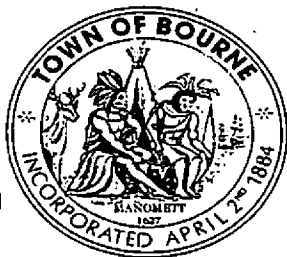
Zuern – attending a Cape Cod Commission meeting.

Pickard – commended the town employees for efforts with the storm.

**Adjournment**

Baldwin MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:40 pm.

Respectfully submitted,  
Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



## Sewer Commissioners 6:15 PM

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday February 26, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

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

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

5. a. 7:15 Joint Meeting with Planning Board to fill vacancy  
b. 7:20 Library Trustee

### 6. Licenses/Requests:

- a. 7:30 p.m. Hoagie's Diner – Year Round Wine & Malt Beverages License – Common Victualer
- b. Request a Wavier for use of Town Property for Hawker and Peddlers
- c. Cranberry's Restaurant – Request for 10:00 a.m. Sunday opening

### 7. Town Administrator's Report

### 8. Selectmen's business:

### 9. Adjourn

BOURNE, MASS  
TOWN CLERK'S OFFICE  
2013 FEB 22 PM 4 27



**Board of Selectmen  
Minutes of February 26, 2013  
Bourne Community Building  
Bourne, MA 02532**

2013 MAR 27 AM 10 58

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

John Ford, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

Guests:

Documents  
None

*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.*

**Meeting Called to Order**  
By Chm. Ford at 7:00 pm.

**Moment of Silence for our Troops**

**Salute the Flag**

**Public Comment – Non-Agenda Items**

Mr. Mulvey – the need for a Local Emergency Preparedness Committee. Town response was adequate largely because town officials worked together. We need to take care of our town for at least the first 48 hours before regionalization. He formally requests the board take on an Ad Hoc committee of a Town Emergency Preparedness Committee.

**Correspondence**

Meier – recognized a Town of Bourne resident Mr. Gordon will be having another tour of duty.

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

Item A – Meier MOVED and SECONDED by Pickard to approve the closing of Cranberry's Restaurant from Wednesday 2/20/13 – Tuesday 3/5/13 as requested. VOTE 5-0.

Item C - Michael Blanton – TA to send notice to Mr. Blanton for interest. TA asked to advertise the position and Chm. Ford requested to have on a future agenda.

Item D – Pickard asked where this information was obtained. Discussion on policy of items for correspondence. TA Guerino said policy for non-signed correspondence.

Item E – Chm. Ford recognized the importance. TA Guerino said original documents will be conspicuously placed for recognition.

**Joint Meeting with Planning Board to fill vacancy**

Planning Board has a quorum tonight.

Mr. Shaun Handy present tonight and again briefly reviewed his qualifications. Mr. Vincent Michienzi is not present due to an illness tonight.

Voting Forms taken from both the Selectmen and the Planning Board and tallied by TA Guerino. No secret vote was taken. A total of 13 votes:

Michienzi – 9

Handy – 4

Mr. Farrell – suggested Mr. Handy pull application papers for the Planning Board for an alternate member on the Planning Board. There will be two vacancies open at this time.

**Library Trustee**

Mr. Patrick Marshall will contact the Trustees for availability for a 3/19/13 Joint Meeting. This position is being advertised per TA Guerino.

**Licenses/Requests**

- a. **7:30 pm Hoagie's Diner – Year Round Wine & Malt**

Chm. Ford read hearing notice into record and called meeting to order at 7:30 pm.

Atty. Ford O'Connor representing applicant. Appropriate notices have been sent and submitted.

Mr. Hogan, President and daughter Lindsey, Treasurer present tonight.

Zuern – asked about the hours requesting. Thursday, Friday and Saturdays until 8:00 pm and will stay the same the other days.

Meier MOVED and SECONDED by Baldwin to close the hearing. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Hoagie's Diner, John P. Hogan, Manager at 808 MacArthur Boulevard, Pocasset for a year round common victualer license for the sale of all kinds of wines and malt beverages to be drunk on the premises per routing slip (BOH notification of fees paid). VOTE 5-0.

**b. Request a Waiver for use of Town Property for Hawker and Peddlers**

Ms. Kearney present tonight. The routing slip is clear and signed off. Applicant is looking for a waiver from the Board of Selectmen for three locations to sell hotdogs for various sporting and concert events at the locations.

TA Guerino – relative to the Buzzards Bay Park, the board has allowed other vendors to conduct business in the past and there may be other vendors as well in the future.

Ms. Kearney – asked about hour restrictions of Section 4.01 restrictions 8:00 am – 11: 00 pm; with Section 4.02 restrictions of 6:00 am – 11:00 pm. TA Guerino suggests waiving section 4.02.

Pickard MOVED and SECONDED by Zuern to approve Maureen Kearney request for a hawker and peddler license to operate a Hot Dog Cart on town property at: Buzzards Bay Park – Map 2 Main Street West; Sagamore Beaches – Map 6 Sagamore Beach; and Queen Sewell – Map 8 Buzzards Bay North and to comply with Section 4.01 and be exempt from Section 4.02 per the Board of Selectmen. VOTE 4-0-1 (abstention from Baldwin). *TA Guerino to ask the Mr. Johnson to review bylaw for updating.*

**c. Cranberry's Restaurant – Request for 10:00 am Sunday opening**

Samantha Burger, General Manager.

Meier MOVED and SECONDED by Pickard to approve Cranberry's Restaurant at 618 MacArthur Boulevard, Pocasset request for a 10:00 am opening on Sundays for brunch per routing slip. VOTE 5-0. *Chm. Ford commented on this being the 5<sup>th</sup> establishment with Sunday morning openings.*

**TA Administrator's Report**

He is moving forward with the budget reviews.

**Selectmen's business**

Zuern – attended Cape Cod Commission (CCC) public outreach focus group for wastewater treatment. The purpose of the focus group was how to educate the public (\$3M from the State).

Mr. Farrell – the Planning Board appreciates the CCC's technical assistance and welcomes their input, but at the same time, we don't want to be dictated all the time.

Pickard – commented on his comments about no plan in place with regard to the generators at last night's Finance Committee. He said while the storm was horrendous, he believes the Emergency Planning Director is on task with a plan. His comment was about the town having the ability to borrow, and before going to a capital request suggested to include the options: method of phase in generators; provide analysis for shelters located; evaluate use of portable generators to our buildings and housing authorities; and evaluate the wiring costs of generators to address needs.

Meier – presented the Boston Cane award last week. He will be judging the Science Fair on Friday.

Baldwin – suggested focusing on testing flow water at Back River as it relates to wastewater.  
Ford – encourage treatment plants to take better care.

Zuern – suggested TA Guerino, at a future selectmen meeting to look at contacts with regard to shellfish and have them come in before the board.

Mr. Mulvey – the town has a lot of data and study of the determination of which is most impacted for shellfish. The information needs to be pulled together.

#### **Adjournment**

Pickard MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 8:15 pm.

Respectfully submitted,  
Lisa Groezinger, sec.



**TOWN OF BOURNE  
BOARD OF SELECTMEN**

24 Perry Avenue  
Buzzards Bay, MA 02532

Phone 508-759-0600 ext. 11 – Fax 508-759-0620

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TOWN CLERK'S OFFICE  
BOURNE, MASS

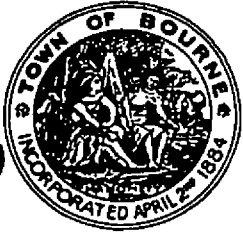


**MEETING NOTICE**

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

The Board of Selectmen will hold a public meeting jointly with the Finance Committee on Monday March 4, 2013 at 7 PM at the Community Building as follows:

1. Review budgets
2. Other Business
3. Adjourn



**TOWN OF BOURNE  
BOARD OF SELECTMEN**

24 Perry Avenue  
Buzzards Bay, MA 02532  
Phone 508-759-0600 ext. 11 – Fax 508-759-0620



2013 FEB 28 PM 2 13

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Joint Session Board of Selectmen and Finance  
Committee**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday March 4, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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3. Adjourn

2013 MAR 1 AM 10 49

TOWN CLERK'S OFFICE  
BOURNE, MASS.

# Bourne Community TV



Bourne's Local TV  
"Get Involved - Make it Happen"

508 759-6763 [bournetv@comcast.net](mailto:bournetv@comcast.net)

Joint Public Meeting/Workshop  
Bourne Community TV &  
Town of Bourne Board of Selectmen

Tuesday, March 5, 2013  
6:30 PM

Bourne Veteran's Memorial Community Building  
Main Street, Buzzards Bay, MA 02532

An informative frank discussion of the mission/direction of  
Public Access Community TV in Bourne

Posted by:

Diane Flynn

Member BCTV Board of Directors

2013 MAR 1 AM 10 49

TOWN CLERK'S OFFICE  
BOURNE, MASS.

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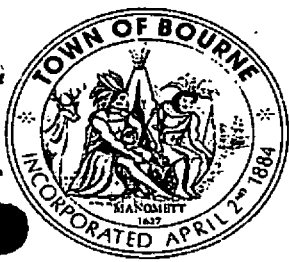
An informative frank discussion of the mission/direction of  
Public Access Community TV in Bourne

Posted by:

Diane Flynn

Member BCTV Board of Directors





# Board of Selectmen Meeting Notice AGENDA



Date 2013 MAR 1 AM 8:35  
Time  
Tuesday TOWN CLERK'S OFFICE  
March 5, 2013 BOURNE, MASS 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

## 6:30 p.m. Workshop

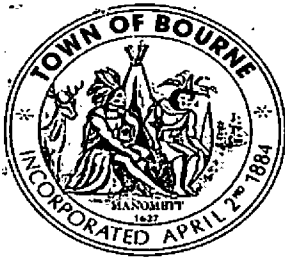
1. Bourne Community Television Update - workshop

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

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: February 20 & February 26, 2013
5. Correspondence
6. School Committee regarding the Peebles Elementary School Statement of Interest. ( with School Department Representatives)
7. Barry Johnson – State Ethics
8. Vote ABCC population estimate
9. Local Habitat and future environmental issues ( Mr. Skip Barlow)
10. Town Administrator's Report
  - a. Emergency planning update
  - b. Facilities update
  - c. Budget update
  - d. Surplus property disposal – 1998 Volvo
  - e. Vacancy in Planning Board from 2.26.13 meeting clarification on vote

11. Selectmen's business

12. Adjourn



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



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 5, 2013	6:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

6:30 p.m. Workshop

1. Bourne Community Television Update - workshop

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  - b. Facilities update
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  - d. Surplus property disposal – 1998 Volvo

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TOWN CLERK'S OFFICE  
BOURNE, MASS

e. Vacancy in Planning Board from 2.26.13 meeting clarification  
on vote

11. Selectmen's business

a. Temporary Easement for the test borings at the Coady School  
by Stratford Capital Group

12. Adjourn

TA Guerino

John Ford, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

Guests:

Documents  
None

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**Workshop**

Called to order by Chm. Ford at 6:00 pm

**Bourne Community Television Update - workshop**

TA Guerino – the not for profit has established their own Board of Directors, proper tax id numbers and is funded through the surcharge on the monthly cable charges of 3%. \$95,000 is due to them if Town Meeting approves. An estimated total of \$184,000 is budgeted for the first year.

Members of Bourne Community Television introduced themselves. Mr. Barlow added that four (4) members are not present tonight.

Mr. Barlow –tonight's workshop is to look for direction from the Selectmen.

Chm. Ford – transparency is one of the board's goals. The ability for downloading meetings is important.

Zuern – she would also like to have transparency. Mr. Barlow would like to grow, making it more desirable increasing the amount of subscribers for cable.

Pickard – any major elected boards should be at least recorded, including the Zoning Board of Appeals. Televising any “hot topic”.

Meier - he would like outreach and education for the public.

TA Guerino – clarified that some money is available to the not for profit and is to be paid by the cable company. Monies will be transferred to an account for the not for profit at the STM.

Meier – asked if the 3% that was voted is sufficient at this time. Mr. Barlow said the 3% will be sufficient for some time.

Baldwin – would like to see the LEPC meetings recorded.

TA Guerino –if/when a competitive company comes around, they are required under the FCC to have public and government access and would work an agreement for support of the PEG channels with Comcast.

Mr. Barlow - equipment will need to be addressed. As a not for profit organization, it is a tax write-off to underwrite programs. Open invitation to the Open House on 3/16/13 from 2:00 pm - 4:00 pm at the studio. Volunteers will be needed and encouraged interns. Also looking for memberships to help support in fundraiser needs.

#### **Meeting Called to Order**

By Chm. Ford at 7:12 pm.

#### **Moment of Silence for our Troops**

#### **Salute the Flag**

#### **Public Comment – Non-Agenda Items**

Kevin Gallagher – 8 LED fixtures installed in Bourne (50% less energy consumption). He encourage people to look at the new lights and asking for feedback through a survey on the Cape Light Compact’s website.

#### **Minutes of 2/20/13 and 2/26/13**

Pickard MOVED and SECONDED by Meier to approve minutes of 2/20/13 as amended.  
VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve minutes of 2/26/13 as amended.  
VOTE 5-0.

### **Correspondence**

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

Meier – read into record the Top 10 Science Fair Projects 2013. The top three winners will be going to the State Fair.

### **School Committee regarding the Peebles Elementary School Statement of Interest (with School Department Representatives)**

Mr. LaMarche – this is not a commitment to the actual construction. This vote is a requirement for filing SSOI. Three (3) School Committee members present tonight.

Superintendent LaMarche explained the SOI needs to be done annually. He doesn't have a begin date at this time. A site visit has been done and they can now choose from several plans which they haven't been able to do in previous years.

Zuern – suggested having a tour of the buildings where officials can see what the school is like for education. Mr. LaMarche said the school would be open to that.

Pickard MOVED and SECONDED Meier having convened in an open meeting on 3/5/13, the Board of Selectmen of the Town of Bourne, in accordance with its charter, by-laws and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated 2/13/13 for the Peebles Elementary School located at 70- Trowbridge Road, Bourne, MA 02532 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Submitted Statement of Interest -0 Priority 5 & Priority 7 – the Peebles School was constructed in 1953, the building structure shows signs of failure along with the HVAC, electrical and plumbing systems. Also, the lack of suitable educational space presents many challenges in delivering the best education possible for the students of Bourne; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority. VOTE 5-0.

### **Barry Johnson – State Ethics**

As liaison to the State Ethics Commission, for the purpose of having the board vote to exempt enclosed positions from having to take the Ethics Mandatory Education and Training Requirements. These positions do not have or exercise governmental authority and do not participate in or have responsibility for governmental decision-making, contracting, hiring, investigation or any other discretionary governmental action.

TA Guerino – relative to Plant & Facilities asked if the vendors providing programming for Council on Aging would be included. Mr. Johnson said they wouldn't be exempt. Road contractors would be exempt.

Pickard MOVED and SECONDED by that the Board of Selectmen vote public employees of the Town of Bourne exempt from the Mandatory Education and Training requirements of Chapter 28 of the Acts of 2009 as presented by Town Clerk Barry Johnson on 3/5/13. VOTE 5-0.

**Vote ABCC population estimate**

This motion will be brought to the board again for next week for signature, but vote can be taken tonight.

Meier MOVED and SECONDED by Zuern estimated that the temporary increased resident population of the Town of Bourne as of 7/10/32 will be 40,000. VOTE 5-0.

**Local Habitat and future environmental issues (Mr. Skip Barlow)**

Environmental changes have been documented by Mr. Barlow over the years. Major contributors to the nutrient problems: a) the base; b) the skating rink; and c) the Mass Maritime Academy (MMA) - all contribute to the discharge into the canal as there is no nutrient removal. There needs to be nutrient control.

Juvenile scallops are seldom seen in Bourne as they die off not being able to attach to eel grass due to the excessive amounts of algae. Mr. Barlow encourages the public to visit the Wareham Nutrient Plant.

Mr. Barlow suggested sending more wastewater to Wareham.

Pickard – suggested a two hour workshop consisting of the BOH, ConCom, Bylaw Committee, Board of Selectmen for solutions to get to the goal of reducing nitrogen in waters.

Mr. Barlow – New Bedford open tomorrow 3/6/13 at 8:00 am. He also asked the board to not be afraid of regionalization.

Zuern – has been to the Wareham plant.

**Town Administrator Report**

**a. Emergency Planning update – Mr. Noyes**

Local Sheltering Assessment – Mr. Charles Noyes

Needs:

- 1) assessable to residents both n and s of canal
- 2) Sufficient emergency generator power available – automatic transfer
- 3) Sufficient toileting availability



- 4) Feeding capabilities
- 5) Separate physical areas (sleeping, feeding)

**Current Shelters:**

- Bourne Veterans' Memorial Community Building (Capacity - 234 overnight)
- Bourne Middle School (Capacity – 243 overnight)
- UCT (Capacity – 1,050 overnight) - Shelter of last resort
- Bournedale Elementary School - Alternate for north side of canal if Comm. Bldg was not available

Flood Map shows most of Buzzards Bay is in the flood map.

**Staff Needs:**

- Trained and certified staff for
  - shelter manage
  - Registration
  - dormitory manage
  - food services
  - emergency medical and health
  - security

**Staffing Sources**

- Town Staff
- Community Based organizations (civic groups, church)
- Paid casual employees

**Senior Population (At Risk)**

- COA – develop telephone call list to notify of emergency prior to event
- COA to provide staffing to support their clients during large scale emergency
- Promote and support generator acquisition for Bourne Housing Authority locations.
- Encourage current private developments to community rooms
- Provide specific additional info to residents of community housing on sheltering in place needs (food, lighting)
- Public Education
- Develop brochure to be mailed with tax bill
- Literature rack ITH, CM Library Police and Fire
- Maintain Bourne Emergency Management website pages

**b. Facilities update – Mr. Jonathan Nelson**

**Emergency Power Needs Assessment - Three areas of concern**

**Shelters:**

- Community Building

- Town Hall
- Fire Station

**Additional areas:**

- High School
- DPW

**Current State:**

- Community Building – 60 kW – current generator
- Town Hall – 15 kW generator
- Fire Station 1 – 15 kW generator

**Community Building Design:**

Optimal design to cover full load at this location by emergency power generator

**Recommendations:**

- Community Building Solution – recommended 90kW generator
- Town Hall solution - move existing generator from Community Building and retro-fit (least upfront cost) – won't cover cooling.
- Town Hall solution - relocate 60kW generator from comm. Bldg.
- Fire Station 1 - full power support for all operations, system should cover 100% of the building load - recommended 30kW generator

**Estimated Costs**

- Community Building - \$274,590
- Town Hall - \$62,150
- Fire Station - \$134,470
- Design Fees - \$141,363

**Total Estimated Cost - \$612,573**

**Areas of Concern:**

- High School - develop and execute a Emergency Operations Plan, which includes temporary general rental and MOU from a contractor
- DPW - develop and execute a Emergency Operations Plan, which includes temporary general rental and MOU from a contractor

Mr. Noyes - Feeding Plan – Chartwells can provide on emergency basis as long as the roadways were open and Bus Plan.

Meier – suggested the Sagamore Fire Station, but Chief Greene would recommend as a warming shelter.

Chm. Ford – he and TA Guerino have identified more than 8-9 employees that can help Mr. Noyes set up and put volunteers up to come in. TA Guerino said through collective bargaining, the town can offer the training to work the shelters. Chm. Ford said it should be policy to have employees report to Mr. Noyes.

Mr. Noyes – plans to have the finalized Emergency Plan by the hurricane season.

Zuern – suggested having back up for caterer. Mr. Noyes said there are some meals at the Community Building. TA Guerino said some will be stored at the UCT, and the BMS as well as the Community Center.

Pickard – Community Building is not in the flood zone, however, Town Hall and the Fire Station are. He is not sold on putting generator's in flood zones. He suggested retro-fitting for the DPW and the High School.

TA Guerino – pointed out that not every outage or storm is a flood resulted in an issue where we need to relocate, but understands Pickard's point. The Town Hall needs appropriate backup generation regardless if it is in a flood zone. The storm put a highlight on deficiencies and brings forward to the board tonight.

Zuern – asked about the generator at the Community Building the storm. Mr. Nelson said new buildings have codes for emergency systems; this building was designed on emergency egress systems. The generator didn't have a lot of systems installed correctly as the generator had limitations. The heating water circulators were not on emergency power. The boiler is on emergency power to bathrooms, foyer and one air handler on the roof.

Pickard – asked what will Department Heads have to give up to pay for the Generator (\$600,000 plus). TA will make recommendations to Capital Outlay and ask what priority. Pickard would prefer a finalized plan before going to Capital. TA Guerino said we have to go to Capital now as timing for town meeting and the final plan do not coincide.

Zuern – asked why it is necessary for the Fire Station and use a portable one instead. Pickard said first retro-fit electrical system to accommodate a portable generator (this will reduce cost to \$400,000 plus).

Mr. Nelson – Fire Department is something we can look at. He wouldn't recommend buying a rental at this point for all three areas.

Chm. Ford – asked if generators sent to Sandwich could be used. TA Guerino said we had some surplus generators delivered to Sandwich, however, Sandwich said they didn't meet requirements for exhaust as they were diesel.

Chm. Ford - brought up emergency generators on wheels. Mr. Noyes said they were running in Town. Chm. Ford said they had a communication station. Mr. Noyes said the equipment was still at the UCT.

Mr. Noyes – assessment meeting to be held tomorrow night and will be put together with training and feeding needs. The biggest issue is the medical issue and to incorporate into the plan. He will provide a rough draft to the TA to move forward for review, refine and final.

Chm. Ford – asked about communications with landline phones are down. Mr. Noyes said we will have a public brochure. During the event, giving word to the residents by possibly using patrol car making announcements.

Zuern – if people want to be notified by cell phone, they can be put on the Reverse 911 calls. She also said the Emergency Planning Committee has 21 members on the LPC; need 11 to hold the meeting. Mr. Noyes said there will be enough for hold a meeting.

Mr. Noyes – the Emergency Management Committee is set up by set up by Federal statute.

Pickard – asked how often the LCP meets. Mr. Noyes said there is no set schedule per se. Pickard also asked about the Police Station generator. Mr. Nelson said it is a 50kW and is 2 years old and and adequate cost was in \$65,000 range. Pickard asked how much a portable generator at the Fire Station. Mr. Nelson responded \$50,000 - \$60,000.

Mr. Mulvey – asked if all generators are air cooled. Mr. Nelson said there is a mix and none of them do not require outside coolant. Power supplies to the buildings limits the generator. There are four (4) choices for fuel.

TA Guerino – large undertaking, however, given the last round of regional sheltering didn't work, he hopes the board moves toward moving internally.

**c. Budget update**

TA Guerino – will bring numbers to the board. Reductions and adjustments will be accordingly and given at the next meeting. There will be \$230,604 plus additional adjustments for Fire Contract.

Pickard – questions with regard to lifeguards. Per Recreation Director it will cost in the range of \$14,000 - \$16,000 to staff another beach (Gray Gables). MMA offered their pool for water testing.

Zuern – in favor of funding another beach.

Meier – asked how can there be positions in the Collector’s office due to the current budget constraints. TA Guerino said in the Collector’s office, positions financed is reallocating funds – not new money. It is using existing money for positions. Relative to the ISWM, it is a replacement position. This is not a new position.

TA Guerino – Bourne is the most frugal community in requesting overrides. This board is very cognizant of the taxpayer’s dollars and is following a responsible approach is to build a new DPW facility.

Pickard – explained the ISWM position was left vacant due to a retirement. The new position is due to re-organization.

TA Guerino – looking at staffing levels at ISWM over time, they are operating with much less people than 10 years ago.

Meier – suggested the Finance Director/Treasurer Collector work the window differently. TA Guerino said the service counters are well served.

**d. Surplus property disposal – 1998 Volvo**

Meier MOVED and SECONDED by Zuern vote to declare the 1998 S70 Volvo VIN# YV1LS5675W1511628 as surplus and to be destroyed. VOTE 4-0-1 (abstention from Pickard).

**e. Vacancy in Planning Board from 2/26/13 meeting clarification on vote**

TA Guerino – the board met in joint session with the Planning Board to fill an unexpired term. Per Atty. Troy, it was suggested in this evening’s meeting to disclose the vote. Mr. Michienzi will be sworn in after tonight’s meeting. Last week’s voting went as follows:

Michienzi:  
Selectmen:  
Ford, Pickard, Meier

Planning Board:  
Doucette, Farrell, Gallo, Howarth, Nelson, Shearer

Handy:  
Selectmen:  
Baldwin, Zuern

Planning Board:  
DuBerger, Jensen

VOTE was 9 (Michienzi) – 4 (Handy).

**Selectmen's business**

**a. Temporary Easement**

Temporary easement by Stratford Capital Group – the ZBA has approved the 40B project. The engineering company Need access to get financing and credit.

Pickard MOVED and SECONDED by Zuern to approve temporary easement from 3/13 - 10/13 for Colontino. VOTE 5-0.

**b. Selectmen's Meeting Schedule**

3/19 – BOS – BOSC schedule

4/2, 4/16 and 4/23

5/6 – Town Meeting

TA Evaluation – Chm. Ford said to use either the current form or a new form and will discuss on 3/19/13.

Zuern – attended the current events last week. She requested putting on the Pilgrim Power Plant at a future meeting (before election and voting) with regard to safety.

Chm. Ford – meeting tomorrow for the LEPC at the Community Building.

**Adjournment**

Baldwin MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10: 05 pm.

Respectfully submitted,  
Lisa Groezinger, sec.

**Joint Session Board of Selectmen  
and Public Works Building Committee**

2013 MAR 4 PM 4 09

CLERK'S OFFICE  
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Wednesday March 6, 2013	5:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street Buzzards Bay

**Agenda Topics**

1. Call meeting to order
2. Approval of minutes February 6, 2013
3. Informational program development
  - a. Handouts
  - b. Presentations
  - c. Distribution groups
4. Financial recap
5. Deadlines and Schedule for spring Ballots and wording
6. Discuss Future agenda items
7. Adjourn

2013 MAR 14 AM 11 26

TOWN CLERK'S OFFICE  
BOURNE, MASS

## Joint Session Board of Selectmen and Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday March 19, 2013	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

The Board of Selectmen will hold a public meeting jointly with the Finance Committee on Monday March 19, 2013 at 7 PM at the Community Building as follows:

1. Review budgets
2. Other Business
3. Adjourn



2013 MAR 14 AM 11 26

TOWN CLERK'S OFFICE  
BOURNE, MASS

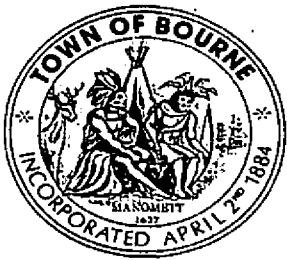
## Joint Session Board of Selectmen and Finance Committee

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday March 18, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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The Board of Selectmen will hold a public meeting jointly with the Finance Committee on Monday March 19, 2013 at 7 PM at the Community Building as follows:

1. Review budgets
2. Other Business
3. Adjourn



# Board of Selectmen Meeting Notice AGENDA



5:30 p.m. Executive Session  
Labor – Fire Contract & Litigation – Update

6:00 p.m. Sewer Commissioners Meeting

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday March 19, 2013	6:45 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

6:45: Joint Session with Planning Board for to fill vacancy in full member and possibly appoint alternate. Discussion related to Mr. Meier's concerns.

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: March 5, 2013
5. Correspondence

6. 7:20 Joint Meeting with Library Trustees to fill vacancy

7. Appointments and Licenses

- a. Seasonal License Renewals (Liquor, Common Victualer (food), General Amusement, Sunday & Weekday Amusement/Entertainment, Coin Operated Amusement Device Approval
- b. Representative to the Cape Cod Commission
- c. Transportation Advisory Committee
- d. Local Emergency Planning Committee
- e. St. Margaret's Regional School asking for waiver of fee for Easter Egg Hunt

8. Linda Marzelli - Municipal Lien Certificates and Demand Fee charges.

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TOWN CLERK'S OFFICE  
BOURNE, MASS

9. Local 1717 – Firefighters - Fireworks

10. Licenses/Requests:

a. One Day Liquor Licenses for the sale of all kinds of alcoholic beverages for the

**Beachmoor**

- ❖ June 1, 2013 Hall of Fame Dinner
- ❖ June 15, 2013 Wedding
- ❖ June 22, 2013 Family Dinner
- ❖ August 10, 2013 Wedding
- ❖ August 17, 2013 Wedding
- ❖ September 7, 2013 Wedding
- ❖ September 14, 2013 Wedding
- ❖ October 4, 2013 Wedding
- ❖ October 5, 2013 Reunion

**ABS Library Information Commons**

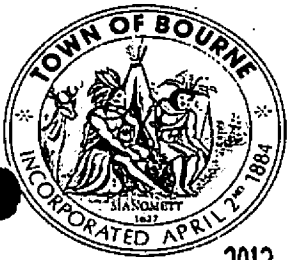
- ❖ September 21, 2013 Admiral's Gala
- ❖ October 4, 2013 Reunion
- ❖ October 5, 2013 Reunion

11. Town Administrator's Report  
Budget reconciliation

12. Selectmen's business

- a. Signing Warrant for Special Primary Election
- b. Town Administrator Review Form
- c. Proclamation – Childhood Cancer Awareness Week

13. Adjourn



# Board of Selectmen Meeting Notice AMENDED AGENDA



2013 MAR 15 PM 5:30 p.m. Executive Session  
Labor – Fire Contract & Litigation – Update  
TOWN CLERK'S OFFICE  
BOURNE, MASS.  
6:00 p.m. Sewer Commissioners Meeting

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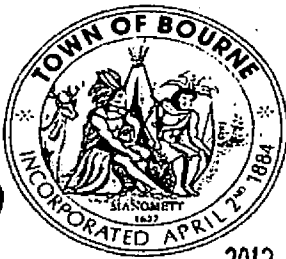
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- d. Local Emergency Planning Committee
- e. St. Margaret's Regional School asking for waiver of fee for Easter Egg Hunt
- f. Temporary Easement – Pinnacle - Sagamore Beach
- g. Temporary Easements – Coady School

8. Linda Marzelli - Municipal Lien Certificates and Demand Fee charges.
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13. Adjourn

**Board of Selectmen  
Minutes of March 19, 2013  
Bourne Community Building  
Bourne, MA 02532**

2013 APR 25 AM 9 40

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

John Ford, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

Guests: Planning Board members, Library Trustees members and candidates for the Transportation Committee

Documents  
None

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**Joint Meeting Called to Order**  
By Chm. Ford at 6:54 pm

**Joint Session with Planning Board to fill vacancy in full member and possibly appoint alternate. Discussion related to Mr. Meier's concerns.**

Chm. Ford – explained Meier had issue with the voting process and not who has been appointed with regard to him voting for Mr. Hanley and not Mr. Michienzi.

Meier – he has been open as to who he has supported and he brought forward this issue as he has never voted in such a way before. He asked pointed questions and submitted them to the Town Clerk. The issue is more the process and not who has been appointed. He is not going forward with a complaint to the Attorney General as tonight's vote will be a new vote.

TA Guerino – when the vote was initially taken, it should have been read and it was not. He has spoken to Town Counsel and a remedy was given. Since there was a question to the validity of the vote, the Open Meeting Law provides for towns to have remedy. The remedy is what we are doing this evening; starting from zero and having a re-vote for any alleged concern of the voting processes.



Pickard – one issue was that the ballot should have been maintained by either the Selectmen Clerk or Clerk of the Planning Board; the other concern is that Meier is alleging misconduct.

TA Guerino – stated he had custody of the votes, put them in the Selectmen bag and was taken to the Selectmen's office.

Chm. Ford – tonight there will be two votes of who will be a permanent member and an alternate member of the Planning Board (PB).

DuBerger – we will appoint a permanent member for eight weeks. At this point, neither applicant has pulled papers for the PB position. At this time, Chm. Ford called point of order.

Roll call vote:

Pickard MOVED and SECONDED by Ford to appoint Mr. Vincent Michienzi as a permanent member of the Planning Board until election.

DuBurger MOVED and SECONDED by Zuern to appoint Mr. Sean Handy as a permanent member of the Planning Board until election.

Jensen (Planning Board) – at 52 Main Street, abutters are called upon to say if they have any objections. 10 abutters; 4 of are mainly Michienzi. Afraid as talented he is he will have to recuse himself for vital decisions the PB makes.

Roll call for Michienzi: Nelson – yes; Doucette – yes; Jenson – no, DuBerger – no; Gallo – yes; Howarth – yes; Zuern – no, Pickard – yes; Ford – yes; Meier – no, Baldwin - no. VOTE 6-5 for Michienzi as a permanent member of the PB until election.

Alternate member to the Planning Board

Meier MOVED and SECONDED by Doucette to appoint Mr. Sean Handy as alternate member to the Planning Board. Roll call: Nelson – yes; Doucette – yes; Jenson – yes, DuBerger – yes; Gallo – yes; Howarth – yes; Zuern – yes, Pickard – yes; Ford – yes; Meier – yes, Baldwin – yes. VOTE 11-0 for Handy as an alternate member of the PB until election.

**Meeting Called to Order**

By Chm. Ford at 7:10 pm.

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

**Public Comment – Non-Agenda Items**

None.

**Minutes of 3/5/13**

Meier MOVED and SECONDED by Pickard to approve minutes of 3/5/13 as amended. VOTE 5-0.

**Correspondence**

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

**Joint Meeting with Library Trustees to fill vacancy**

Chm. Ford – one letter of interest from Ms. Kristine Maginnis to fill vacancy of the Library Trustees, who is present tonight and has been a resident of Bourne for 13 years.

Meier MOVED and SECONDED by Pickard to appoint Ms. Kristine Maginnis to the Library Trustees for the balance of the remainder of the term. Roll call: Rider – yes; Toree – yes; Simpson – yes; DiPaulo – yes; Zuern – yes, Pickard – yes; Meier – yes; Baldwin – yes; Ford – yes. VOTE 10-0.

**Appointments and Licenses**

**a. Seasonal License Renewals (Liquor, Common Victualer (food), General Amusement, Sunday and Weekday**

Pickard MOVED and SECONDED by Meier to renew the Chart Room Liquor, Food Amusement, Weekday and Sunday licenses.. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to renew The Sagamore Inn renewal of Liquor and Food license. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to renew Common Victualer (food) licenses for Betty Ann's Dairy Freeze; Lazy Sundaes Ice Cream; Seafood Shanty, Inc.; and Whistle Stop Ice Cream Co., Inc. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to renew General Amusement licenses for Cataumet Light Mini Golf and Cartwheels II. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to renew Sunday Amusement license for Cartwheels II. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to renew Coin Operated Automatic Device license for Cartwheels II. VOTE 5-0.

**b. Representative to the Cape Cod Commission**

Pickard read Mr. Blanton's attendance record from 2010, 2011, 2012 and 2013.

Pickard MOVED and SECONDED by Meier to appoint Mr. Michael Blanton as Bourne Representative to the Cape Cod Commission for a term to expire 4/24/16. VOTE 5-0.

**c. Transportation Committee**

Three candidates for one opening on the Transportation Committee: Mr. John Forte, Mr. William Locke and Ms. Cindy Parola. Ms. Parola is present tonight and reviewed her qualifications. Chm. Ford read into record both Mr. Forte and Mr. Locke's e-mails of interest.

Pickard MOVED and SECONDED by Baldwin to appoint Ms. Cynthia Parola to the Transportation Committee for a term to expire 6/30/13. Roll call: Zuern – yes; Pickard – yes; Meier – yes; Baldwin – yes; Ford – yes.

**d. Local Emergency Planning Committee**

Pickard MOVED and SECONDED by Meier to appoint Edward Donoghue, John Stowe, Chrystal LaPine, Jon Nelson, Felice Monteiro, Marc Lieber and Donald Pelonizi to the Local Emergency Planning Committee for terms to expire 6/30/13. VOTE 5-0.

**e. St. Margarets Regional School asking for waiver of fee for Easter Egg Hunt**

Pickard MOVED and SECONDED by Meier to approve St. Margarets Regional School request at 143 Main Street on 3/24/13 from 9:30 am – 3:30 pm for a waiver of fee for Easter Egg Hunt. VOTE 5-0.

**f. Easement – Pinnacle on Sagamore Beach**

Pickard MOVED and SECONDED by Meier to grant temporary access easement to Pinnacle Site Contractors for the purpose of constructing stone revetment and erosion control under Town of Bourne Conservation Commission Emergency Certification at 4, 6, 12, 16, 20, 22, 28, 34 & 40 Sagamore Road and 165 Clark Road from 3/21/13 - 5/9/13. VOTE 5-0.

**g. Easement – Coady School**

Pickard MOVED and SECONDED by Meier to grant temporary easement to Pinnacle Site Contractors at the Coady School between 3/18/13 – 12/31/13. VOTE 5-0.

**Linda Marzelli – Municipal Lien Certificates and Demand Fee Charges**

TA Guerino – this is under the Treasurer's authority; the fee charges is to go from \$25 to \$50. There will be an article at Town meeting in regards to Demand Fees.

**Local 1717 – Firefighters – Fireworks**

Mr. Sean Silva and Brian Rooney of the Local 1717 present tonight for informational discussion. The Local 1717 is looking for an annual site for fireworks off Scenic Highway. There is an area of a 100' x 100' for shooting fireworks off safely which is within State Codes. The Local 1717 has spoken with the Buzzards Bay Water District, the Buzzards Bay Superintendent as well as Conservation.

Meier – asked about the active cranberry bog. The 100'x100' box has the maximum setbacks for fireworks to have exclusion off cranberry bog owner's property. There is no concrete evidence that fireworks cause pollution. Water is flowing away from the site.

Zuern – requested to look into clean up for proclorate. DEP has a plan of best practices which will be followed and should limit any potential ground water impact.

Pickard – suggested the Local 1717 work on the 2014 Celebration of the Canal. The Local 1717 said there is already a separate group working on fireworks for the 2014 Celebration.

Local 1717 will be seeking donations for fireworks in the future and is not related to the Local Firefighter's campaign.

Baldwin MOVED and SECONDED by Meier to approve the Local 1717 Firefighters Fireworks proposal as presented tonight with the stipulation the proposal is put to a routing slip.  
VOTE 5-0.

#### **Licenses/Requests**

**a. One Day Liquor Licenses for the sale of all kinds of alcoholic beverages for the:**

**i. Beachmoor**

1. 6/1/13 – Hall of Fame Dinner
2. 6/15/13 – Wedding
3. 6/22/13 – Family Dinner
4. 8/10/13 – Wedding
5. 8/17/13 – Wedding
6. 9/7/13 – Wedding
7. 9/14/13 – Wedding
8. 10/4/13 – Wedding
9. 10/5/13 – Reunion

Mr. Mulvey – he thought there was an agreement the license would cover events previously booked prior to the MMA's ownership. TA Guerino – the MMA satisfied under current liquor license with commitments. This will use nine of the one day licenses and the board has authority to grant individually. The caterers (the Chart Room) have the ability to exercise the license.

Pickard MOVED and SECONDED by Meier to approve Beachmoor request at for One Day Liquor Licenses for the sale of all kinds of alcoholic beverages on 6/1/13 (Hall of Fame Dinner); 6/15/13 (Wedding); 6/22/13 (Family Dinner); 8/10/13 (Wedding); 8/17/13 (Wedding); 9/7/13 (Wedding); 9/14/13 (Wedding); 10/4/13 (Wedding) and 10/5/13 (Reunion). VOTE 5-0. *The requests will be put to a routing slip.*

**ii. ABS Library Information Commons**

1. 9/21/13 – Admiral's Gala
2. 10/4/13 – Reunion
3. 10/5/13 - Reunion

Pickard MOVED and SECONDED by Meier to approve ABS Library Information Commons request for One Day Liquor Licenses for the sale of all kinds of alcoholic beverages on 9/21/13 (Admiral's Gala); 10/4/13 (Reunion); and 10/5/13 (Reunion). VOTE 5-0. *The requests will be put to a routing slip.*

**Town Administrator Report**

**a. Budget reconciliation**

**ADJUSTMENTS TO EXPENDITURES**

Upper Cape Regional Voc School	\$148,114	
COA Program Services	\$ 7,420	
Community Bldg – Comcast	\$ 6,500	
Community Bldg – Longevity	\$ 450	
Recreation Dept – Longevity	\$ 450	
Finance Dept – Clerical	\$ 1,532	
Fire Dept – Medical	\$ 15,000	
Town Administrator Clerical		\$( 20,000)
School Dept		\$( 50,000)
Police Patrolmen Salary		\$( 50,000)
Group Insurance		<u>\$(100,000)</u>
	\$423,257	<u>\$(220,000)</u>
Elected Officials Salary	\$ 1,301	

**ADJUSTMENTS TO REVENUES**

Additional Revenue Source		
Local Aid		\$155,033
Department Receipts	\$14,000	\$ 10,000
ISWM Share of Elect/MT Tech	\$ 9,535	<u>\$ 9,535</u>
Total Changes to Sources and Uses	\$424,558	<u>\$(424,558)</u>

Meier – as if the grant is reflected for firefighters. TA Guerino – no effect and depends on how it gets drawn down.

Zuern – COA services. TA Guerino – primarily for the Supportive Day Program and for the meals for the café for the program continues. Zuern asked if this goes for salaries. TA Guerino – we are not adding additional positions that cover people who volunteered prior.

Chm. Ford – stated the COA Director presented the budget to the FinCom last night. \$40/day for the program but doesn't include the meal. The cook's salary comes directly out of fees. The restaurant will pay for itself.

TA Guerino – some Supportive Day financial support comes from the State.

TA Guerino - DNR covered by waterways fees. School provided \$50,000

Chm. Ford – DVDs are available if a board member cannot attend the FinCom budget presentation meetings. Any department can come in before the board for additional questions or concerns. TA Guerino – the overall town budget is up 1.8%. He added Ms. Marzelli has done a good job with the information from Sources and Uses and Line Item Budgets and report provided to the board through the annual budget message.

TA Guerino – UCT budget is up 1.7%; Bourne Public School budget is up 2%.

TA Guerino – thanked the Department Heads and Ms. Marzelli for their input, the town is in pretty good shape regarding the operations budget. He noted that these numbers do not include Articles.

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

##### **a. Signing Warrant for Special Primary Election**

Pickard MOVED and SECONDED by Meier the Board of Selectmen sign the Warrant for Special Primary Election. VOTE 5-0.

##### **b. Town Administrator Review Form**

Chm. Ford – received four different examples of a review form per HR Director. The consensus of the board is to use the City Manager Performance Evaluation completed by 4/19/13, meeting with TA Guerino on week of 4/22/13. 4/29/13 send evaluation to the Chair; cooralte and send back to members. 5/14/13 agenda item to give TA Guerino his public evaluation. Meets contractual agreements.

TA Guerino – requested to have done prior to election.

Pickard MOVED and SECONDED to Meier adopt the City Manager Performance Evaluation Form. VOTE 5-0.

##### **c. Proclamation – Childhood Cancer Awareness Week**

Pickard MOVED and SECONDED by Meier that the Town of Bourne Board of Selectmen hereby officially proclaim 4/21/13 – 4/27/13 as Childhood Cancer Awareness Week. VOTE 5-0.

Chm. Ford - Bylaw committee. The committee is short two members at-large per Ms. Elinor Ripley. Chm. Ford read Ms. Ripley's email about details of the committee into record.

Chm. Ford – UCT budget. State law is to provide transportation to the students going to the vocational school. The State to isn't meeting their obligation; what the state doesn't pay for, it is on the town's dime. He suggests a letter on the board's behalf to our local representative

and State Senator to support the laws with regard to the transportation costs of regional schools.

TA Guerino – to draft letter on behalf of the board and will have for the April meeting.

Zuern – email forwarded from Stacey Smith on Wastewater Treatment forums; attended LEPC meeting which broke into five subcommittees where had discussion of getting other groups such as churches to open up for shelters. Anyone interested volunteering email Charlie Noyes. Attended Open Meeting for the Bourne Cable. She completed her Conflict of Interest requirement.

Meier – attended LEPC; attended DPW working group who is working on getting the DPW facility to the ballot. He asked should the board follow up on goals voted on last summer. TA Guerino – yes, as it is part of the review process. One of Meier's goals was the liability of appointed committees on a future agenda item. TA Guerino – said formally he has not spent time on or anticipated on what the selectmen were going to do in some cases during the course of the year.

Chm. Ford – TA Guerino to work on his own goals.

Baldwin – we should be looking at where to get water samples.

Chm. Ford – directed an individual talk to Town Planner with regard to a sign on the deferred loan program; attended the FinCom meeting where UCT and DPW budgets discussed.

TA Guerino – at next meeting 4/2/13 representatives of the EAC bringing forward at least one or two power purchase agreements relative to wind and solar for net metering savings on electricity for the town.

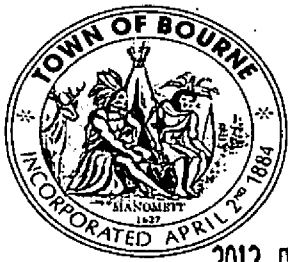
Zuern – hosted a cable TV show on the education on firearms safety and will be showing on cable every other week. Mr. Studley was her guest.

Meier – asked about the Snow & Ice budget. TA Guerino - as of yesterday prior to the \$235,000 number upside down and purchasing additional \$20,000 for salt and OT for roadways.

#### **Adjournment**

Pickard MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 8:45 pm.

Respectfully submitted,  
Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



2013 MAR 29 AM 9 56

<u>Date</u>	<u>TOWN CLERK'S OFFICE</u>	<u>Time</u>	<u>Location</u>
Tuesday April 2, 2013	BOURNE, MASS	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 3.5.13; 3.19.13
5. Correspondence

6. Appointments and Licenses

- a. Auctioneer License Antiques Plus - Charles Lewis
- b. One day Auctioneer 4/27/13 – Bourne Historical - Charles Lewis
- c. One Day Beer and Wine – Bourne Historical Fundraiser
- d. Request fees waived for:
  1. Kiwanis Club – Walk-a-thon 6.15.13
  2. Kiwanis Club Game Night [Thursday evening before concerts] July and August
  3. Psychic Fair Fundraiser – Waiver of fee
- e. Appointment - SWOP
- f. ACK Market, Inc., d/b/a Grey Gables Market – request to close for cleaning and minor renovations

7. Massachusetts Military Reservation (MMR) and the MMR Executive Director, Col. Anthony Schiavi – mission update

8. Future Generation Wind Power Purchase Agreement & Town Administrator, Energy Committee Representatives, Mr. Mann ( Mann Farm of Plymouth – proponent)

9. Town Administrator's Report –

- a. Realignment Public Works Reporting structure.



- b. Final Budget questions from BOS
- c. RFP – Hoxie update
- d. Community Building Roof Update
- e. Fire Department Hiring Update
- f. Fire Department renovation update

10. Selectmen's business

- a. First Right of Refusal 47 High Ridge Drive
- b. Road Name Request – Eustis Lane
- c. Vote to place question on Annual Town Election for new DPW facility

11. Adjourn

Board of Selectmen  
Minutes of April 2, 2013  
Bourne Community Building  
Bourne, MA 02532

2013 APR 25 AM 10 26  
TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Don Pickard, Chairman  
John Chm. Ford, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

**Documents**

- Massachusetts Military Reservation Commanders Update Briefing dated 4/2/13 – 5 pages

**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**

**Call to order**

Chm. Ford at 7:00 pm.

**Moment of Silence for our Troops**

**Salute the Flag**

**Public Comment – Non-Agenda Items**

Mr. Joseph Agrillo – asked if Item 9a will be discussed tonight. Chm. Ford informed Mr. Agrillo the board will discuss later on tonight and to raise issues at that time.

**Minutes: 3.19.13**

Pickard MOVED and SECONDED by Baldwin to approve minutes of 3/19/13 as submitted. VOTE 5-0.

**Correspondence**

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

Item a – Buildings are the 3<sup>rd</sup> and 4<sup>th</sup> buildings this year to be included in the National Register of Historic Places. TA Guerino thanked Mr. Ellis as being a leader in bringing forward. Documentation will be put in frames and displayed at each of the buildings.

**Appointments and Licenses**

- a. Auctioneer License Antiques Plus - Charles Lewis

Mr. Mark DeCicco – requested Mr. Lewis' address to file a civil service suit against him. Pickard gave Mr. DeCicco documents with information.

Pickard **MOVED** and **SECONDED** by Zuern to approve Antiques Plus request for Auctioneer License to Mr. Charles Lewis to conduct auctions the last Tuesday of each month and with the stipulation the applicant must have a business certificate with another community or registered with an LLC corporation in Bourne and per routing slip (Planning Board and Building Inspector). **VOTE 5-0.**

**b. One day Auctioneer 4/27/13 – Bourne Historical - Charles Lewis**

Pickard **MOVED** and **SECONDED** by Meier to approve Bourne Historical Society request for a One Day Auctioneer License on 4/27/13 for Benefit Live Auction and to waive licensing fee of \$50. **VOTE 4-0-1** (abstention from Zuern).

**c. One Day Beer and Wine – Bourne Historical Fundraiser**

Per Chm. Ford, this item is withdrawn and tabled.

**d. Request fees waived for:**

**1. Kiwanis Club – Walk-a-thon 6.15.13**

Tabled to 4/9/13 for routing slip.

**2. Kiwanis Club Game Night [Thursday evening before concerts] July and August**

Tabled to 4/9/13 for routing slip.

**3. Psychic Fair Fundraiser – Waiver of fee**

Pickard **MOVED** and **SECONDED** by Meier to waive fees for Psychic Fair Fundraiser on 4/13/13 at the Bourne Veterans Community Building. **VOTE 5-0.**

**e. Appointment - SWOP**

Ms. Susan Cronin submitted Ms. Patty Duffy's name for consideration of appointment to the SWOP. Ms. Duffy is also a parent of one of the SWOP participants and introduced her daughter.

Pickard **MOVED** and **SECONDED** by Meier to appoint Ms. Patty Duffy to the SWOP Program for a term to expire 6/30/13. **VOTE 5-0.** TA Guerino suggested Ms. Duffy obtain reappointment papers if she wishes to stay on.

**f. ACK Market, Inc., d/b/a Grey Gables Market – request to close for cleaning and minor renovations**

Pickard **MOVED** and **SECONDED** by Meier to approve Grey Gables Market request to close for cleaning and minor renovations for a 3-4 week period up through May 1, 2013 per TA Guerino, if necessary. **VOTE 5-0.**

**Massachusetts Military Reservation (MMR) and the MMR Executive Director, Col. Anthony Schiavi – mission update**

The Mass. Military Reservation covers about 22,000 acres. The Mass. Military Installations Economic Impact is about \$14.2 billion and over 46,000 jobs.

The Mass. Military Reservation Management Structure includes:

- Joint installation Partner Agreement
- Joint Oversight Group
- Inter-agency cooperation
- Future vision for the MMR

Otis Air National Guard Base

Mission Update: 102b Intelligence Wing

- 102d Intelligence Group – FOC: CY13
- 102d Air Operations Group – Restored via NDAA
- 212<sup>th</sup> Eng & Installation Sq – Relocating to Otis
- Military Construction (MILCON)
  - FOC DGS Facility – PH 1/II
  - Operations and Training Facility
  - Future Projects/Solar Array
- Demolition – Multiple Facilities

Camp Edwards – the largest Military Training site in New England

- Mission: provide realistic, relevant, compatible and essential training and support facilities in support of Military Unit and Individual Soldier Readiness
  - Pre-mobilization Training
  - Military, law enforcement, emergency first responders
  - Regional Training Institute – Homeland Security Institute
  - Army Aviation Support Facility
- Almost 15,000 acres, Cantonment Area/Training Area/Upper Cape Water Supply Reserve
  - Over 900,000 SF of building space
  - 529 miles of road network – 271 miles improved paved road
- Capital Improvements
  - Over \$40M in the last 5 years
  - Over \$46M in improvements fully funded in the next 3 years
- Throughput: Over 150,000 Training days for FY12
- Room to Grow

USCG Air Station Cape Cod – Aviation and Support

\$23M hanger facility is complete. Continue to upgrade the runways for aviations.

- Air Station Cape Cod Missions and AOR
- Supported Commands/Joint Services
- The “Military Town”
- Economic Impact
- Future Plans - \$9M new barracks – old barracks office space. Demolished 90 units to provide quality housing.

## Cape Cod Air Force Station

104 acres of AF active duty. Main mission is missile warning and focusing on being more efficient. Two more wind turbines will go up in the future.

- Home of the 6<sup>th</sup> Space Warning Squadron
- Mission: Missile Warning and Space Surveillance
- Staff: U.S and Canadian military, DoD civilians, BAE Systems contractors
- Collaborate with MMR, local, State, Federal and community
- Energy Efficiency Initiatives

## Question and Discussion

TA Guerino – asked about 102d – Air Operations. Going to Capital Hill sometime in 2014.

Zuern – asked about training, drums and border safety. Training is done on the weekends and have worked with past hurricanes and storms – looking for a better plan for the Cape Cod area. The drums are one of the ways they get data; the FA is conservative on where to fly. Guards are good with staying up with and following up on rules. Border safety hasn't be participated in, but states that are down near the border have.

Camp Edwards – Open House open to the public once a year 9/21/13 - 9/22/13 – several military demonstrations will be conducted at the tech training base.

Meier – asked about any fiscal ramifications on the civilian side of the base. The Coast Guard trying to avoid civilian furloughs – took cuts to prevent furloughing civilian employees. There will be some cuts in patrol hours in the missionary. The public will not notice a loss of patrols on the aviation side. Search and rescue will stay the same.

Zuern – does not want to lose the Air Guard 102d as ramifications due to cuts. Will see some furloughs in the later part of June.

Pickard MOVED and SECONDED by Meier a five-minute recess and reconvene back in public session. VOTE 5-0.

## **Future Generation Wind Power Purchase Agreement & Town Administrator, Energy Committee Representatives, Mr. Mann (Mann Farm of Plymouth – proponent)**

Mr. Mann briefly reviewed risks of the town.

### PPA Key Points

- Wind turbines will be located in Plymouth
- Customer makes no investment and has no ownership risks
- In normal circumstances there is no downside to Net Metering – only savings.
- Last year the town would have accrued \$156,532 in savings
- In 25 years the town would save an estimated \$6,612,396

### Fixed Rate Benefits

- Provides more predictable energy expense
- Provides a hedge against high future energy prices
- Provides more savings if energy costs escalate on average more than 3.8% annual

- Will likely provide ½ cent/kW more savings in earlier years
- Does not offer Tracking Account option

#### Variable Discount Rate Benefits

- Provides a discount below future energy prices
- Discount percent increases as energy prices rise
- Provides more savings if energy prices escalates on average less than 3.8%
- Tracking Account provides additional protection. Captures lost savings.

#### Full cost of electricity – Wind and Solar

Including incentives, solar is 2.6 times more expensive than wind on a per kWh basis. Solar – 55 cents/kWh; Wind – 21.2 cents/kWh.

#### Future Generation Wind – Summary

- FGW is in advanced stage of development
- Our wind turbines are new models from a top tier manufacturer
- Permitting is complete
- Interconnection process is nearly complete

#### Discussion

There is a mechanism should the price of electricity and gas goes down. The only risk would be if there were historic low prices and the prices stay that way for 20 years, but it is unlikely. Natural gas and energy prices are expected to go down. The fuel is only part of the electric bill – there is also distribution.

Zuern – read it is expected that natural gas would go down. Mr. Mann - if gas went to zero, it would not dip below the floor.

TA Guerino – the price would have to be down to 2 cents/kWh to have any effect on the town once the agreement has been signed.

Chm. Ford – only reason wind power is ecological is because the Cape is paying so much more due to having the Sandwich plant on-line as back up; it is not efficient.

Zuern – what happens after the 20 years to the turbines. Mr. Elrick explained that the town will not invest any money – only pay for the credits the town is receiving.

TA Guerino – Mr. Mann, Energy Coordinator and Energy Advisory Committee (EAC) worked together closely. The town is trying to diversify our portfolio with a local agricultural producer.

TA Guerino - has the authority but would bring forward to the Board for concurrence. Pickard requested a written plan with analysis by the TA Guerino and/or Mr. Richard Elrick and the EAC with recommendations in a form. TA Guerino – a report will be given at the 4/9/13.

Mr. Mann – solar projects are getting harder to finance due to SREC risks compared to wind.

Mr. Joseph Agrillo – supports the wind project.

O'Keefe, EAC – The EAC believes it is a good project and has voted to support renewable energy and an opportunity. The town utilizes 4.8 million kWh/year. The EAC feels the town should not commit the whole load, but rather 80% of the town's load for the wind and leave options for either Cape Wind or CLC. This agreement would cash in on the net metering credit the State has made available and an opportunity to save money.

Chm. Ford – homeowner will not see credits. Mr. Elrick - no, the municipality will and the home owner will pay a slight increase.

Mr. Richard Elrick – Energy Coordinator – reiterates how little risk the town has for this project. This project promotes town goals, saving 20-30% of energy costs with no risks to speak of. Cost benefit analysis can be forwarded to TA Guerino.

Zuern – asked what would be the risks. Mr. Elrick - if costs lower, wouldn't receive reductions but would be a better deal than status quo.

Zuern – asked what happened if the turbines couldn't produce the energy. Mr. Mann – contractually, Future Generation Wind is obligated to produce credits. In the contract, it allows to correct issues and if cannot, the town can opt out.

Ms. Diana Barth – Bourne Enterprise – asked if any extraordinary changes by the State law would affect the ability to perform. Mr. Mann – we would work together for an alternative.

TA Guerino – contract base language “template” piece is currently with Atty. Troy.

Mr. James Mulvey – asked about a proposed contract and if one in another town is in effect. He also asked if there is any guarantee of loss of production. TA Guerino – a template is with Atty. Troy. Contracts are in place with Rochester and the UCT as comparative documents.

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

##### **a. Realignment Public Works Reporting structure**

TA Guerino – TA reporting structure with Public Works Department and the hiring of the Facilities Manager. There are Charter specific requirements on how the landfill moves forward with the current lease arrangement which may include leachate. Those reporting structures and the overall forward progression of the landfill will continue to be a direct contact to TA and NOT alleviate any responsibility of ISWM with reporting to the Board of Health. The realignment will reduce the span of control over a number of department heads as it relates to the budget, personnel issues and long-term planning. The day-to-day operations will be managed by the Superintendent of Public Works (Mr. Sala) and Sewer will continue to be integrated, and the ISWM manger will continue to report through the Director of Public Works and Facilities. This will better utilize the staff.

When the piece of the overall realignment was proposed to the Selectmen last year, this is one area the board had good concurrence. The structure as proposed does provide a look at the municipality as many municipalities are structured. We don't have a large sewer division but we do have the landfill. He asks the Board to provide concurrence with realignment.

Meier – asked about a future Highway Crew Chief. TA Guerino – this will be moving a staff into the position.

Pickard – asked who is paid more between Crew Chief vs. a Foreman. Mr. Sala – the Crew Chief is paid higher. TA Guerino – the managerial structure is still the same. Pickard – suggested a Highway/Maintenance Forman vs. Crew Chief to be of greater assistance to Mr. Sala. Mr. Nelson – this is a draft and we can work on together moving forward.

Chm. Ford – this is one of the goals the board assigned TA Guerino to do.

TA Guerino – this is a collaborative piece as all operations are complicated. He will be meeting with all involved on a bi-weekly basis in the beginning to make sure implementation. He will update the board on a regular basis moving forward.

Mr. Agrillo – would like to see more about the departments. Pickard – TA Guerino is looking for a reduction of employees reporting to him and it is a good step forward per the Selectmen's request of TA Guerino. TA Guerino – this is not really new; this allows the town to go back to the organizational chart the town has been running for several decades.

Mr. Agrillo – would like to see what this draft is replacing, including employee costs. TA Guerino handed Mr. Agrillo a copy of the proposed reorganization and explained this is salary neutral - we increased the salary of Mr. Sala, augmented Mr. Nelson's salary as the DPW Director and the hiring a Maintenance Technician - all within the previous salary of Mr. Tellier.

Mr. James Mulvey – raised issue of transparency and believes this is a major reorganization of town departments. The town has been very well served and happy with how it was organized. He would like to see a lined chart. TA Guerino – this is not a major reorganization of a department. It is a realignment of reporting structure to the TA and is a request for transparency purposes.

Chm. Ford – this is no cost and under preview of the TA.

Pickard MOVED and SECONDED by Zuern to concur with recommendations of the TA with regard to the reorganization of the DPW and Facilities departments. VOTE 5-0.

TA Guerino - Superintendent position was advertised internally. He recommends a waiver of 14 day period for Mr. Sala.

Pickard MOVED and SECONDED by Meier to approve TA recommendation to waive 14 day period for Mr. George Sala. VOTE 5-0.

Mr. Sala – thanked the board and TA Guerino for their support.

Mr. Mulvey – after reviewing new proposed chart, he questioned the administrator coordinator and secretary. TA Guerino – the positions currently exists and works under Mr. Sala. For informational purposes, it would be a dotted line between the two positions which are directly responsible to the Superintendent.



TA Guerino – thanked Mr. Barrett and Mr. Goddard for their efforts into this reorganizational chart.

**b. Final Budget questions from BOS**

He is not proposing any additional changes. Finance Committee completed most of their review –CPC and Capital Outlay will be before the Selectmen next Tuesday night to follow up on TA report to the Selectmen.

**c. RFP – Hoxie update**

Printed and in the Central Register. Sent out 3 of proposals for people to review moving forward.

**d. Community Building Roof Update**

Roof update – Mr. Nelson said this will be wrapped up by the end of the week. Meier – asked if there were any surprises. Mr. Nelson – flashing details and a cut gas line and has been repaired.

Zuern – asked about the tubing set up. Mr. Nelson – the tube is the trash chute.

Mr. Mulvey – Mr. Nelson is very approachable and knowledgeable.

**e. Fire Department Hiring Update**

More than sufficient applicants and moving toward other components (ex: psychological tests) and he expects to have people on board in June moving forward.

**f. Fire Department renovation update**

\$64,000 from Capital for the Station One appropriate sleeping quarters. The bid was higher than allocated. They are utilizing the FEMA trailer as temporary quarters with appropriate hook ups. Mr. Nelson – materials were bought in house and is protecting the existing carpet. With the remainder of budget he is looking into which HVAC will best serve the dorms. He is still trying to find the right cost effective solution.

**Selectmen's business**

**a. First Right of Refusal 47 High Ridge Drive**

Meier – explained the Selectmen are one of the three entities with first right of refusal (Selectmen, Housing Authority and the ACD). Once all entities refuse, then it is up to the Affordable Housing Partnership to monitor the sale of property.

Pickard MOVED and SECONDED by Meier to decline the Town's first right of refusal to purchase the property located at 47 High Ridge Drive and to exercise the right to proceed in locating an eligible purchaser with the sale as an affordable unit in accordance with the State guidelines. VOTE 5-0.

**b. Road Name Request – Eustis Lane**

Pickard MOVED and SECONDED by Meier to approve Road Name Request for Eustis Lane as identified in routing slip of Road Names. VOTE 5-0.

**c. Vote to place question on Annual Town Election for new DPW facility**

TA Guerino – same wording as previous vote and Ms. Sundman brought this to the Board's attention. Chm. Ford – thank Ms. Sundman.

Pickard MOVED and SECONDED by Meier to approve to the placement of adding the question onto the Annual Town Election for new DPW facility. VOTE 5-0.

Pickard – if there are any questions, please contact the Town Clerk.

**Adjourn**

Pickard MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 9:40 pm.  
Unanimous vote.

Respectfully submitted,  
Lisa Groezinger, sec.

**Board of Selectmen  
Minutes of April 9, 2013  
Bourne Community Building  
Bourne, MA 02532**

2013 APR 25 AM 9 48

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

TA Guerino

John Ford, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

**Documents**

- Ms. Ellis letter dated 4/9/13 – 2 pages

**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**

**Call to order**

Chm. Ford at 7:00 pm.

**Moment of Silence for our Troops**

**Salute the Flag**

**Public Comment – Non-Agenda Items**

None.

**Minutes: 4/2/13**

Pickard MOVED and SECONDED by Zuern to approve minutes of 4/2/13 as amended. VOTE 4-0.  
*Baldwin not present at vote.*

Meier – 3/5/13 minutes to be brought to next week's agenda for verifying vote taken at that Selectmen's meeting.

**Correspondence**

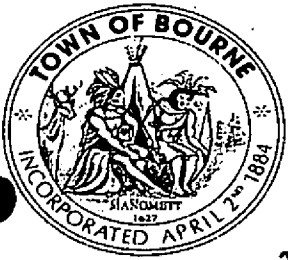
Meier read correspondence into record. Hard copies are available at the Town Administrator's office upon request.

Item A – TA to advertise as opening on the Bourne Historical Commission.

**Appointments and Licenses**

- a. Cranberry's LLC d/b/a The Bog Pub – Name Change

Pickard MOVED and SECONDED by Zuern to approve Name Change from Cranberry's LLC to The Bog Pub. VOTE 5-0.



# Board of Selectmen Meeting Notice AGENDA



2013 APR 5 PM 3 08

TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Tuesday  
April 9, 2013

Time

7:00 p.m.

Location

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

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 4.02.13
5. Correspondence
6. Appointments and Licenses:
  - a. Cranberry's LLC d/b/a The Bog Pub – Name Change
  - b. Jake's Pizza Company – Common Victualer
  - c. Auctioneer License Antiques Plus - Charles Lewis
  - d. Vincent Michienzi – Bylaw Committee – Planning Board Member
7. Statuary at Buzzards Bay Park - Stan Gibbs - update and request.
8. Capital Outlay Committee Report
9. Town Administrator's Report
  - a. Review of the power purchase agreement with Mann farm
10. Selectmen's business
  - a. Annual and Special Town Meeting Article Review
  - b. Signing of Warrant for Special & Annual Town Meeting
11. Adjourn

**b. Jake's Pizza Company – Common Victualer**

Pickard MOVED and SECONDED by Zuern to approve Jake Gray d/b/a Jake's Pizza Company request for a Common Victualer license per routing slip. VOTE 5-0.

**c. Auctioneer License Antiques Plus – Charles Lewis**

Meier MOVED and SECONDED by Pickard to table vote to the next meeting. VOTE 5-0.

**d. Vincent Michienzi – Bylaw Committee – Planning Board Member**

Pickard MOVED and SECONDED by Ford to appoint Mr. Vincent Michienzi to the Bylaw Committee by recommendation of the Planning Board.

Zuern – would like to vote after the election.

Roll call: Zuern – no; Pickard – yes, Meier – no; Baldwin – no; Ford – yes.

**Statuary at Buzzards Bay Park – Stan Gibbs – update and request**

Fisherman statue will be placed on Main Street, in front of the gazebo. This project is part of the beautification of Main Street. Unveiling of the statue 12' high on an area 50' in diameter. Chamber of Commerce has approved the "general location of the statue" will be at the 100 Celebration of the Canal. Requesting authorization to sell bricks: 4x8 - \$50; 8x8 - \$125; 12x12 - \$200. Bricks can be purchased on line to raise the remaining amount of money to complete the statue. [www.fishermanfund.com](http://www.fishermanfund.com) or [www.bricksrus.com](http://www.bricksrus.com).

Ms. Oliva, Director of the Canal Region Chamber of Commerce has approved the statue as well as DPW Superintendent Mr. Sala has seen the statue.

Chm. Ford – requested a routing slip for the statue. TA Guerino – agrees, and will check with the electrical and water lines.

Pickard MOVED and SECONDED by Meier to grant permission of the statue to be placed in the park on town land for a location to be determined at a later date and that the fundraiser organization to be able to sell bricks for the purpose of fundraising. VOTE 5-0.

**Capital Outlay Committee Report - Mastrangelo**

Total estimated cost is almost \$70M which includes the large facilities. It is a long-term process.

Capital Budget/Debt Service

5 Year Plan

Capital Improvement

Police Department -

- 159,400 for 4 cruisers
- Cruiser laptops and mounts – 3 laptops
- Portable radio replacement – replacing 1986

Fire Department –

- Ambulance 133 – replacing ambulance
- Car 141 replacement – Fire Chief's command vehicle
- Laptops – 3 laptops in ambulances (software for medical data to simplify billing)
- King Fisher Radio box – deferred for one year per Chief Greene's recommendation
- Portable Radios – 12 for replacement
- Equipment Grant Match – contingent on receipt of FEMA grant (funds 80% - town 20%)

DNR –

- Hen Cove Pier and Dingy Dock Renovation – public service to the boating people; completing work done
- Install security cameras at Taylors Point Marina and Monument Beach Marina – onboard thefts of marine equipment
- Replace ramp Monument Beach – deferred due to cost estimates being higher

Bourne Public Schools –

- Systemwide
- Technology Plans
- Purchase/Replace SPED mini bus – replacing a 2005 mini bus
- Asbestos abatement – to face ongoing asbestos projects (Peebles, Otis and the High School)

Mastrangelo – removal of the asbestos is an issue as the schools need to report to the State every 6 months and need to be worked on a little at a time to be cost effective to the town.

TA Guerino – a lot of deferred maintenance in the past will have to be addressed.

DPW –

- 1 ½ ton pick-up truck – replacement
- Recycle truck – replacement
- Dump/sander trucks
- Dump/sander truck
- New DPW Facility – \$11,080,798

ISWM –

- Cubic yard wheel loader
- Hydraulic excavator – replacement of one lost in fire
- Phase IV Stage II liner construction

Shore & Harbor –

- Annual dredging/ramp repair and improvements

Waterways funds is \$300,000 per year. This year taking out \$75,000 plus additional monies for an extra person salary, dredging and for the DNR projects.

Sewer Department –

- Sewer grinder pumps

Facilities – Town Hall –

- Emergency Power Upgrades including Generator Replacement – The Community Building expenditure per BOS establishing an in-town shelter – meeting State requirements - \$437,762 TA Recommended

Mastrangelo - Ms. Marzelli identified monies left from other Capital Articles to use.

Mastrangelo – the generators are not that expensive; it is the generator installation that is a major cost. In addition, the cost of over \$100,000 for design fees. Mr. Nelson – included in the budget a 30% buffer.

Zuern – inquired about the police cruisers. Mastrangelo – trading is generally over 100,000 miles. Most of the cars already have that. It is more expensive due to the purchasing of the Police Interceptor (SUV model) as the Crown Vics are not available. The town has about 20 police vehicles currently.

Chm. Ford – explained that the cruiser plan works in being cost effective to the town.

Pickard – asked if the Fire Deputy Chief vehicle could be less money. TA Guerino – the Chief over the last several years have made a good case to the Capital Outlay relative to the second large vehicle that is carrying plans, radio equipment, safety equipment. Our Chief ends up at many of the structure fires and equipment is required. Guerino doesn't disagree that we should figure out a way to afford the Assistant Chief and allow the chief to be more of an administrator/planning position.

Pickard MOVED and SECONDED by Meier to support Capital Outlay Budget as submitted.  
VOTE 5-0.

At this time the board recessed for two minutes.

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

- a. Review of the power purchase agreement with the Mann Farm. Vote on 4/23/13.**

Mr. Nelson – this proposal will commit a portion of the town's load. NStar would credit Bourne and we would buy power direct from Future Generation as our power provider. The first years' savings is about \$78,000.

Proposal guarantees a savings of 20% off the G1 rate. The savings over the market will be anywhere between 20% - 30%.

TA Guerino – the contract is 25 years and one of the reasons he will discuss with Town Counsel. Blue Wave (solar proposer) to come before the board next week, which is a 20 year agreement. The question is if the town wants to diversify. However, he doesn't recommend committing more than a total 80% of the town's total load.

Mr. Nelson – if Future Generation couldn't fulfill generation needs, the contract has a 30-day to remedy any issues or allows the town to go for a competitive price or another provider.

Mr. Agrillo – he would like to see how the project will happen.

**Selectmen's business:**

**a. Annual and Special Town Meeting Article Review**

**ANNUAL TOWN MEETING ARTICLES**

TA Guerino requested two articles to be taken out of order at this time – Article 12 and Article 31 of the Annual Town Meeting.

Article 12

TA Guerino – \$11,080,798 as a debt exclusion, \$750,000 from Stabilization, with a total net borrowing of \$6,330,798. It will be about \$35/year per household which amounts to about \$600 over 20 years. This is a debt exclusion for the purpose of the building only.

Zuern – is in favor of this facility.

Pickard – if this Article does not pass, we will have to find a way to build in our budget.

Chm. Ford – is in favor of the project and discussed how the working conditions in this building for today is not appropriate.

Meier – this facility will create needed room within Town Hall and not just the DPW building.

Baldwin – is in favor of this facility.

Pickard MOVED and SECONDED by Zuern to endorse Article 12 in the Annual Town Meeting. VOTE 5-0.

Article 31 – Rescind the vote taken on Article 8 of the 11/14/12 STM.

TA Guerino – the attorney for the owner indicated another offer has been accepted. Moving forward, the Finance Director concurred this Article should be closed. This will go back to Free Cash and will be certified in FY14 and used until after town meeting.

In preparing budget for this year:

- \$1,400,000 – FY14 budget
- \$ 25,000 – FY14 articles
- \$ 500,000 – DPW facility (ATM)
- \$ 255,000 – contract settlement (ATM)
  
- \$ 145,000 – sewer study (STM 2012)
- \$ 320,000 – insurance expense transfer (STM 2012)
- \$ 150,050 – Article 2 (STM 2012)
- \$ 89,600 – Article 6 (STM 2012)
- \$ 250,000 – OPEB (STM 2012)

Balance of \$3,465,333.

TA Guerino – we also have year-end close outs with an approximate \$310,000 Snow & Ice overage that won't be going to certified Free Cash. He is not opposed to a program to take



another look at 9 Sandwich Road from a different prospective; however, we have fulfilled the obligation of what the town has requested. This needs to go to FY14 and when we have a plan to work with and therefore believes it should go back to the Fall ATM.

Meier – asked what happens if Ms. Ellis makes a negative motion and is seconded and the motion is heard on town meeting floor and approved. Chm. Ford – appropriations can be made, but the board is the only ones who can spend it.

Ms. Ellis – is here on her behalf of herself and for the voters who supported the purchase of this property. She respectfully asks to postpone this article until the Fall. The present owner still wants and needs additional parking for his facility.

TA Guerino – there has been no discussion relative to this in his office.

Chm. Ford – asked if the town could use the money be used to build a parking lot. TA Guerino – believes the motion will allow the board the flexibility to do so. TA Guerino will seek Town Counsel opinion.

Pickard – would support reverting money into Free Cash.

Chm. Ford – he would like to hear from Town Counsel.

Zuern – asked if the town could accept part of the land as a donation and if the owner is willing to pay for the parking lot. TA Guerino – the intent is what we can do as a municipality. The owner of the property isn't exempt from the zoning bylaw. Any negotiation will take longer than 5/6/13. He believes this article needs to be rescinded.

Ms. Ellis – the voters would want to follow through.

TA Guerino – the parking lot is the optimum goal but it will become a capital expense.

Mastrangelo – if the owner has not approached the town, it would be a good time to do so. If the money can be used for the parking lot and might be able to enter into negotiations, it may be a good idea not to rescind the article.

TA Guerino – we need to see where we are upon certification to bring forward.

Zuern – asked the amount in free cash we have currently. TA Guerino – we have 5% free cash which is approximately \$3M. He doesn't want to put the town's position in a different light from where we have been in the last few years.

Ms. Ellis – asked why we have to wait for the owner to approach the town and suggested the TA Guerino approach the owner.

Mr. Mulvey – wondered what the town gets in exchange. The key is a proper motion to go to the Moderator and ask to postpone to a particular time in place.

Ms. Ellis – if the medical center leaves, the town loses. She sees no reason it cannot be worked out.

TA Guerino – it is up to the owner to come to the town.

Ms. Ellis – she doesn't agree as the motion directed the town to purchase the property.

Pickard MOVED and SECONDED by Baldwin to support the recommendation of the Town Administrator and to rescind the vote of Article 31. VOTE 4-1. Meier in opposition.

TA Guerino briefly reviewed each Article prior to the board vote.

Article 1

Pickard MOVED and SECONDED by Meier to approve Article 1. VOTE 5-0.

Article 2

Chm. Ford is in favor of the additional \$1,000 for the Chairman and is appropriate.

Pickard MOVED and SECONDED by Meier to approve Article 2. VOTE 5-0

Article 3 –

Pickard MOVED and SECONDED by Meier to approve Article 3. VOTE 5-0.

Article 4 –

Pickard MOVED and SECONDED by Meier to approve Article 4. VOTE 5-0.

Article 5 –

Pickard MOVED and SECONDED by Meier to approve Article 5. VOTE 5-0.

Article 6 –

Pickard MOVED and SECONDED by Meier to approve Article 6. VOTE 5-0.

Article 7 –

Pickard MOVED and SECONDED by Meier to approve Article 7. VOTE 5-0.

Article 8 –

Pickard MOVED and SECONDED by Meier to approve Article 8. VOTE 5-0.

Article 9 –

TA Guerino – the board already voted previously tonight.

Article 10 -

Pickard MOVED and SECONDED by Meier to approve Article 9. VOTE 5-0.

Article 11 –

TA Guerino – the board to wait until town meeting.

Article 12 -

TA Guerino – the board already voted previous tonight.

Article 13 -

Pickard MOVED and SECONDED by Meier to approve Article 13. VOTE 5-0.

Article 14 -

Pickard MOVED and SECONDED by Meier to approve Article 14. VOTE 5-0.

Article 15 -

Pickard MOVED and SECONDED by Meier to approve Article 15. VOTE 5-0.

Articles 16, 17 and 18 -

Pickard MOVED and SECONDED by Meier to approve Article 16. VOTE 5-0.

Article 19 -

Pickard MOVED and SECONDED by Meier to approve Article 19. VOTE 5-0.

Article 20 -

Pickard MOVED and SECONDED by Meier to approve Article 20. VOTE 5-0.

Article 21 -

Pickard MOVED and SECONDED by Meier to approve Article 21. VOTE 5-0.

Article 22 -

Pickard MOVED and SECOND by Meier to approve Article 22. VOTE 5-0.

Article 23 -

Meier MOVED and SECOND by Pickard that the Board of Selectmen take no position at this time for Article 23. VOTE 5-0.

Mr. Mulvey – raises issue with giving the power of the Moderator. TA Guerino to look into.

Article 24 -

Pickard MOVED and SECONDED by Meier to approve Article 24. VOTE 5-0.

Article 25 -

Pickard MOVED and SECONDED by Meier to approve Article 25. VOTE 5-0. Chm. Ford and Zuern would like to see this town-wide.

Article 26 -

Pickard MOVED and SECONDED by Meier to approve Article 26. VOTE 5-0

Article 27 -

Pickard MOVED and SECONDED by Meier to approve Article 27. VOTE 5-0.

Article 28 -

Pickard MOVED and SECONDED by Meier to approve Article 28. VOTE 5-0.

Article 29 -

TA Guerino – the board to wait until town meeting.

Article 30 -

Pickard MOVED and SECONDED by Meier to approve Article 30. VOTE 5-0

Article 31 -

TA Guerino – the board previously voted.

Article 32 -

Pickard MOVED and SECONDED by Meier to approve Article 32. VOTE 5-0.

**SPECIAL TOWN MEETING ARTICLES**

TA Guerino briefly reviewed STM Articles.

Meier MOVED and SECONDED by Baldwin to endorse and to approve Articles 1 – 9 and Article 11 of the Special Town Meeting. VOTE 5-0.

Article 10 – petitioned article. The board to vote at Town Meeting.

**b. Signing of Warrant for Special & Annual Town Meeting**

Meier MOVED and SECONDED by Zuern to sign the Special Town Meeting Warrant. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to sign the Annual Town Meeting Warrant. VOTE 5-0.

**c. Retirement of two custodians at Town Hall**

TA Guerino – our two custodians David and Walter will be retiring in June and July after 12 years service for each. He wishes them well and they will be missed.

Chm. Ford – 4/20/13 Open House for Earth Day from 9:00 am – 1:00 pm at the residential recycling center. For more information on recycling go to [www.earthday.org](http://www.earthday.org). He will be at Town Hall on Fridays 1-3 pm for any questions or concerns. He also attended the Kindergarten lottery and last night's FinCom meeting.

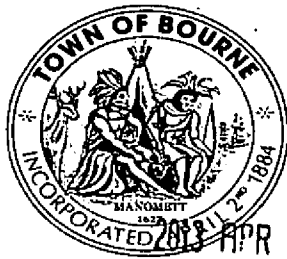
Zuern – attended the LEPC meeting and the educational subcommittee. She submitted a pamphlet on information of taking care of generators.

Meier – attended the CPC and ConCom meetings last week.

**Adjournment**

Pickard MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 10:00 pm. Unanimous vote.

Respectfully submitted,  
Lisa Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



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

Date

Tuesday  
April 16, 2013

Time

7:00 p.m.

Location

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

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 3.5.13 and 4.9.13
5. Correspondence
6. Cindy Coffin – Reverse 911 issues.
7. DNR Director – Tim Mullen – 3 Propagation Closures for Shellfishing
8. Update on the Comprehensive Emergency Management Plan – Charles Noyes

9. Appointments and Licenses

a. One Day Liquor Licenses for the Beachmoor

- ❖ 4.28.13 Li/Liu Reception – 12:00 – 4:00 p.m.
- ❖ 5.10.13 Marchaud Luncheon – 12:30 – 4:30 p.m.
- ❖ 5.11.13 MA Bay Council Luncheon – 11:30 – 4:00 p.m.
- ❖ 6.18.13 Tamarack Technologies Dinner 5:30 – 9:30 p.m.
- ❖ 9.20.13 Fitzpatrick Rehearsal Dinner – 4:00 – 9:00 p.m.

b. One Day Liquor License for Pande Dining Hall

- ❖ 6.21.13 MMA Sunset Reception – 5:00 – 11:00 p.m.

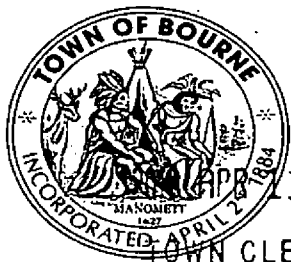
10. Blue Wave Solar Power Purchase Agreement – presentation

11. Town Administrator's Report –

12. Selectmen's business

- a. ROE No. 2506 Temporary Easement COE – County Road
- b. Order of Assessment of Final Betterments – Clubhouse Drive, Vesper Drive and Fairway Circle
- c. Vacate Decree on property 11 Main Street, M 11, P23.1

13. Adjourn



# Board of Selectmen Meeting Notice



11 AM 10 45 **AGENDA**

TOWN CLERK'S OFFICE  
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday April 16, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 04.09.13
5. Correspondence
6. Cindy Coffin – Reverse 911 issues.
7. DNR Director – Tim Mullen – 3 Propagation Closures for Shellfishing
8. Update on the Comprehensive Emergency Management Plan – Charles Noyes

9. Appointments and Licenses

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- b. Order of Assessment of Final Betterments – Clubhouse Drive, Vesper Drive and Fairway Circle
- c. Vacate Decree on property 11 Main Street, M, 11, P23.1

13. Adjourn

**Board of Selectmen  
Minutes of April 16, 2013  
Bourne Community Building  
Bourne, MA 02532**

2013 MAY 16 PM 7 24  
TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

John Ford, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

Documents  
• None

**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**

**Call to order**  
Chm. Ford at 7:00 pm.

**Moment of Silence for our Troops**

**Salute the Flag**

**Public Comment – Non-Agenda Items**  
None.

**Minutes: 3/5/13 and 4/9/13**  
Meier requested to bring minutes of 3/5/13 to vote at the next meeting.

Pickard MOVED and SECONDED by Meier to approve minutes of 4/9/13 as amended. VOTE 5-0.

**Correspondence**  
Meier read correspondence into record. Hard copies are available at the Town Administrator's office upon request.

Meier - Mr. Agrillo correspondence given to TA Guerino to be submitted into record.

Item a - TA Guerino to look into what the fines are in which we use Barnstable services and get back to the board.

Zuern – commended Ms. Sundman on Item d. She inquired about Item e. TA Guerino - this letter is asking Bourne’s Chapter 70 be increased so it is sustainable across the Commonwealth. Currently Bourne doesn’t have that issue. It was the consensus of the board to have TA Guerino send letter of support to the Town of Dudley.

**Cindy Coffin – Reverse 911 issues**

After Nemo, she noticed a lot of phone subscribers have been dropped. One reason is if a person changed carriers with the same number, the number is no longer in the system. To address this issue, there is the self registration portal on the town’s website. For those with no access to a computer, Ms. Coffin will add people into the system.

TA Guerino – asked if the system has a check in with numbers submitted. Ms. Coffin - there is already a quarterly match of map and parcels with phone numbers.

Ms. Coffin – this system can target calls to specific areas.

Zuern – thanked Ms. Coffin for taking responsibility for the program and it is because of her that Bourne has this system. She also asked about the KI pills. Ms. Coffin – the KI pills expire this year and doesn’t know if the State will provide new ones. These are mainly for pregnant women and younger children. It will protect the thyroid in case of radiation.

Mr. Agrillo – asked if one can add more than one phone number in the Reverse 911 system. Ms. Coffin - multiple phone numbers can be added.

Mr. Gary Malone – asked about the information going to a vendor. The information goes to the current vendor. The company changed names but it is the same company.

**DNR Director – Tim Mullen – 3 Propagation Closures for Shellfishing**

Recommends the board classify three shellfish areas this spring for the purposes of propagation and general management of the fishery. Those areas to be closed: 1) the designated Recreational Area in Phinney’s Harbor known as Tobey Island; 2) North Side, the mouth of the Back River in Phinney’s Harbor; and 3) a section of Taylor Point. The propagation Closures would be effective 4/17/13 through 10/1/13.

Mr. Gary Malone – asked if there was a way the public could know the closures ahead of time. Mr. Mullen – the process could be sped up a bit, but generally it is up to the State whether or not they want to start the process sooner. Bourne can recommend beginning sooner.

TA Guerino – this is a system the Commonwealth, Selectmen and the DNR have been comfortable with for the past 20 years.

Pickard Moved and SECONDED by Zuern to approve the Propagation Closures as identified by Director Tim Mullen memo dated 4/11/13 to close the designated areas known as Tobey Island, Back River and Taylor Point effective 4/17/13 through 10/1/13. VOTE 5-0.



**Update on the Comprehensive Emergency Management Plan – Charles Noyes**

Town of Bourne Comprehensive Emergency Management Plan table of contents - it outlines each Department Head's responsibilities. The Resource Manual which outlines resource contacts is a work in process.

Mr. Noyes – amounts to the amount of snow did not trigger Bourne to be qualified under relief with regard to snow removal. Bourne will get reimbursed for damages caused by the storm.

Mr. Noyes – commended Ms. Coffin for her efforts in the emergency management calls.

Mr. Noyes – there are 20 members which addresses organizations that would be involved for any response to any type of emergency.

**Appointments and Licenses**

**a. One Day Liquor Licenses for the Beachmoor**

Pickard MOVED and SECONDED by Meier to approve MMA Beachmoor request for five (5) One Day Liquor Licenses 4.28.13 Li/Liu Reception – 12:00 – 4:00 p.m.; 5.10.13 Marchaud Luncheon – 12:30 – 4:30 p.m.; 5.11.13 MA Bay Council Luncheon – 11:30 – 4:00 p.m.; 6.18.13 Tamarack Technologies Dinner 5:30 – 9:30 p.m. and 9.20.13 Fitzpatrick Rehearsal Dinner – 4:00 – 9:00 p.m. per routing slip. VOTE 5-0.

**b. One Day Liquor License for Pande Dining Hall**

Pickard MOVED and SECONDED by Meier to approve MMA Pande Dining Hall request for one (1) One Day Liquor License 6.21.13 MMA Sunset Reception – 5:00 – 11:00 p.m. per routing slip. VOTE 5-0.

**Blue Wave Solar Power Purchase Agreement – presentation by John DeVillars and Aiden Foley**

TA Guerino – the board will not be asked to make any determination this evening.

Blue Wave Capital is a developer of solar energy projects in Massachusetts, South Africa and the Caribbean with more than 30 years of combined experience in all aspects of solar development including finance, real estate, engineering and public policy.

BlueWave initiates, secures and executes on project development opportunities.

Financing Partners identified as First Solar, ConEdison Solutions and Smart Energy.

Proposal to the Town of Bourne:

- design, construct, own and operate a 2.5 MWDC solar generating facility
- sell net metering credits to the Town under a 20-year net metering credit purchase agreement/PPA
- terms are either fixed rate of \$0.1075/kWh or Variable Rate of \$0.095/kWh with 1.5% inflation adjustment.

Benefits to the Town of Bourne – financially, it dramatically reduced electricity costs – first year savings of \$143,000 with a 20-year savings of \$3.6M to \$4.8M. There are also environmental benefits also.

Meier – with regard to the extension of the project, the agreement would have language that spells out the procedure.

TA Guerino – asked if the ownership would upgrade the facility as technology allows. Mr. DeVillars said there is not a lot that needs to be done - the only part that gets replaced is the inverter every 10 years.

Benefits beyond positive returns briefly reviewed as well as the BlueWave Proposal Details.

Zuern – asked if Bourne will need Green Communities Act in the future. Mr. DeVillars – the incentives are Federal tax credits and rate payers subsidizing the renewable energy certificate.

Mr. DeVillars – 2/3<sup>rd</sup> of the town's energy comes from solar energy.

Mr. Agrillo – asked for clarification of the solar project. Mr. DeVillars – the key provisions in the power purchase agreement is: 1) that it has worked in multiple communities in Massachusetts; 2) there is only one moving part which is replaced every 10 years; and 3) operations and management costs are minimal.

Mr. Mulvey – asked about which the town is going to lean towards. TA Guerino – it is possible the town could go with both wind and solar energy.

Ms. Diana Barth – asked if with the power increases includes transmission costs. Mr. DeVillars – it does include transmission costs.

Mr. Foley – re-powering would be done with conjunction with the customers.

TA Guerino – the Energy Advisory Committee (EAC) will bring both proposal recommendations (wind and solar) at the 4/23/13 meeting.

Zuern – would like to have some EAC members explain the reasoning behind their recommendations. Mr. Paul O'Keefe – he will bring to the committee to expedite.

Pickard – recommends Mr. Elrick and Mr. Nelson conduct an analysis of a few options to present to the board.

Mr. Mulvey – adding contract language to protect the town for the unforeseen items may be as beneficial as much as the cost savings.

Mr. DeVillars – BlueWave has their financing secured and are in the final negotiations of construction contract.

Pickard MOVED and SECONDED by Meier for a two minute recess. Unanimous vote.

**Town Administrator's Report**

Received the House Ways and Means proposed cherry sheet assessment which Charter schools are substantially different from the Governor's budget. He has asked Senate Murray to ascertain the rationale for the difference in numbers.

RFP's for Hoxie – due in 5/8/13. No packets have been received to this date.

**Selectmen's business**

- a. **ROE No. 2506 Temporary Easement COE – County Road (Lily Pond near the golf course) – continuation expansion**

Meier MOVED and SECONDED by Pickard to approve ROE No. 2506 Temporary Easement COE County Road as submitted. VOTE 5-0.

- b. **Order of Assessment of Final Betterments – Clubhouse Drive, Vesper Drive and Fairway Circle – \$435,345**

Pickard MOVED and SECONDED by Meier to approve Order of Assessment of Final Betterments for repair and resurfacing of Clubhouse Drive, Vesper Drive and Fairway Circle by execution of this document at an open public meeting of the Board of Selectmen on 4/16/13 hereby order and assess betterments in the amount of \$435,435 pursuant to the authority of the Bourne Special Town Meeting under Article 4 of the 10/17/11 Special Town Meeting and pursuant to authority set for in MGL, 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.

- c. **Vacate Decree on property 11 Main Street, M 11, P23.1**

Pickard MOVED and SECONDED by Meier to approve Vacate Decree property 11 Main Street, Map 11, Parcel 23.1 as submitted. VOTE 5-0.

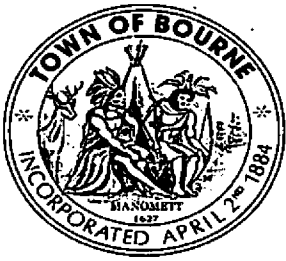
Zuern – ISWM Open House on Saturday from 9:00 am – 11:00 pm.

Meier – after seeing his name omitted from the Bourne Courier front page, he clarified that he IS a candidate for Selectman.

**Adjourn**

Pickard MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 9:30 pm. Unanimous vote.

Respectfully submitted - Lisa Groezinger



**Board of Selectmen  
Meeting Notice  
AGENDA**



# **Executive Session**

## **6:00 p.m. Pending Legal cases**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday April 23, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:15 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 3/5/13; 4/16/13
5. Correspondence
6. Discussion regarding appointment of Counsel for Board of Health
7. Report regarding of Power Purchase

8. Appointments and Licenses:

- a. Phinney's Harbor Day
  1. One Day Liquor
  2. Entertainment License
- b. 4<sup>th</sup> of July Fireworks
- c. Fundraiser event to benefit Leo Finn - waive fee

9. Town Administrator's Report – Report of meeting regarding 9 Sandwich Road; MMA BLS Ambulance inaugural; Fire Hiring;

10. Selectmen's business

11. Adjourn

2013 APR 19 AM 10 02  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of April 23, 2013  
Bourne Community Building  
Bourne, MA 02532**

2013 MAY 16 AM 10 22

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

John Ford, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

Documents

- None

**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**

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

**Public Comment – Non-Agenda Items**

Gary Mahoney – raised agenda item #7 with regard to DNR Directors' proposal at the last Selectmen's meeting and is requesting to submit item as an official topic for vote of approval. He then quoted Article 3 Section 3.3 of the Charter into the record.

TA Guerino – met with Director Mullen for discussion. The waterways are under the DNR Director's purview. The Shellfish and Closures are under the statute Chapter 130, which states the Selectmen who have the authority when working through the Commonwealth.

**Minutes: 3/5/13; 4/16/13**

Pickard MOVED and SECONDED by Meier to approve minutes of 3/5/13 as amended.  
VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve minutes of 4/16/13 as amended.  
VOTE 5-0.

**Correspondence**

No correspondence.

**Discussion regarding appointment of Counsel for Board of Health**

Kathy Peterson, Chm. Board of Health (BOH) and Town Counsel

Chm. Ford – there are two concerns with regard to the appointment of counsel for the BOH. 1) there is usually more than one candidate - this is a sole source; and 2) if said counsel would work within his scope of work.

Ms. Peterson – the Harvest Power RFP is specialized and the BOH feel Atty. Torres is the best candidate given his background. Had Town Counsel indicated a legal problem; the BOH would continue to search. As far as scope of service, he would work under Town Counsel.

Atty. Troy – there are different aspects to this entire process. The Selectmen were concerned about duplication of effort. Tonight's question is to allow one candidate for appointment or interview more than one candidate.

Pickard – is comfortable with only Atty. Torres with the understanding Atty. Torres' scope is health and environmental issues. Ms. Peterson – Atty. Troy will monitor and there may be some duplication of some services, but will be kept to a minimum.

Zuern – asked Ms. Peterson if anyone else was interviewed. Ms. Peterson – on this particular project, no as the scope of work is so specific. She requests the board approve Atty. Torres as a soon as possible.

Zuern – comfortable with using only Atty. Torres but would like him to come before the board for an interview. Atty. Troy – the town will need each attorney to limit their scope of work to what has been assigned to them.

TA Guerino – it is up to the BOH and Town Counsel to describe the scope of work for any attorney as it relates to site assignment and inversion of process.

Ms. Peterson – Atty. Torres will not be involved in the financial aspect; he will be working under the BOH and under the purview of Atty. Troy.

Atty. Troy – the town will require said attorney on how to bill out his services.

Meier – concurs with using only Atty. Torres.

Pickard – asked if the engineer and Atty. Torres will be working together. Ms. Peterson – yes, with regard to odor reports.

Baldwin – he would feel comfortable with a second candidate.

Chm. Ford – he agrees with Baldwin, but is comfortable with Atty. Torres.

Atty. Troy – suggested Atty. Torres come before the board for interview.

Mr. James Mulvey – if the town proceeds with two attorneys, the scope of work would have to be coordinated and agreed upon; the scope would be difficult to arrange. If the scope of work is agreed upon and a difference of opinion happens in light of the scope, he asked what board would have the unappealable right to resolve – the town will need a final arbiter.

Atty. Troy – Atty. Torres will need to understand how the scope is going to be defined and there is a reporting process and a vision.

TA Guerino – recommends the board try to establish a meeting rather quickly to a date all acceptable to all parties.

Atty. Troy – will contact Atty. Torres on his availability and he will email through the TA Administrator to pick a date.

#### **Report regarding of Power Purchase**

The EAC will make recommendation on 5/14/13 – the next scheduled meeting.

#### **Appointments and Licenses:**

##### **1. One Day Liquor**

###### **a. Phinney's Harbor Day**

Pickard MOVED and SECONDED by Meier to approve Phinney's Harbor Day on 7/6/13 – 7:00 am – 8:00 pm request for One Day Liquor License per routing slip (DNR, PD, TC, FD) and subject to obtaining liquor liability insurance. VOTE 5-0.

##### **2. Entertainment License**

Pickard MOVED and SECONDED Meier to approve Entertainment License for Phinney's Harbor Day on 7/6/13 from 12:00 pm – 6:30 pm. VOTE 5-0.

###### **b. 4th of July Fireworks**

Pickard MOVED and SECONDED by Meier to approve the Shawn Silva/Brian Rooney Professional Fire Fighters of Bourne request for 4<sup>th</sup> of July Fireworks Entertainment License on 7/6/13 (rain date of 7/7/13) for use of town property at 9:15 pm per routing slip (PD, FD, DPW). VOTE 5-0.

###### **c. Fundraiser event to benefit Leo Finn - waive fee – Robert Galibois**

Pickard MOVED and SECONDED by Meier to waive \$250 fee for Fundraiser event on 6/30/13 from 12:00 pm – 4:00 pm to benefit Mr. Leo Finn. VOTE 5-0.

Ms. Diana Barth – asked if the parking lot is under town control. Chm. Ford - applicant would need to get permission from the Army Corps for some portion of land.

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

a. Report of meeting regarding 9 Sandwich Road

He met with one of the owners of the property, Mrs. Michienzi, of the 9 Sandwich Road. At the end of the meeting, it was decided that nothing would be available or ready for Town Meeting, but possible it could come back for Fall Town Meeting, should the board believe an article should be put on the warrant. The town is not in any position to make any offers at this time.

Zuern – Ms. Ellis spoke on her behalf and not for Historical Society.

Mr. David Dimick, Bourne Society for Historic Preservation - on his own behalf, voted unanimously to approve the concept of this article. He requests not to rescind the monies but to use as negotiation monies. Without the money, the town is a “rubber toothed bulldog.”

Chm. Ford – asked TA Guerino if he would like the board to reconsider their vote. TA Guerino responded no. TA Guerino – there is no one-year term on a Town Meeting Article. The motion was to make an offer on the land. The offer was rejected. The town did what Town Meeting asked us to do in a timely manner.

Chm. Ford – requested TA Guerino to ask Town Counsel if the town can go into a partnership for a private developer with the monies and work to come up with a resolution.

b. Attended MMA BLS Ambulance inaugural with Chief Greene  
Attended Basic Life Service ambulance on MMA land and Chief Greene also present. He thanked the Admiral for including himself and Chief Greene. Chief Greene has offered cadets to do ride-alongs for training purposes.

c. Fire Hiring

Offers are in to all of the 8 fire fighters and expects to have people on board on 6/1/13.

Meier – asked if this includes the additional 8 lieutenants. TA Guerino – everything is covered through the grant.

Pickard MOVED and SECONDED by Zuern for a brief recess. VOTE 5-0.

#### **Selectmen’s business**

Zuern – attended the Self Defense course at the Community Building on Friday. Attended the ISWM Open House and attended the tour on Saturday and then the Gun Show at the Monument Beach Sportsman’s Club.

Pickard – attended the ISWM Open House.

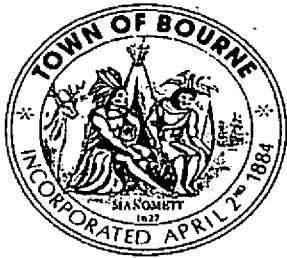
#### **Adjourn**

Meier MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 8:30 pm.

Respectfully submitted - Lisa Groezinger



2013 MAY 2 AM 9 51

TOWN CLERK'S OFFICE  
BOURNE, MASS**Board of Selectmen  
Meeting Notice****AGENDA**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday May 6, 2013	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. Vote essential articles for the Annual Town Meeting.
4. Report and recommendation regarding Road betterment article of Sanderling, Pintail and Whimbrel roads. BOS Action for Town Meeting article.
5. Report and recommendation regarding Road betterment on Cove Lane. BOS Action for Town Meeting article.
6. Signing the Warrant for the Annual Town Election.
7. Adjourn

2014 DEC 16 AM 9 51

TOWN CLERK'S OFFICE  
BOURNE, MASS

Minutes Board of Selectmen  
May 6, 2013 6:15 P.M.  
Bourne High School Auditorium Stage

Chairman Ford called the meeting to order at 6:17 P.M. All members of the Board were present.

Town Administrator Guerino discussed various articles for the Annual Town Meeting that were considered "essential" by the joint session held as a pre-town meeting with the Moderator, Town Counsel, Town Clerk, Finance Committee, BOS, TA and Finance Director. Those articles included articles 1-9, 12, 13, 29. Mr. Ford asked the Board members if there was any discussion regarding these articles. A MOTION was made by Mr. Baldwin and Seconded by Mr. Meier to accept the articles as described as essential articles for the ATM. The motion was unanimously agreed upon by the Board.

Mr. Meier made a MOTION for the Board of Selectmen to sign the Election warrant for the Annual Town Election on May 21, 2013. The motion was seconded by Mr. Pickard and unanimously agreed to by the Board.

The Board of Selectmen will remain in session until the conclusion of the Annual Town meeting.

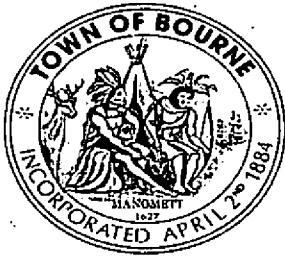
Mr. Baldwin made a MOTION to recess the Selectmen's meeting until tomorrow (5/7/13) at 7:00 P.M. for the purpose of the continuation of the ATM. The motion was seconded by Mr. Pickard and agreed to by the Board. The meeting is in recess effective 9:56 P.M.

Respectfully submitted,

Thomas M. Guerino

2013 MAY 2 AM 9 51

TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Selectmen Meeting Notice AGENDA



Date

Wednesday  
May 8, 2013

Time

6:00 p.m.

Location

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

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

1. Interview of Mr. Torres, Attorney at Law
2. Discussion and possible vote by the Board of Selectmen regarding Board of Health Counsel

Adjourn

2013 JUL 3 AM 10 24

**Board of Selectmen  
Minutes of May 8, 2013  
Bourne Community Building  
Bourne, MA 02532**

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TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Don Pickard, Chairman  
John Chm. Ford, Vice-Chairman  
Peter Meier, Clerk  
Earl Baldwin (excused)  
Linda Zuern

Board of Health members: Stanley Andrews, V. Chm., Skip Barlow

Also present: Town Counsel, Robert Troy; Dan Barrett, ISWM and Atty. Steven Torres

Documents

- None

**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**

**Call to order**

Chm. Ford at 6:01 pm.

**Interview of Mr. Torres, Attorney At Law**

Steven Torres works is a partner with Pannone Lopes Devereaux and West and a member of the firms Municipal Infrastructure Team. He is experienced in municipal construction and public-private partnership project advisor and legal counsel who has managed in the areas of utilities, water and wastewater, transportation, building construction and renewable energy.

Prior to joining Pannone Lopes Devereaux & West, he served 13 years as a city attorney for two cities. He was Corporate Counsel for the City of Fall River and responsible for many municipal building projects, including design-build-finance-operate emerging technology energy projects, school building and utility design and construction projects.

He served as City Solicitor for Taunton. During this time, he accomplished one of the first Construction Manager at risk school building construction projects and led waste-to-fuel project under a design-build-operate model using merging technology.

The project in Taunton was the first conversion technologies in the country to look at emerging technology for solid waste. DEP has released a new draft Master Plan and some things in the plan are a result of what he pushed for with solid waste technology.

By working for Bourne, he would assist the Board of Health through the Selectmen and the Town Administrator to advise of assignment criteria and issues related to the technology. He will focus on site assignment criteria, by making sure technology is appropriate for the site and balance all criteria. He would begin to look at the site and proposals and issues that would impact the environment.

**Discussion and possible vote by the Board of Selectmen regarding Board of Health Counsel**  
Chm. Ford – the board would like to meet with Atty. Troy every couple of months to understand the fiduciary portion in Executive Session. The board is also concerned with billing out in a timely manner.

Meier - asked Atty. Troy if every 90 days is good. Atty. Troy – yes.

Mr. Torres – can send out report as frequently as needed.

Pickard – would be fine with the 90 days.

Mr. Torres – suggested an initial kick off meeting then every 90 days and if something comes up within the 30 day report, issues can be addressed at that time.

Atty. Troy – at some point, all attorneys will need to meet to understand what each other is doing. This could be the kickoff meeting.

Meier – asked for Board of Health comments. Skip Barlow – the Board of Health met and voted to recommend Mr. Torres to the Selectmen.

Pickard – with regard to anaerobic digestion, asked Mr. Torres what environmental issues he has experienced and his impressions. Mr. Torres – site assignment; odors; emissions and excess gas flared or leaching; noise; truck traffic with merchant organics coming onto the site; what type of facility loading available so everything is inside; performance criteria of the facility - run time vs. downtime; interconnection agreement (Mr. Barrett – looking at options with the military base) and where the easements will be; monies for environmental mitigation around the site; annual compliance.

Meier – asked about the budget. TA Guerino – this will not come out of General Counsel for the most part. ISWM is covering costs as it relates to Wilmer Hale. Negotiation will take place with Harvest Power to set aside monies for Mr. Torres' assistance to the Board of Health.

Atty. Troy – Board of Health Chm. Kathy Peterson said it should be paid out of ISWM and there should motivation to induce Harvest Power to fund the legal aspect. Initially, we have some

funds at ISWM. Mr. Barrett – by statute, the proponent is required to pay a percentage. Negotiation comes in when funding by statute runs out. It is up to ISWM to get Harvest Power to pay.

Atty. Troy – TA Guerino has forwarded some bills to him, which will be the initial kick off fee and will report to the board.

Meier - in his opinion it is an investment and part of doing business for having attorney's available.

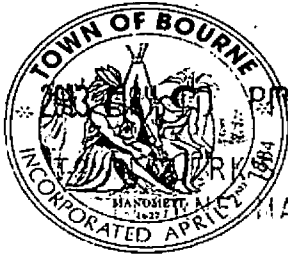
Chm. Ford – the general consensus of the board is comfortable with a single source.

Pickard MOVED and SECONDED by Meier that the Town retain the services of Atty. Steven Torres of Pannone, Lopes, Devereaux & West to act as Associate Town Counsel for environmental issues and for assisting the Board of Health with the health aspect on site. VOTE 5-0.

**Adjourn**

Pickard MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 6:30 pm. Unanimous vote.

Respectfully submitted,  
Lisa Groezinger



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OFFICE  
MASS

## Board of Selectmen Meeting Notice

### AGENDA



Date

Tuesday  
May 14, 2013

Time

7:00 p.m.

Location

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

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

7:00 – 7:10 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 4.23.13 & 5.06.13
5. Correspondence
6. 7:10 – Bourne Drama Club – recognition
7. Town Administrator Annual Review – Compilation and report – FY 14 salary adjustment
  
8. 7:45 Shellfish Grant - increase acreage of existing grant – Patrick Ross
  
9. Appointments and Licenses:
  - a. Scallop Festival – [3] One Day Liquor
  - b. Marconi Club – One Day Liquor
  - c. MMA @ Beachmoor – One Day Liquor
  - d. Yummy Yo – Common Victualer [food]
  - e. Hot Rods for Hero's - Close Road
  - f. Paradigm, Inc., d/b/a Ye Olde Spirit Shoppe - Change in Manager
  - g. Farmer's Market
  - h. Extension for Pinnacle to work at Sagamore Beach area until 5/17/13
  - i. Bourne Bridge 24 Hr. Taxi, Inc. – Request for Taxi Cab License
  - j. Taxi Cab Rates

10. Town Administrator's Report

11. Selectmen's business

12. Adjourn

**Board of Selectmen  
Minutes of May 14, 2013  
Bourne Community Building  
Bourne, MA 02532**

2013 MAY 29 PM 3:18

TA Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

John Chm. Ford, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk Earl Baldwin  
Earl Baldwin  
Linda Zuern

Guests:

Documents  
None

*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.*

**Meeting Called to Order**  
By Chm. Ford at 7:00 pm.

**Moment of Silence for our Troops**

**Salute the Flag**

**Public Comment – Non-Agenda Items**  
None.

**Approve Minutes: 4/23/13 and 5/6/13**  
Meier MOVED and SECONDED by Pickard to approve minutes of 4/23/13 as amended.  
VOTE 5-0.

Meier MOVED and SECONDED by Pickard to approve minutes of 5/6/13 as submitted.  
VOTE 5-0.

**Correspondence**  
Meier read correspondence into the record. Hard copies are available at the Town Administrator's office upon request.



Item A - Zuern – John York resignation from the Transportation Advisory Committee. Contact TA Guerino with interest.

Item L – State Agreement. TA Guerino doesn't believe the town can charge in a regional system.

**Bourne Drama Club – recognition**

Bourne Drama Club recognition.

**Town Administrator Annual Review – Compilation and report – FY 14 salary adjustment**

Summary Composite Rating Scale for Town Administrator Thomas Guerino 2013

**5 = Excellent** (almost always exceeds the performance standard)

**4 = Above average** (generally exceeds the performance standard)

**3 = Average** (generally meets the performance standard)

**2 = Below average** (usually does not meet the performance standard)

**1 = Poor** (rarely meets the performance standard)

**4.6 to 5 = Excellent** (almost always exceeds the performance standard)

**3.6 to 4.5 = Above average** (generally exceeds the performance standard)

**2.6 to 3.5 = Average** (generally meets the performance standard)

**1.6 to 2.5 = Below average** (usually does not meet the performance standard)

**0.0 to 1.5 = Poor** (rarely meets the performance standard)

**Individual Characteristics (5 items)**

Average of 3.6 Rating Above Average

**Professional Skills And Status (5 items)**

Average of 3.5 Rating Average

**Relations With Elected Members Of The Governing Body (5 items)**

Average of 3.6 Rating Above Average

**Policy Execution (5 items )**

Average of 3.7 Rating Above Average

**Reporting (5 items)**

Average of 3.5 Rating Average

**Citizen Relations (5 items)**

Average of 4.4 Rating Above Average

**Staffing (5 items)**

Average of 3.8 Rating Above Average

**Supervision (5 items)**  
Average of 3.4 Rating Average

**Fiscal Management (5 items)**  
Average of 4.6 Rating Excellent

**Community (5 items)**  
Average of 4.1 Rating Above Average

**Financial (5 items)**  
Average of 4.2 Rating Above Average

**Cape Cod Canal (6 items)**  
Average of 4 Rating Above Average

**Municipal Engagement (3 items)**  
Average of 3.5 Rating Average

**Wastewater Planning (3 items)**  
Average of 3.5 Rating Average

**Average Overall Rating**  
(Add the Item Average Total of all 14 Categories and divide by 14.)  
 $53.4 \text{ divide } 14 = 3.8$

**OVERALL RATING for Town Administrator Guerino is:**

**(Number) 3.8 Rating Above Average (generally exceeds the performance standard)**

**Narrative Evaluation for Town Administrator Thomas Guerino 2013**

**What would you identify as the manager's strength(s), expressed in terms of the principle results achieved during the rating period?**

The Town Administrator's strength is in the area of fiscal management. He is diligent about following the Board's financial policies and uses restraint in municipal spending. The Town Administrator uses a team approach to fiscal matters, having the benefit of a strong finance department, working with the Board of Selectmen, Finance Committee and School Superintendent, which is reflected by a unified presentation of the Budget to Town Meeting, resulting in a sound financially secure town with an excellent bond rating. The Town Administrator received his highest rating "excellent" in this area.

The Town Administrator is very receptive to the members of the community. Many citizens have informed Selectmen that they felt welcomed when meeting with the Town Administrator. He readily makes himself available to citizens and seems to feel comfortable meeting with representatives of various organizations or individuals in the community. He seems to listen to their concerns and attempts to solve their problems.

The Town Administrator's relationship to the Board of Selectmen has definitely improved since his last evaluation. He has been keeping the Board informed of necessary information, working on decreasing his span of control, improved his handling of personnel issues with the assistance of Town Counsel and completed the policy manual for all town employees.

**What performance area(s) would you identify as most critical for improvement?**

The Administrator, by virtue of his style rarely puts any reports in writing. From a management perspective the Board should have a written report or analysis on a number of proposed projects prior to being asked to make a decision. The report can come from a department head but should have a cover letter from the Administrator stating that he has reviewed the analysis and either agrees or disagrees and his position.

The Town Administrator needs to identify situations where he may not have enough information to provide a concise explanation of spending issues. He at times seems unprepared to justify unexpected expenditures.

The Town Administrator is a very compassionate individual but has been very naïve in his dealings with troubled employees, meeting with them alone, placing him in compromising positions. The Town Administrator has to be more professional while dealing with employees with emotional or professional competency problems, utilizing his Human Resource Director or a member of his staff to insure a third party is always present.

The Town Administrator's weakest area is in labor relation issues, insuring proper documentation and supervision of problem employees, eliminating positions or holding department heads accountable. On the other hand, he is the first to give praise which is important but has to be balanced with proper supervision. The Town Administrator's lowest rating "Average" was in Supervision. The Town of Bourne hired a professional Human Resource Director to assist the Town Administrator in these endeavors but he has not utilized the position to its capacity.

Although some work was done regarding the Wastewater Planning Goal, this area is most critical right now, more effort and time needs to be put into accomplishing this goal. The town has to work diligently to produce a comprehensive plan.

The lack of a Policy and guidelines for a committee to screen and interview potential candidates was evident at the beginning of the year causing embarrassment to the Town. Policy and guidelines should be developed to avoid this situation in the future.

The Town Administrator should continue working on his relationship with the board, keeping all Selectmen inform on agenda items and making himself available to address their concerns.

The Town Administrator should also be more professional on his E-Mail correspondences realizing that they are public records.

**What constructive suggestions or assistance can you offer the manager to enhance Performance?**

The Town Administrator should continue a professional development career course as prescribed in previous evaluations. The Administrator seems to be progressing on this course as planned.

The Town Administrator has made improvements regarding the delegation of power. I would suggest that this improvement continue, allowing committees and boards to run their own meetings.

The Administrator should continue to work on his relationship with the Board. This is difficult due to several internal issues with specific Board members.

The Town Administrator is the Manager of a multimillion dollar operation and in financial matters has been very successful utilizing the team concept. The Town Administrator should utilize the team concept in labor matters, delicate the labor relation aspects to those formal trained in that discipline. The Town Administrator should insure Department Heads and Human Resource Director receive the necessary profession development training to accomplish their labor relations tasks.

The Town Administrator needs to work with his entire staff in a very supportive way, providing the training needed for employee's to continue working. As technology changes, the staff needs the specialized training to stay productive.

**What other comments do you have for the manager; e.g., priorities, expectations, goals or objectives for the new rating period?**

The Administrator should begin planning for the next fiscal year's goals by making positive suggestions about the Towns Capital Plan, wastewater planning to reduce nitrogen loading by reviewing potential by-laws

The Administrator needs to be open about his plans for the management of the Town. He must show that what he does is based on his opinions and not of others.

The Town Administrator needs to continue improving his relationship with the Board by having an open honest dialogue with individual Selectmen on a weekly basis, working with the board as a whole to foster a better professional relationship.

The Town Administrator should develop Policies and guidelines to direct Employee screening and Selection Committees, Disciplinary Investigations and Hearings

The Town Administrator should comply with the Performance Expectations outlined in his contractual agreement with the town to enhance his professional development.

Town Administrator has to continue working on letting go of the routine task, insure subordinates receive the training necessary for their position, trusting them to get the job done, reviewing their work and holding them accountable.

The Town Administrator should pay more attention to Selectmen's agenda items. Ensuring routing slips are completed, appointment dates are correct and he has researched items to advise the board as needed.

The Town Administrator needs to be proactive with our goals and objectives working with Selectmen to see that they are accomplished in a timely manner.

Continue to have the town employees provide the best possible service to its citizens. Bourne has a great reputation for the services that it provides, although the town is on a limited budget. People are proud of their town, are basically happy with the services, and respect that they receive. - Respectfully Submitted, John A Ford Jr. Chair, Board of Selectmen dated May 14, 2013.

Baldwin MOVED and SECONDED by Ford to increase TA Guerino annual salary by 3%. VOTE 5-0.

**Shellfish Grant - increase acreage of existing grant – Patrick Ross**  
Chm. Ford – public hearing notice read into the record at 7:45 pm.

Mr. Mullen recommends approval of increase of acreage of the shellfish propagation grant originally approved by the board as well as to request an annual review. The regulation limits the size of an aquaculture grant to one acre for the first year. Expansion is allowable if, after the first year, the area demonstrates productivity and an ability to expand.

Meier MOVED and SECONDED by Baldwin to include the Annual Review in the Shellfish Grant. VOTE 5-0.

In summary, gear was purchased, assembled and prepared for the water. 25 oyster cages were secured to long lines which sit on the ocean floor. The grant area is marked consistent with the Army Corp of Engineers and the US Coast Guard standards. Seed was purchased from the DMF, placed in plastic mesh bags which are housed in the cages. Seed showed excellent growth throughout the summer – no issues with disease, predators or pests. As the seed grew, it was sorted and reallocated through 75 cages, filling one acre area of the grant. Some mortality

occurred during the "rust tide" in late July 2012. The grant co-existed well with boaters in the area and no complaints to his knowledge about the grant to the town or any entity.

Pickard MOVED and SECONDED by Zuern to close public hearing. VOTE 5-0.

Pickard MOVED and SECONDED by Meier to approve the application of Mr. Ross to expand as noted in public hearing Notice and per DNR Director Tim Mullen. VOTE 5-0.

**Appointments and Licenses:**

**a. Scallop Festival – [3] One Day Liquor**

Pickard MOVED and SECONDED by Meier to approve Cape Cod Region Chamber of Commerce request for the 44<sup>th</sup> Annual Scallop Festival 3 One-Day Liquor (wine and malt) Licenses on Friday 9/20/13 – Saturday 9/21/13 – Sunday 9/22/13 from 10:00 am – 10:00 pm Friday and Saturday; 10:00 am – 6:00 pm on Sunday per routing slip and pending their liquor liability policy. VOTE 5-0.

**b. Marconi Club – One Day Liquor**

Pickard MOVED and SECONDED by Meier to approve the request of Marconi Club's Booster Club at 90 Adams Street, Sagamore One-Day All Alcoholic License (annual event) on 7/21/13 from 11:00 am – 5:00 pm pending their liquor liability policy per routing slip (Fire Department). VOTE 5-0.

**c. MMA @ Beachmoor – One Day Liquor**

Pickard MOVED and SECONDED by Meier to approve the request of MMA @ Beachmoor, 11 Buttermilk Way, Buzzards Bay One-Day Liquor per routing slip. VOTE 5-0.

**d. Yummy Yo – Common Victualer [food]**

Pickard MOVED and SECONDED by Meier to approve the request of Yummy You Common Victualer License per routing slip. TA Guerio takes responsibility for the opening prior to the board approving. The BOH approved and no issues relative. VOTE 5-0.

**e. Hot Rods for Hero's - Close Road**

Pickard MOVED and SECONDED by Meier to approve Fraternal Order of Eagles to block off Cohasset Avenue, Buzzards Bay from St. Margaret's Street to Wallace Avenue on Sunday, 9/15/13 from 7:30 am – 2:00 pm for Hot Rods for Hero's. VOTE 5-0.

**f. Paradigm, Inc., d/b/a Ye Olde Spirit Shoppe - Change in Manager**

Pickard MOVED and SECONDED by Meier to approve the request of Ye Olde Spirit Shoppe – Change in Manager per routing slip. VOTE 5-0.

**g. Farmer's Market**

Pickard MOVED and SECONDED by Meier to approve Edward Silvia request for Farmer's Market 90 Main Street, Buzzards Bay on Fridays 7/12/13 – 10/25/13 (except during the Scallop Festival) from 10:00 am – 2:00 pm pending receipt of vendors insurance and list. VOTE 5-0.

**h. Extension for Pinnacle to work at Sagamore Beach area until 5/17/13**

TA Guerino – the BOS granted Pinnacle to work through 5/9/13, but needed a few more days.

Pickard MOVED and SECONDED by Meier to approve Pinnacle request to continue work at Sagamore Beach area through 5/17/13. VOTE 5-0.

**i. Bourne Bridge 24 Hr. Taxi, Inc. – Request for Taxi Cab License**

Pickard MOVED and SECONDED by Meier to approve the request of Bourne Bridge 24 Hr. Taxi, Inc. Taxi Cab License pending inspection by Police Lt. Tavares. VOTE 5-0.

**j. Taxi Cab Rates**

Zuern MOVED and SECONDED by Meier to approve request of Taxi Cab Rates of \$5.00 for the first minute; the second minute \$3.50; \$50 waiting fee. In addition, a discount of 20% for senior citizens (aged 65 and older) and/or disabled and subject to the vehicle inspected by Lt. Tavares. VOTE 5-0.

TA Guerino – asked why not zoning the areas and mentioned the bus and demand/response service are other options.

Pickard - opposed on mostly fixed income clients with no other transportation. Mr. Sherman – senior citizens have a 20% discount rate.

Zuern – suggested having customers paying upfront to avoid people jumping out of the taxi.

Meier – asked about driver safety. Mr. Sherman – hasn't encountered any issues in this area.

Mr. Agrillo – he is in favor of meters.

Mr. Galusha – asked about share rides. Mr. Sherman – all people going to the same destination share the same rate.

**Town Administrator's Report**

Thanked the board for their time and consideration during his review. He recognized John Ford's service to the board and to the town.

**Selectmen's business**

Zuern – attended an LEPC meeting educating the public.

Pickard – attended the Change in Command at the base.

Meier – attended Affordable Housing Trust meeting.

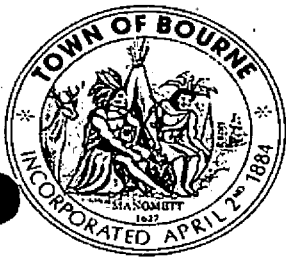
The board members recognized John Ford's service on the board and he will be missed.

**Adjournment**

Pickard MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 9: 15 pm.

Respectfully submitted,  
Lisa Groezinger, sec.





# Board of Selectmen Meeting Notice AGENDA



**Executive Session  
6:15 p.m. Personnel**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday May 28, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (Items 1-3) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items - Felicita Monteiro
4. Board of Selectmen – Organization (Must be completed on the first regular meeting of the BOS after the Annual Election per BOS procedures. Procedures can only be modified with a 4/5 vote of the BOS)

5. Minutes: 5.8.13,5.14.13

6. Correspondence

7. Bond Note Signing

8. Appointments and Licenses:

- a. Chariot Pizza – Brian Shields – waive restriction for BB Park
- b. Stan Gibbs Statue Location
- c. Shoreline Automotive Inc. – Class II Car Dealer's
- d. MS Event – One Day Liquor – Mass. Maritime Academy
- e. MMA @ Beachmoor – [2] One Day Liquor

9. Board of Selectmen – Organization (Must be completed on the first regular

2013 MAY 23 AM 9 27  
TOWN CLERK'S OFFICE  
BOURNE, MASS

meeting of the BOS after the Annual Election per BOS procedures.  
Procedures can only be modified with a 4/5 vote of the BOS)

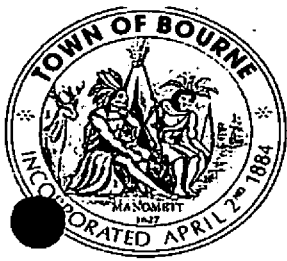
10. Selectmen's business

- a. Signing Special State Election Warrant

11. Establish Goals session (must be completed within 45 days of annual town election, per charter – July 4, 2013)

12. Town Administrator's Report

13. Adjourn



# Board of Selectmen Meeting Notice AGENDA



2013 MAY 24 PM 1:45 Amended  
Executive Session  
TOWN CLERK'S OFFICE 6:15 p.m. Personnel  
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday May 28, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (Items 1-3) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items - Felicita Monteiro
4. Board of Selectmen – Organization (Must be completed on the first regular meeting of the BOS after the Annual Election per BOS procedures. Procedures can only be modified with a 4/5 vote of the BOS)
5. Minutes: 5.8.13, 5.14.13
6. Correspondence
7. Bond Note Signing
8. Appointments and Licenses:
  - a. Chariot Pizza – Brian Shields – waive restriction for BB Park
  - b. Stan Gibbs Statue Location
  - c. Shoreline Automotive Inc. – Class II Car Dealer's
  - d. MS Event – One Day Liquor – Mass. Maritime Academy
  - e. MMA @ Beachmoor – [2] One Day Liquor

9. Selectmen's business

a. Signing Special State Election Warrant

10. Establish Goals session (must be completed within 45 days of annual town election, per charter – July 4, 2013)

11. Town Administrator's Report

12. Adjourn

2013 JUL 3 AM 10 26

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of May 28, 2013  
Bourne Community Building  
Bourne, MA 02532**

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TA Guerino

Don Pickard  
Peter Meier  
Earl Baldwin  
Linda Zuern  
Don Ellis

Documents

- None

**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**

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

**Public Comment – Non-Agenda Items**

Felicita Monteiro – publically thanked the outpouring of support of COA Café due to absence of the chef. Thanked the Lobster Trap at no cost, café volunteers named to make sure tables properly set and cleaned, Sweet Caroline's, COA staff to ensure continuity and the Friends. Thanked seniors for support.

Board direct TA Guerino – put letters on the Board's behalf over their signature.

**Board of Selectmen – Organization**

Zuern MOVED and SECONDED by Ellis to appoint Peter Meier as Clerk of the Board of Selectmen. VOTE 5-0.

Meier MOVED and SECONDED by Ellis to appoint Linda Zuern as Vice Chairman of the Board of Selectmen. No further nominations. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to appoint Earl Baldwin as Chairman of the Board of Selectmen. No further nominations. VOTE 4-1 (Pickard opposed).

**Minutes: 5/8/13; 5/14/13**

Meier MOVED and SECONDED by Zuern to approve minutes of 5/8/13 as submitted. VOTE 4-0-1 (Ellis abstention).

Meier MOVED and SECONDED by Zuern to approve minutes of 5/14/13 as amended.  
VOTE 4-0-1 (Ellis abstention). Page 8 – attended LEPC by Zuern

**Correspondence**

Meier read correspondence into record. Included is a letter from the CCC dated 4/20/13 – letter looking for Selectman appointment. Correspondence and copies can be obtained at the Town Administrator’s office.

Zuern – asked to put CCC letter on a future agenda item to take action. TA Guerino to get back to the board.

**Bond Note Signing**

TA Guerino – this is a re-financing of a several notes.

I, Peter J. Meier, the Clerk of the Board of Selectmen of the Town of Bourne, Massachusetts (the “Town”), certify that at a meeting of the board held May 28, 2013, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all of the Town’s \$12,593,000 General Obligation Bonds dated July 15, 2003 maturing on and after July 15, 2014 (collectively, the “Refunded Bonds”) and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$4,295,000 General Obligation Refunding Bonds of the Town dated June 4, 2013 (the “Bonds”), to Eastern Bank Capital Markets at the price of \$4,455,441.34 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on July 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2014	\$565,000	2.00%	2019	\$500,000	2.00%
2015	550,000	2.00	2020	490,000	2.00
2016	540,000	2.00	2021	395,000	2.00
2017	535,000	2.00	2022	205,000	2.00
2018	515,000	2.00			

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 14, 2013, and a final Official Statement dated May 23, 2013 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

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

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended. Seconded by Linda Zuern. VOTE 5-0.

**Appointments and Licenses:**

**a. Chariot Pizza – Brian Shields – waive restriction for Buzzards Bay Park**

Zuern MOVED and SECONDED by Meier to waive the restriction for Buzzards Bay Park for Chariot Pizza – Brian Shields at the Farmer’s Market between 7/5/13 – 10/23/13 per routing slip. *Ellis – would like to see the insurance certificate fulfilled.* VOTE 5-0.

**b. Stan Gibbs Statue Location**

Meier MOVED and SECONDED by Zuern to approve the location of the Stan Gibbs Statue per plans submitted with location by Superintendent Sala with the review of the Town Planner.

Ellis – asked if the statue would be facing the canal or walking away from the canal. The statue will be walking away from the canal.

VOTE 5-0.

**c. Shoreline Automotive, Inc. – Class II Car Dealer’s**

The majority of the business is wholesale and on the internet. Looking to meet criteria with the town. No repairs, 90% of the work is dealer to dealer.

Ellis – asked about lights on the premises. The area is lit during the evening for safety and police access.

Meier MOVED and SECONDED by Zuern to approve Shoreline Automotive, Inc. at 109 Barlows Landing Road request for Class II Car Dealer’s license per routing slip. VOTE 5-0.

**d. MS Event – One Day Liquor – Mass. Maritime Academy**

Meier MOVED and SECONDED by Zuern to approve Mass. Maritime Academy MS Event for One Day Liquor license on 6/29/13 from 2:00 pm – 9:00 pm subject to liquor liability insurance. VOTE 5-0.



**e. MMA @ Beachmoor – two (2) One Day Liquor**

Meier MOVED and SECONDED by Zuern to approve Mass. Maritime Academy One-Day Liquor license for the Buzzards Bay Coalition on 6/27/13 6:00 pm – 9:00 pm.

Meier MOVED and SECONDED by Zuern to approve Mass. Maritime Academy One-Day Liquor license for reception on 6/14/13 5-7:30 pm. VOTE 5-0.

**Selectmen's business**

**a. Signing Special State Election Warrant**

Meier MOVED and SECONDED by Zuern to approve the signing of the Special State Election Warrant. VOTE 5-0.

Zuern – attend COA Wellness Fair on 5/17/13; attended the train test run; attended the ceremony on Memorial Day at Town Hall.

Meier – thanked the citizens for re-appointing him; attended the train test run and saw the first official train. Precincts 1,2,5 and 7 have openings for the Charter Compliance Committee.

Ellis – thanked the citizens for voting for him for Selectman.

Baldwin – volunteers needed for the Bourne Youth Program. Anyone interested to contact TA Guerino.

**Establish Goals Session (must be completed within 45 days of annual town election, per charter, July 4, 2013)**

TA Guerino – June 4, 2013 at 6:30 pm workshop. There is a posted public hearing for a Wine and Malt beverage for Sweet Caroline's at 7:30 pm where the board will go back to the Goals Session.

Zuern – requested the CCC Selectmen appointment be put on the agenda for this workshop.

**Town Administrator's Report**

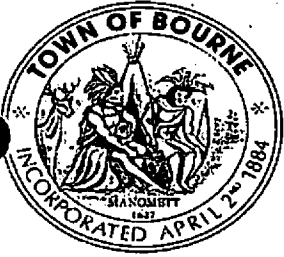
Congratulated Mr. Meier and Mr. Ellis for their appointments to the board. He also thanked the townspeople for the positive outcome on the Public Works Facility. He will be attending the Semi-Annual Mass. Manager Training for the rest of the week and will be back in the office on Monday.

It was the consensus of the board for TA Guerino to draft letter on the board's behalf to the committee for efforts in getting the Public Works Facility passed.

**Adjourn**

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 7:45 pm.

Respectfully submitted - Lisa Groezinger



## Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday June 4, 2013	6:30 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

6:30 – 6:40 p.m. (Items 1-2) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag

3. Goals Session – Recess

4. Licenses/Appointments

- a. 7:30 p.m., Sweet Caroline's Café, LLC, Year Round CV W & M

5. Goals continued

6. Board Committee representation and possible appointment

2013 MAY 31 PM 9 14  
TOWN CLERK'S OFFICE  
BOURNE, MASS

2013 JUL 3 AM 10 24

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of June 4, 2013  
Bourne Community Building  
Bourne, MA 02532**

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TA Guerino

Earl Baldwin, Chairman  
Don Pickard, Vice-Chairman  
Peter Meier, Clerk  
Linda Zuern  
Don Ellis

Guests:

Documents  
None

*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.*

**Meeting Called to Order**  
By Chm. Baldwin at 6:30 pm

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

**Goals Session**

TA Guerino – sent to the board last three (3) years' of Selectmen Goals for review. In addition, he sent a brief email relative to thoughts about moving forward tonight.

We have done well with facilities, landfill working group, group for canal celebration, wastewater (more time moving forward), more to do on technology piece. In April – May 2013. In addition not a lot has been done between then and now relative to the goals.

1. Wastewater planning
2. Emergency Preparedness
3. Improvement technology
  - a. How departments report expenses
4. LCP
5. Build up cash reserves
6. Review Selectmen policies
  - a. Update and create

7. Review committees, including guidelines for establishing new committees
8. Department Head fiscal planning
  - a. Dept Heads report on what is cost effective and any way to reduce cost
9. Feasibility of economic development with select departments
10. Wastewater
  - a. MWRA forcing its way into Bourne – include in overall goals
11. Address issue of access of canal on the south side
12. Abandoned and boarded up buildings on Main Street
13. Canal celebration
14. Fiscal planning
  - a. Percentages for free cash and stabilization
15. Priority of Police and Fire headquarters access
  - a. Available pieces of land we don't have to buy (put in Capital Plan)
16. Revenue enhancement
  - a. Local options taxes

TA Guerino – recommends the board consider canal access, canal celebration (more of a task directive under TA Guerino) review/update new Selectmen policies (subtask committee - one or two board members to review and bring forth recommendations)

**Top Three Goals:**

1. Emergency Preparedness
2. Wastewater
3. Financials
  - a. Investigate Technology and uniform reporting of accesses
  - b. Build up cash reserve
  - c. Financial Planning Departments to advise on best practices
  - d. Economic Development Coordinator

Pickard – recognize the goals by policy, would like TA Guerino's input as well – something that is more logical or a priority.

TA Guerino –Wastewater will have a lot of inside and outside town pressures. He would also like to see the bypass, downtown economic development continue. Revenue enhancements are difficult but can look back at all the fees, licenses - possibility to raise marina fees.

Pickard – not sure if you can raise mooring or slips fees, unless it's just a cover cost.

Meier – was thinking of expanding marinas; maximize what we have for properties. Invest in beaches as an asset. TA Guerino – that is not what he was thinking of.

Zuern – already have a committee looking at the bypass and the traffic plan. She feels it is already on-going, as well as Main Street.

1. Emergency Preparedness
  - a. Shelter location of elderly is their own residence – could State or Federal Government pay to have money wired correctly and a generator on a portable basis
  - b. Education on shelters for elderly – nursing homes partnership (fundraiser to purchase a generator)
  - c. Community Building – set up with a generator
2. Wastewater – TA Guerino hear wastewater committee next report
  - a. Buzzards Bay
3. Financials
  - a. Restore/Plan to Restore Cash Reserve funds
  - b. Review of current policies, maybe amend
  - c. Planning and Development of the augmentation – a contracted, funded position

#### **Recess**

Meier MOVED and SECONDED by Zuern to recess the Selectmen Goals for the purpose of the public hearing for a Liquor License for Sweet Caroline's Café. VOTE 5-0.

#### **Licenses/Appointments**

- a. 7:30 pm – Sweet Caroline's Café, LLC, Year Round CV W & Mb  
Chm. Baldwin opened hearing and read into record posting.

TA Guerino – owners have worked well with our Departments, all of backgrounds necessary are complete - there are no issues, fees have been currently paid and unless the board has specific questions, the Fire Department has some required inspections, for final approval the Police Department of no alcoholic beverages outside the fenced area and Building Inspector will require a certificate inspection before opening. Bevilacqua's are aware of routing slip. He recommends the board consider the approval of this request.

Chm. Baldwin – would like to have employees TIPS certified. TA Guerino suggested putting in as a condition in the motion.

Zuern – asked time the Café would be serving liquor. Applicant responded not before 11:00 am until closing. They are open Wednesday – Monday. Tuesdays closed.

Mr. Agrillo – supports the establishment.

Meier MOVED and SECONDED by Zuern to close the public hearing. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve request of Elena Bevilacqua of Sweet Caroline's Café at 240 Main Street, Bourne for a Wine & Malt Beverages only per routing slip and all employees be TIPS certified. VOTE 5-0.

At this time, TA Guerino requested the board sign retirement certificates of town/school employees. He also informed the board of the invitation of the 2013 Retirees on Friday, 6/14/13 from 3:30 pm – 5:30 pm at the Best Western. RSVP to Ms. Sundman by Thursday, 6/13/13. Meier will be going.

### **Goals continued**

Wrap up of Financial Planning Goal:

1. Financials
  - a. Restore/Plan to Restore Cash Reserve funds
  - b. Review of current policies
  - c. Planning and Development of the augmentation – a contracted, funded position
  - d. Work on recommendations of the auditors
  - e. Department Reports
    - i. Cost effective Departmental Management
      1. Per the Charter
  - f. Postage – duplicity of efforts/postage machines

TA Guerino – discussion about Facilities Manager. Savings will be seen in the long term. Expertise has saved on engineering costs to date.

### **Board Committee representation and possible appointment**

TA Guerino – would like to continue to be the Regional Transit Authority and will inform the board.

Meier MOVED and SECONDED by Ellis to appoint Peter Meier as the Affordable Housing Trust member; Earl Baldwin as the Main Street Steering Committee; Don Pickard as the Bourne Landfill Business Working Group; Peter Meier for the Cape Cod Canal Centennial Committee; Linda Zuern for the LEPC; Don Ellis for the Mass Military Reservation, Senior Management and Community Counsel; and Earl Baldwin for the Trustees of the Community Building. VOTE 5-0.

Pickard – request by Cape Cod Commission to appoint a board member to the Waste Protective Collaborative. TA Guerino – to find out when this committee meets and to put on the agenda for 6/18/13 for appointment.

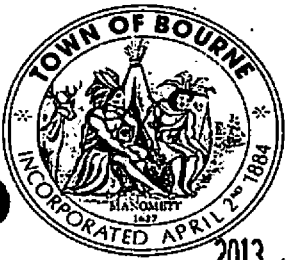
TA Guerino – joint meeting with the Finance Committee on 6/18/13 at 6:30 pm with the auditor. Sewer Commissioner's meeting either at 6:00 pm or 8:00 pm on 6/18/13 – TA Guerino to get back to the board on a time.

Discussion on nitrogen loading reduction – this could be enforced by the Building Department – how close a building can be on the water. Zuern – Conservation may be putting restrictions, but Ellis raised the issue of who would enforce it, but restricting area is a step in enforcing.

### **Adjournment**

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 8:30 pm.

Respectfully submitted,  
Lisa Groezinger, sec.



## Board of Selectmen Meeting Notice AGENDA



2013 JUN 14 AM 9 12

Date  
Tuesday TOWN CLERK'S OFFICE  
June 18, 2013 BOURNE, MASS

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

6:30– 6:40 (Items 1-5) Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: 05.28.13, 06.04.13
5. Correspondence
  
6. Increase Revolving fund limits for School Department and Council on Aging
  
7. Joint session with Bourne Finance Committee – Review of FY2012 Audit – Chris Rogers – Sullivan and Rogers CPA, LLC - ( approx. one hour)
  
8. Discussion regarding Canal Access on South Side.
  
9. Licenses/Appointments
  - a. 7:30 p.m. Year Round Common Victualer Wine and Malt - Graziella's
  - b. [3] One Day Liquor Licenses – Sagamore Beach Colony Club
  - c. St. Peter's Church – [3] One Day Entertainment
  - d. Various FY14 Appointment Renewals
  - e. Vacancy on Historical Commission
  - f. Appointment to the Cape Cod Water Protection Collaborative
  
10. Selectmen's business
  - a. clarification on vote relative to TIPS certification for Sweet Caroline's.
  
11. Town Administrator's Report
  
12. Adjourn



**Board of Selectmen  
Minutes of June 18, 2013  
Bourne Community Building  
Bourne, MA 02532**

2013 JUL 12 AM 11 10

TOWN CLERK'S OFFICE  
BOURNE, MASS

.....  
TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman (excused)  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

Documents  
• None

**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**

**Call to order**  
Chm. Baldwin at 6:00 pm.

**Moment of Silence for our Troops**

**Salute the Flag**

**Public Comment – Non-Agenda Items**

Chm. Baldwin – addressed the issue of hearing his reason for running for Selectman with regard to getting the Friends out of the Community Building. He explained he requested the Bldg. Director – through Town Counsel – to verify misappropriation of town funds to determine the use of budget approved by taxpayers to pay for 5031c that uses space in the town building. The Building Director never received a response. Copies of said response can be obtained by request. No money was ever appropriated and it wasn't until last year that this matter was resolved by a town employee which has put an end to it.

**Minutes: 05.28.13, 06.04.13**

Meier MOVED and SECONDED by Ellis to approve Minutes of 5/28/13 as submitted. VOTE 4-0.

Meier MOVED and SECONDED by Ellis to approve Minutes of 6/4/13 as submitted. VOTE 4-0.

Meier MOVED and SECONDED by Ellis a brief recess for the joint meeting with the Finance Committee. VOTE 4-0.

Meier MOVED and SECONDED by Ellis to reconvene meeting. VOTE 4-0.

**Correspondence**

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

Item M – TA Guerino said issues are different from Bourne.

Item Q – County Government proposed changes. Pickard – writer is from Barnstable. The board may have to make a decide what to do. Meier – would like to put on the next board's regular meeting agenda. TA Guerino – changes: 7/2/13 for regular meeting and 7/9/13 as the goals.

**Increase Revolving fund limits for School Department and Council on Aging**

Ms. Marzelli – FinCom approved the increase of fund limits for two (2) revolving funds tonight. The board will also need to vote:

School transportation – from \$50,000 to \$80,000  
COA Program Revolving Fund -\$50,000 to \$110,000

Ellis MOVED and SECONDED by Meier to approve the increase of two Revolving Funds: School Transportation - from \$50,000 to \$80,000; and COA Program Revolving Fund - from \$50,000 to \$110,000. VOTE 4-0.

**Joint session with Bourne Finance Committee – Review of FY2012 Audit – Chris Rogers – Sullivan and Rogers CPA, LLC**

FinCom members present: Michele Ford, Elinor Ripley, Mary Jane Mastrangelo, Glen Galusha, Bill Grant, Don Montour, John Redman and George Slade.

Mr. Chris Rogers - Final reports were issued in April 2013. There were no disagreements with management throughout the process. The opinion is the only two pages Sullivan and Rogers own in said report.

Internal Control

Financial Highlights briefly reviewed. General Fund total - \$15.3M. Bourne is in a good position.

Proprietary Funds briefly reviewed. End of year balance \$4.4M Net Assets Fund. Landfill Net Assets \$9.1M.

Internal Service Fund – net assets \$2.9M

Total Debt Service - 5.6% compared to prior year is 8.3%

OPEB – Other Post Employment Benefits which is an annual contribution. TA Guerino – the amount of \$250,000 was put into the OPEB at the Special Town Meeting.

TA Guerino – asked that if every city and town is going to turn upside because of this accounting rule and what will happen with the bonders. Mr. Rogers doesn't see a huge impact early on in the town's bond rating.

Bill Grant – commented on promises that the town has made with regard to healthcare not being fulfilled. Mr. Rogers - Governments doesn't have mandates for healthcare. If you have sufficient reserves, there is a way to handled future promises that were made. It is not too late for cities or towns to live up to their obligation.

TA Guerino – would like to have a session with Mr. Chris Sullivan for more detail. Mr. Rogers said you need the actuary but would be happy to participate.

Bill Grant – asked about the ISWM closure plan. TA Guerino – looking at 2022 or 2025 as it sits today.

#### Major Federal Compliance

Special Education and Title I – salaries and wages need to be signed after the program year. Bourne went from 11 findings to 3 findings this year. For deficiencies he recommends to maintain documentation from last year.

Don Ellis – Internal Control and Compliances, suggested a small summary of what the reports are saying. Mr. Rogers said it would have to be a separate document.

#### Management Letter

Briefly reviewed comments. Affordable Housing Fund – discuss best course of action per State law of the fund.

Bill Grant – with regard to personnel, policies and procedures are not fully adopted. TA Guerino – position descriptions do exist. They are almost complete now.

TA Guerino – asked if there is a guideline with the service organization piece. Mr. Rogers recommends to identify contracts and outsourcing to evaluate what the SOC report is asking for. Mr. Rogers to work with TA Guerino.

Meier – Fund Balance – asked about the amount of the new ambulance company. Ms. Marzelli – it is pretty much the same as the previous company.

TA Guerino – in summary, the Audit Report shows that the town is doing well. Meier MOVED and SECONDED by Ellis to recess and to reconvene Audit Review until after Liquor Hearing. VOTE 4-0.

**Discussion regarding Canal Access on South Side.**

Ellis – requested to be put on the agenda. Access on the South side will affect the Canal Celebration and tourists and suggests a Transportation subcommittee be formulated to maintain access to the south side of the canal.

TA Guerino – attending the Transportation meeting and if he sees both representatives from the Army Corp and will discuss what the railroad's intentions are.

Mr. Mulvey – suggests bringing Town Counsel into discussion.

Ellis – currently, at Freight House Road there is no more access to the canal.

Kay Donovan – doesn't remember the closings happened. Chm. Baldwin – the railroad threatened to close access to the south side in the past as to not interfere with the train when John Ford was Police Chief.

**Licenses/Appointments**

Chm. Baldwin opened hearing and read into record.

Atty. Ford O'Connor for applicant. Check and liability insurance required by applicants. Pickard – asked about employees. Employees average in age from 21 to 25 years of age. One of the owners has a green card which is allowed by rules of the ABCC. Insurance Policy will be provided with Graziella's Pizza, LLC.

Atty. Ford O'Connor – activities are not detrimental to the church and school next door and there are no objections.

**a. 7:30 p.m. Year Round Common Victualer Wine and Malt - Graziella's**

Meier MOVED and SECONDED by Ellis to close the public hearing. VOTE 4-0.

Meier MOVED and SECONDED by Ellis to approve Graziella at 375 Barlows Landing Road, Pocasset request for Year Round Common Victualer Wine and Malt per routing slip. VOTE 4-0.

Meier MOVED and SECONDED by Ellis that the board finds the establishment Graziella's Pizza, LLC not detrimental to the educational and spiritual activities of the church or school. VOTE 4-0.

**b. [3] One Day Liquor Licenses – Sagamore Beach Colony Club**

Ellis MOVED and SECONDED by Meier to approve Sagamore Beach Colony Club at 30 Robinson Road, Sagamore Beach request for three (3) One Day Liquor Licenses on 7/20/13 6:30 pm – 10:00 pm (Annual Fund Raiser); 7/27/13 from 6:00 pm – 10:00 pm (Family Night); and 8/2/13 from 6:00 pm – 10:00 pm (Corn Hole Tournament) per routing slip and contingent of receipt of insurance. VOTE 4-0.

**c. St. Peter's Church – [3] One Day Entertainment**

Meier MOVED and SECONDED by Ellis to approve St. Peter's Church at 165 Main Street, Buzzards Bay request for three (3) One Day Entertainment Licenses 7/13/13 from 10:00 am – 4:00 pm (rain date 7/14/13); 9/21/13 10:00 am – 4:00 pm; and 9/22/13 12:00 pm – 4:00 pm per routing slip. VOTE 4-0.

**d. Various FY14 Appointment Renewals**

Zoning Board of Appeals

Meier MOVED and SECONDED by Ellis to appoint Harold Kalick as a regular member to the Zoning Board of Appeals for a term to expire 6/30/16. VOTE 4-0.

Meier MOVED and SECONDED by Ellis to appoint John E. O'Brien as a regular member to the Zoning Board of Appeals for a term to expire 6/30/15. VOTE 4-0.

Meier MOVED and SECONDED by Ellis to re-appoint Thomas C. Armstrong as an Associate Member to the Zoning Board of Appeals. VOTE 4-0.

Meier – there are two Associate Member vacancies.

Conservation Commission

Meier MOVED and SECONDED by Ellis to re-appoint Elizabeth R. Kiebala to the Conservation Commission for a term to expire 6/30/16. VOTE 4-0.

Meier MOVED and SECONDED by Ellis to re-appoint Martha Craig Rheinhardt to the Conservation Commission for a term to expire 6/30/16. VOTE 4-0.

Ellis MOVED and SECONDED by Meier to re-appoint Michael Gratis as an Associate Member of the Conservation Commission for a term to expire 6/30/14. VOTE 4-0.

Ellis MOVED and SECONDED by Meier to re-appoint Michael Leitzel as an Associate Member of the Conservation Commission for a term to expire 6/30/14. VOTE 4-0.

Ellis MOVED and SECONDED by Meier to re-appoint Thomas L. Ligor as an Associate Member of the Conservation Commission for a term to expire 6/30/14. VOTE 4-0.

Constable

Meier MOVED and SECONDED by Ellis to re-appoint Charles T. Devlin, Lee M. Gresh, Russell H. McAllister, Richard F. White and Dennis Woodside as Constable for terms to expire 6/30/14. VOTE 4-0.

Historic Commission

Meier MOVED and SECONDED by Ellis to re-appoint Neil F. Langille and Judith A. Riordan to the Historic Commission for terms to expire 6/30/16. VOTE 4-0.

Meier MOVED and SECONDED by Ellis to appoint George O. Jenkins as a regular member to the Historic Commission for a term to expire 6/30/16. VOTE 4-0.

Ellis MOVED and SECONDED by Meier to appoint Gioia Dimock as a regular member to the Historic Commission for a term to expire 6/30/14. VOTE 4-0.

Ellis MOVED and SECONDED by Meier to appoint Mary Sicchio and Deborah M. Burgess as Associate Members to the Historic Commission for terms to expire 6/30/14. VOTE 4-0.

Registrar of Voters

Meier MOVED and SECONDED by Ellis to re-appoint Penny Bergeson as Registrar of Voters per recommendation of Town Clerk for a term to expire 6/30/16. VOTE 4-0.

Shore & Harbor Committee

Meier MOVED and SECONDED by Ellis to re-appoint Richard Libin and R. Hunter Scott to the Shore & Harbor Committee for terms to expire 6/30/16. VOTE 4-0.

Affordable Housing Trust

Meier MOVED and SECONDED by Ellis to re-appoint Lee M. Berger, Judith A. Riordan, Susan R. Ross and Stephen Walsh to the Affordable Housing Trust for terms to expire 6/30/15. VOTE 4-0.

Barnstable County Coastal Resources Committee

Meier MOVED and SECONDED by Ellis to re-appoint Tim Mullen to the Barnstable County Coastal Resources Committee for a term to expire 6/30/14. VOTE 4-0.

Barnstable County Dredge Advisory Committee

Meier MOVED and SECONDED by Ellis to re-appoint William Curt Duane and Paul B. Bushueff (as an Alternate) to the Barnstable County Dredge Advisory Committee for terms to expire 6/30/14. VOTE 4-0.

Bourne Cultural Council

Meier MOVED and SECONDED by Ellis to re-appoint Marie Cheney, Pat Cook and Susan Cushing to the Bourne Cultural Council for terms to expire 6/30/16.

Bourne Housing Partnership Committee

Meier MOVED and SECONDED by Ellis to re-appoint Cynthia A. Coffin (non voting), Al Hill (at large), Coreen V. Moore (Town Planner), Susan Ross (at large) and Barbara Thurston (Housing Authority Director) to the Bourne Housing Partnership Committee for terms to expire 6/30/14. VOTE 4-0.

Meier – requested TA Guerino to draft a letter on behalf of the board thanking Frances Garland Anderegg for her services to the town.

Bourne Human Services Committee

Meier MOVED and SECONDED by Ellis to re-appoint Barbara Thurston (BHA Rep) to the Bourne Human Services Committee for a term to expire 6/30/16. VOTE 4-0.

Cape and Vineyard Electric Cooperative

Meier MOVED and SECONDED by Ellis to appoint Jonathan Nelson to the Cape and Vineyard Electric Cooperative per recommendation of Paul O'Keefe for a term to expire 6/30/14. VOTE 4-0.

Commission on Disabilities

Meier MOVED and SECONDED by Ellis to re-appointment Victoria Carr, Nathan Carr, Kendellynn Cavanaugh and Michael Roberts to the Commission on Disabilities for terms to expire 6/30/16. VOTE 4-0.

Private Roads Acceptance Committee

Meier MOVED and SECONDED by Ellis to re-appoint Michael E. Leitzel, Coreen V. Moore and George Sala to the Private Roads Acceptance Committee for terms to expire 6/30/14. VOTE 4-0.

Route 6A Advisory Committee

Meier – there is one vacancy open for a term to expire 6/30/14.

Bourne Landfill Business Model Working Group

Meier MOVED and SECONDED by Ellis to re-appoint William Ware (at large member) to the Bourne Landfill Business Model Working Group for a term to expire 6/30/14. VOTE 4-0.

Buzzards Bay Action Committee

Meier MOVED and SECONDED by Ellis to re-appoint Brendan Mullaney to the Buzzards Bay Action Committee for a term to expire 6/30/14. VOTE 4-0.

Bylaw Committee

Meier MOVED and SECONDED by Ellis to re-appoint Elinor D. Ripley (at large member) to the Bylaw Committee for a term to expire 6/30/16. VOTE 4-0.

Cape Cod Joint Transportation Committee

Meier MOVED and SECONDED by Ellis to re-appoint George Sala and Jonathan Nelson (alternate member) to the Cape Cod Joint Transportation Committee for terms to expire 6/30/14. VOTE 4-0.

Cape Light Compact Committee

Meier MOVED and SECONDED by Ellis to re-appoint Robert E. Schofield and Elizabeth Caporelli (alternate member) to the Cape Light Compact Committee for terms to expire 6/30/14. VOTE 4-0.

Capital Outlay Committee

Meier MOVED and SECONDED by Ellis to re-appoint William Ware (at large) to the Capital Outlay Committee for a term to expire 6/30/16. VOTE 4-0.

Central Information and Liaison Officer for Development

Meier MOVED and SECONDED by Ellis to re-appoint Coreen V. Moore to the Central Information and Liaison Officer for Development for a term to expire 6/30/14. VOTE 4-0.

Council on Aging

Meier MOVED and SECONDED by Ellis to re-appoint Valerie Gudas, Marjorie L. McClung and Dorothy Wilcox to the Council on Aging for terms to expire 6/30/17. VOTE 4-0.

Emergency Management Director

Meier MOVED and SECONDED by Ellis to re-appoint Charles Noyes as the Emergency Management Director for a term to expire 6/30/14. VOTE 4-0.

Ethics Liaison

Meier MOVED and SECONDED by Ellis to re-appoint Barry H. Johnson as the Ethics Liaison for a term to expire 6/30/14. VOTE 4-0.

Local Emergency Planning Committee

Meier MOVED and SECONDED by Ellis to re-appoint Cynthia A. Coffin (BOH), Edward Donoghue (Schools), Philip Goddard (ISWM), Martin Greene (Fire Chief), Stephan Kelleher (MMA Commander), Michael E. Leitzel (Engineering Technician), Mark Lieber (Community Rep), Felice Monteiro (Council on Aging), Brendan Mullaney (Environmental), Timothy Mullen (DNR), Jonathan Nelson (Facilities Manager), David Pelonzi (Fire Department), John Pribilla (Owners & Operators), Ann Marie Riley (Friends COA), George Sala (DPW Director), John M. Stofa (Community Rep), John Stowe (Police Department), George Tribou (Sewer – staff), Dennis Woodside (Police Chief) with terms to expire 6/30/14. VOTE 4-0.

Open Space Committee

Meier MOVED and SECONDED by Ellis to re-appoint Patrick Sweeney to the Open Space Committee for a term to expire 6/30/16. VOTE 4-0.

Meier – requested TA Guerino draft letter on the board's behalf to Brian Andrews for his service to the town.

Meier MOVED and SECONDED by Ellis to re-appoint Michael E. Leitzel, Coreen V. Moore and Brendan Mullaney as Staff Members to the Open Space Committee for terms to expire 6/30/14. VOTE 4-0.

Planning Board

Meier MOVED and SECONDED by Ellis to re-appoint Shaun D. Handy and Michael Leitzel as Associate Members to the Planning Board with terms to expire 6/30/14. VOTE 4-0.



Recreation Committee

Meier MOVED and SECONDED by Ellis to re-appoint Roger J. Maiolini and George Sala to the Recreation Committee for terms to expire 6/30/16. VOTE 4-0.

Recycling Committee

Meier MOVED and SECONDED by Ellis to re-appoint Meredith Chase to the Recycling Committee for a term to expire 6/30/16. VOTE 4-0.

Selectmen's Energy Advisory Committee

Meier MOVED and SECONDED by Ellis to re-appoint Elizabeth Caporelli, Thomas Gray Curtis, Jr., Chris Kapsambelis, Allyson Bizer Knox, Frank M. Kodzis, Paul O'Keefe and Robert E. Schofield to the Selectmen's Energy Advisory Committee for terms to expire 6/30/14. VOTE 4-0.

Phase II Community Oversight Group for the Storm Water Management Group Membership of Pollution Task Force and Selectmen's Task Force on Local Pollution

Meier MOVED and SECONDED by Ellis to re-appoint Stewart Bell, Elaine Cook Graybill, James Mulvey, Leslie Perry and Mort Toomey to the Phase II Community Oversight Group for the Storm Water Management Group Membership of Pollution Task Force and Selectmen's Task Force on Local Pollution for terms to expire 6/30/14. VOTE 4-0.

Street and Traffic Lighting Committee

Meier MOVED and SECONDED by Ellis to re-appoint Martin Greene (Fire Chief), Dennis Woodside (Police Chief), Robert Schofield and George Sala to the Street and Traffic Lighting Committee for terms to expire 6/30/14. VOTE 4-0.

Transportation Advisory Committee

Meier MOVED and SECONDED by Ellis to re-appoint Michael A. Blanton, Daniel Doucette, Wesley Ewell, Robert W. Parady, Sallie Riggs, George W. Sala and Dennis Woodside to the Transportation Advisory Committee for terms to expire 6/30/14. VOTE 4-0.

Upper Cape Regional Transfer Station Board of Managers

Meier MOVED and SECONDED by Ellis to re-appoint Dan Barrett and Philip Goddard to the Upper Cape Regional Transfer Station Board of Managers for terms to expire 6/30/14. VOTE 4-0.

Veterans' Graves Officer

Meier MOVED and SECONDED by Ellis to re-appoint Thomas Barclay as Veterans' Graves Officer for a term to expire 6/30/14. VOTE 4-0.

**e. Vacancy per Town Clerk's Office**

Pickard MOVED and SECONDED by Meier to appoint Ms. Diane Flynn as Election Warden for a term to expire 6/30/13. VOTE 4-0.

Pickard MOVED and SECONDED by Meier to appoint Ms. Judith Thrasher as Election Warden for a term to expire 6/30/13. VOTE 4-0.

Pickard MOVED and SECONDED by Meier to appoint Ms. Delores Collins as Election Clerk for a term to expire 6/30/13. VOTE 4-0.

**f. Appointment to the Cape Cod Water Protection Collaborative**

Tabled to the next meeting. TA Guerino – Linda Zuern expressed interest. He will know at the 7/2/13 Selectmen meeting of when this group meets.

**Selectmen's business**

**a. Clarification on vote relative to TIPS certification for Sweet Caroline's.**

TA Guerino – this is to vote and re-issue to authorize license and to suggest folks be TIPS certified as soon as practical date.

Meier MOVED and SECONDED by Ellis to reconsider the previous board's vote of Sweet Caroline's license. VOTE 4-0.

Meier MOVED and SECONDED by Ellis to approve application for liquor license as submitted and to include the staff be TIPS certified as soon as practical. VOTE 4-0.

**Town Administrator's Report**

Recognized Ms. Mary Rebello for putting appointment list together on behalf of the town.

Received pamphlets of Emergency Preparedness and Emergency Management from Mr. Charlie Noyes and members of the subcommittee of the LCP. They will be distributed to the citizens of the town.

Attending Regional Transportation board tomorrow.

The town is in the process of year end closeouts and getting ready to close the year out.

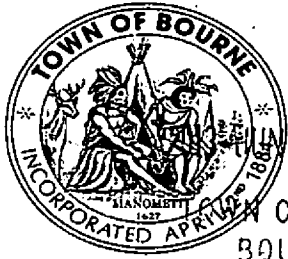
Meier – Friday morning is the Volunteer of the Year ceremony.

**Adjourn**

Meier MOVED and SECONDED by Ellis to adjourn. Meeting adjourned at 9:00 pm.

UNANIMOUS VOTE.

Respectfully submitted,  
Lisa A. Groezinger, sec.



28 AM 11 01

CLERK'S OFFICE  
BOURNE, MASS

## Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
July 2, 2013

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

6:30 (Items 1-2) Call to order

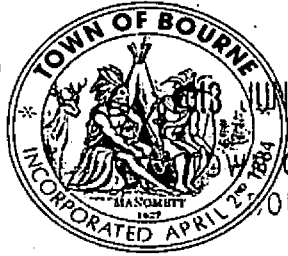
1. Moment of Silence for our Troops
2. Salute the Flag

3. Goals Session

4. Appointment:

- a. Board of Selectmen Member (Chairman) – Trustee Bourne Veterans' Memorial Community Building
- b. Transportation Committee – Cynthia Parola

5. Adjourn



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CLERK'S OFFICE  
BOURNE, MASS

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



Date

Tuesday  
July 2, 2013

Time

6:30 p.m.

Location

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Community Center  
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4. Appointments:

- a. Board of Selectmen Member (Chairman) – Trustee Bourne Veterans' Memorial Community Building
- b. Transportation Advisory Committee – Cynthia Parola

5. Adjourn

**Board of Selectmen  
Minutes of July 2, 2013  
Bourne Community Building  
Bourne, MA 02532**

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TOWN CLERK'S OFFICE  
BOURNE MASS

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TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

**Documents**

- None

**Called to Order**

7:00 pm by Chm. Baldwin.

**Moment of Silence for our Troops**

**Salute the Flag**

**Goals Session**

- I. **Water Quality and Wastewater Planning (changed from Wastewater Planning)**
  - a. **Buzzards Bay System/Warneham**
  - b. **Wastewater Advisory Committee – “expansion” of Business District**

**Discussion**

Zuern – undertake data collection and mitigation measures through staff; implementation through bylaws/regulatory zoning.

Ellis – community water quality data, including the base. TA Guerino – we are updated annually from the base.

Pickard – diminish the town’s exposure to expanded sewer lines and treatment by investigating bylaws or other avenues showing that the town is making its best attempt to mitigate.

Zuern – need to look at more than Buzzards Bay. Meier – 7/16/13 meeting at Mashpee Town Hall on wastewater.

Pickard – agenda item for 7/9/13 to vote on position prior to the 7/16/13 meeting for someone can speak on the board's behalf.

Zuern – improve the water quality. We should talk with the pollution task force – may have recommendations.

Pickard – use a neutral sample taker.

Meier – would like to put the plan together.

Steps for Water Quality and Wastewater Planning Objectives:

1. Samples – BOH and BOSC
  - a. Nitrogen loading
2. Compile and Document town information
  - a. BOH, Pollution Task Force, Stormwater, ConCom – have UMASS report, Tighe & Bond report, CHM2 Hill report
3. BOS/BOSC – Education
  - a. forums, workshops, seminars
4. List and Project
  - a. Alternatives
    - i. Fish farming
    - ii. Nitrogen reduction education
    - iii. Other (composting toilets)

Pickard – BOH – ask their resources what their best practices are.

## II. Emergency Preparedness

- a. Full functioning shelter (in place)
  - i. Generator
  - ii. Better way to recruit volunteers

### Discussion

Baldwin – paid police and fire in the past through grants.

Meier – SOP on how to run the shelter.

Pickard – collaborate with the State (HUD DHCD) to provide necessary infrastructure a generator (already wired) - so elderly and disabled would not have be moved from Housing Authority Properties.

Meier – invite Housing Director on the LEPC.

Zuern – substantial medical conditions to more appropriate facilities.

Assets:

- a. Paid volunteers
- b. Police/Fire/DNR
- c. Staff as can be made available.
- d. Mass. Maritime cadets (time dependent)
- e. Church groups
- f. Youth Groups (Boy/Girl Scouts) - tear down, set up, supply running, client contact

Pickard – Political will – periodic timeframes by TA, Emergency Director/LEPC, Board of Health on progress.

Ellis – contact Coast Guard for preparedness operation; retirees may want to be involved.

TA Guerino – Selectmen assistance with volunteer outreach. There is continual outreach to the media.

Diana Barth – asked if there will be two shelters. TA Guerino – to fully staff two shelters will be difficult.

Zuern – CERT training.

TA Guerino – the Emergency Management Director, TA, Facilities Manager to work on the Plan, report to the board once a month (update in August). Any amendments can be addressed when the board is ready to adopt can be addressed at that time.

### III. Financials

- a. **Begin to build up cash reserves to recent historic levels**
- b. **Investigate technology and uniform reporting standard**

#### Discussion

Pickard – TA (staff) updates to the board on current negotiations conducted by the TA by Charter (use of town owned land, ISWM, Hoxie, RFPs, Power Purchase Agreement).

Chm. Baldwin – updates from TA Guerino with new positions created/filled.

**Appointments and Licenses:**

**a. Board of Selectmen Member (Chairman) – Trustee Bourne Veterans' Memorial  
Community Building**

MOVED and SECONDED by to appoint Earl Baldwin to the Trustees of the Bourne Veterans' Memorial Community Building for a term to end 6/30/14. VOTE 5-0.

**b. Transportation Advisory Committee – Cynthia Parola**

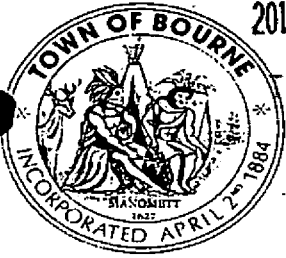
Meier MOVED and SECONDED by Ellis to appoint Cynthia Parola to the Transportation Advisory Committee for a term to expire 6/30/14. VOTE 5-0.

**Adjourn**

Pickard MOVED and SECONDED by Meier to adjourn. Meeting adjourned at 8:10 pm.

Respectfully submitted,  
Lisa Groezinger





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TOWN CLERK'S OFFICE  
BOURNE, MASS  
**Board of Selectmen  
Meeting Notice  
AGENDA**



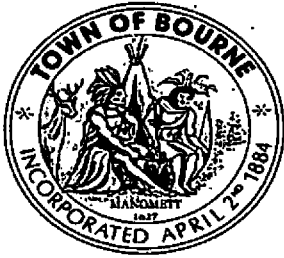
Executive Session  
6:15 P.M. Litigation Update

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday July 9, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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7:00 – 7:10 (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: 6.18.13 - 7.2.13
  
5. Correspondence
  
6. Year end account transfers – Finance Director and Town Administrator
  
7. Report of the Transportation Advisory Committee
  
8. Adoption of Goals for the July 2013 through April 2014 period.
  
9. Discussion related to BOS attendance at the July 16, 2013 Upper Cape wastewater planning session in Mashpee, sponsored by the CCC.
  
10. Update on the power purchase agreement negotiations relative to solar and wind Power purchase Agreements.
  
11. Licenses/Appointments
  - a. FY14 Remaining Appointment Renewals
  
12. Selectmen's business
  
13. Town Administrator's Report
  
14. Adjourn



2013 JUL 8 AM 11 29  
**Board of Selectmen**  
**Meeting Notice**  
**AMENDED AGENDA**



Executive Session  
6:15 P.M. Litigation Update

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10. Update on the power purchase agreement negotiations relative to solar and wind Power purchase Agreements.
  
11. Licenses/Appointments
  - a. FY14 Remaining Appointment Renewals
  - b. **One Day Liquor All Alcoholic – MMA @ Beachmoor 7.20.13**
  
12. Selectmen's business
  
13. Town Administrator's Report
  
14. Adjourn

**Board of Selectmen  
Minutes of July 9, 2013  
Bourne Community Building  
Bourne, MA 02532**

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TA Guerino

TOWN CLERK'S OFFICE  
BOURNE, MASS

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

**Documents**

- None

**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**

**Call to order**

Chm. Baldwin at 6:15 pm.

Meier MOVED and SECONDED by Ellis to go into Executive Session to discuss litigation update and to reconvene in regular session at 7:11 pm. VOTE 5-0.

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

**Public Comment – Non-Agenda Items**

None.

**Minutes: 6.18.13 - 7.2.13**

Meier MOVED and SECONDED by Ellis to approve Minutes of 6/18/13 as submitted. VOTE 4-0-1 (Zuern abstained).

Meier MOVED and SECONDED by Ellis to approve Minutes of 7/2/13 as amended. VOTE 5-0.

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

Item H –TA Guerino recommends the board wait for the Town Planner's recommendation. Ellis – this will put the town in a better position bringing up the town's affordable housing percentage points.

TA Guerino – will put on the agenda for the next meeting.

Meier - asks interested parties for the Housing Authority to contact the TA.

Item K – TA forwarded to the Building Inspector. The Building Inspector deemed parking appropriate as well as other levels required by statute.

Ellis – suggesting a referral by the Planning Board of the parking requirements.

TA Guerino – will follow up with Building Inspector and report back to the board.

**Year end account transfers – Finance Director and Town Administrator**

Ellis MOVED and SECONDED by Meier to transfer \$90,519.78 from the Police Salaries account to the Snow and Ice account; transfer \$108,555 from the Fire Department Salaries to the Snow and Ice Overtime account; and transfer \$32,455.54 from the DPW Salaries account to the Snow and Ice Overtime account. VOTE 5-0.

Ellis MOVED and SECONDED by Meier to transfer \$167,000 from ISWM Department Salaries to ISWM Transfer of Available Funds. VOTE 5-0.

Ellis MOVED and SECONDED by Zuern to transfer \$4,200 from Sewer Expenses to Sewer Salaries. VOTE 5-0.

**Report of the Transportation Advisory Committee**

Focusing on three (3) issues:

1. Proposed reconfiguration of Belmont Circle
2. Replacement of the Bourne Bridge rotary
3. Pedestrians across the Bourne Bridge

Belmont Circle – working with CCC staff tasked by the State with preliminary planning. Goals for the preliminary plans: reducing impact on traffic, improving entrance to downtown. The State is in the process of engaging consultants for the preliminary plans for the reconfiguration. Includes bypass changes at Memorial Circle but the Committee has no control. This is about 5 years away from construction.

Bourne Bridge – this is about 10 years away. Working with CCC staff. Goals and objectives were pretty much the same as the Belmont Circle. A staff preliminary recommendation is expected at the end of September. One meeting will be with owners of businesses who are affected with the changes in the rotary. The next meeting will be with homeowners and the third meeting will be an open meeting to the public.

Bourne Bridge pedestrian access – asking the board for their assistance in the addition of signs on the Bourne Bridge - asking cyclists to dismount and walk when on the bridge; Keeping bicycles out of the rotary – permission from State Police to allow bicyclists to use driveway to bypass the rotary; and there is a vacancy on the Committee (Bicycle advocate).

Meier – commented on PANMASS and other events, but they are escorted and are exceptions.

Zuern – the board cannot make a decision unless have recommendations from the Advisory Committee. She has issues with changing the bike route and would like to see signs on the canal. Mr. Ewell – there are no new plans and agrees with Zuern, however, they are not at the point of discussion plans.

TA Guerino – will get the Committee involved in the signs.

Ellis – he suggested looking at Adams Street and enforcement relative to trucks by adding a jake brake sign.

Zuern – added on Adams Street there isn't a stop light and wait to get out.

Mr. Mulvey – suggests the committee mark the bicycle route and mark out. Way you develop bike path could have an impact on the Downtown area. Signage by the Corps of Engineers.

Ms. Riggs – include conversation with the State Police and the board to act upon in the future.  
TA – to write a letter and make a couple of calls.

**Adoption of Goals for the July 2013 through April 2014 period.**

**Goal - Improve and Expand Emergency Preparedness**

Meier – TA Guerino to add language “contact other large Senior and Disabled residents that may be privately owned: to “b” on Page 1.

Zuern – change Shelter to Shelter(s) to Goal “a” on Page 1.

**Goal – Water Quality/Wastewater**

Zuern – delete “a” and “b”.

TA Guerino to make changes discussed tonight and bring before the board on 7/23/13.

**Discussion related to BOS attendance at the July 16, 2013 Upper Cape wastewater planning session in Mashpee, sponsored by the CCC.**

Ms. Riggs – this meeting is the first step of a 2-3 year process to respond to need to update wastewater planning as it relates to the Ocean Clean Water Act.

Chm. Baldwin – the consensus of the board is to find out what the home rule on the issue. TA Guerino to contact the CCC.

**Update on the power purchase agreement negotiations relative to solar and wind Power purchase Agreements.**

TA Guerino – expect more information either in Executive Session on 7/23/13 or the first meeting in August.

## **Licenses/Appointments**

### **a. FY14 Remaining Appointment Renewals**

#### **Barnstable County Human Rights Commission**

Meier MOVED and SECONDED by Ellis to re-appoint Marie Oliva and Michael Giancoloa to the Barnstable County Human Rights Commission for terms to expire 6/30/14. VOTE 5-0.

#### **Cape Cod Water Protection Collaborative**

Meier MOVED and SECONDED by Ellis to appoint Linda Zuern to fill vacancy of the Cape Cod Water Protection Collaborative for a term to expire 4/30/14. UNANIMOUS VOTE.

#### **Special Works Opportunity Program**

Meier MOVED and SECONDED by Ellis to re-appoint Andrew Cormier, Susan Cronin and Janet Hughgill to the Special Works Opportunity Program for terms to expire 6/30/14. VOTE 5-0.

### **b. Transportation Advisory Committee**

Ellis MOVED and SECONDED by Meier to appoint John Carroll to the Transportation Advisory Committee (Bicyclist/Pedestrian) for a term to expire 6/30/14. VOTE 5-0.

### **b. One Day Liquor All Alcoholic – MMA @ Beachmoor 7/20/13**

Meier MOVED and SECONDED by Zuern to approve MMA at Beachmoor – 11 Buttermilk Way, Buzzards Bay Way - request of One Day Liquor All Alcoholic license on 7/20/13 from 4:00 pm – 9:30 pm per routing slip. VOTE 5-0.

## **Selectmen's business**

Zuern – future agenda items: 1) review Selectmen Policies and setting up policy on organizing a new committee; 2) Marijuana dispensary –moratorium; 3) Charter Review on the County; 4) Railroad crossing and gates (TA Guerino – posting for liability purposes but not how pedestrians are getting across; 5) Telephone survey for Emergency Preparedness and urging citizens to answer the survey.

Meier – willing to purchase a banner for the Selectmen in the parade.

## **Town Administrator's Report**

Auditors are in. Department Heads are getting as much turn back as possible and wanted to recognize them for their budgetary constraint.

Gray Gables citizens contacted his office relative to safety ropes for the dredging. The ropes had been planned and put out today.

Coreen Moore – will be before the board on 7/23/13 regarding the re-establishing LCP Committee.

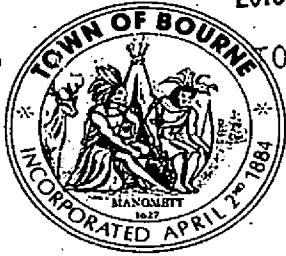
Recognized the Fire and Police Departments for this past week's busy events, including the accident on the Sagamore Bridge and commended their work.

**Adjourn**

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 8:51 pm.  
UNANIMOUS VOTE.

Respectfully submitted,  
Lisa A. Groezinger, sec.

2013 JUL 18 PM 1 34



TOWN CLERK'S OFFICE  
BOURNE, MASS

## Board of Selectmen Meeting Notice AGENDA



### 6:15 Executive Session – Contract (non union) negotiations / litigation update

### 6:45 P.M. Joint - Planning Board – Selectmen Meeting

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday July 23, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (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: 7.9.13

5. Correspondence

6. Coreen Moore – LCP Committee establishment and recommendations.

7. Proposed County Charter - County Commissioner Mary Pat Flynn, Richard Anderson

8. Licenses/Appointments

- a. Annual Monument Beach Night Out – closing Beach Street
- b. MMA One Day Liquor 7.31.13 and 8.10.13
- c. Pan Mass Challenge One Day Liquor - MMA
- d. Open Space Committee – Mary Gelsthorpe
- e. Stan Gibbs Fisherman's Classic banner and signage – Main Street
- f. Solarize Bourne Street Banner Main Street – Richard Elrick

9. Recommendation regarding Power Purchase Agreement – Town Administrator

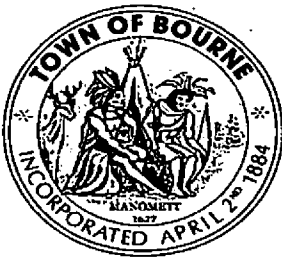
10. Selectmen's business

- a. Review Selectmen's Rules of Procedure
- b. Report on Water Collaborative Meeting in Mashpee
- c. Letter from DNR regarding event as Bassetts Island



11. Town Administrator's Report – current hires and vacancies (informational)

12. Adjourn



# Board of Selectmen Meeting Notice AMENDED AGENDA



**6:15 Executive Session – Contract (non union)  
Negotiations - Litigation update**

**6:45 P.M. Joint - Planning Board – Selectmen Meeting**

<u>Date</u>	<u>Time</u>	<u>Location</u>
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7:00 – 7:10 (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: 7.9.13
  
5. Correspondence
  
6. Coreen Moore – LCP Committee establishment and recommendations.
  
7. Proposed County Charter - County Commissioner Mary Pat Flynn, Richard Anderson
  
8. Licenses/Appointments
  - a. Annual Monument Beach Night Out – closing Beach Street
  - b. MMA One Day Liquor 7.31.13 and 8.10.13
  - c. Pan Mass Challenge One Day Liquor - MMA
  - d. Open Space Committee – Mary Gelsthorpe
  - e. Stan Gibbs Fisherman's Classic banner and signage – Main Street
  - f. Solarize Bourne Street Banner Main Street – Richard Elrick
  
9. Recommendation regarding Power Purchase Agreement – Town Administrator
  
10. Selectmen's business
  - a. Review Selectmen's Rules of Procedure
  - b. Report on Water Collaborative Meeting in Mashpee
  - c. Letter from DNR regarding event as Bassetts Island
  - d. Waiver for use of Town Property (90 Main Street)
  - e. Adoption of Goals –July 2013-April 2014

11. Town Administrator's Report – current hires and vacancies (informational)

12. Adjourn

2013 JUL 23 PM 2 19  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Board of Selectmen  
Minutes of July 23, 2013  
Bourne Community Building  
Bourne, MA 02532

2013 SEP 11 AM 8 49

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

**Documents**

- None

**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**

**Call to order**

Chm. Baldwin at 6:15 pm.

Zuern **MOVED** and **SECONDED** by Meier to go into Executive Session to discuss non-union contract negotiations/litigation update and to reconvene in regular session. Roll call: Zuern – yes; Pickard – yes; Meier – yes; Ellis – yes; and Baldwin - yes.

**Joint Meeting**

At 6:47 pm, Chm. Baldwin called the Joint Meeting with the Planning Board to order. The Planning Board has a quorum. This meeting is to fill the vacancy due to the resignation of Mr. Jonathan Nelson. Advertisement was in the newspaper and on the website since 6/30/13. One written inquiry was submitted by Mr. Robert Galibois.

Mr. Galibois introduced himself to the board and discussed his qualifications. His intention is to pick up his papers after the expiration of the vacancy.

Zuern asked about Mr. Galibois' opinion with regard to overflow parking. Mr. Galibois declined to comment as the Selectmen have already voted on the issue and discussion may come up again. Meier said a decision has not been exhausted.

C. Farrell **MOVED** and **SECONDED** by Don Pickard to appoint Rob Galibois to the Planning Board for a term to expire May 2014. Roll call – Clegg – yes; Dudley – yes; Gallo - yes; Shearer – yes; Howarth – yes; Farrell – yes; Benson – yes; Pickard – yes; Zuern – yes; Meier – yes; and Baldwin – yes. Ellis abstained.

Meier MOVED and SECONDED by Zuern for a 5 minute recess. VOTE 5-0.

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

**Public Comment – Non-Agenda Items**

Kay Donovan commented on her concern for the safety of townspeople on Shore Road. She said she lived in the neighborhood for over 45 years. She called the Police and Fire Chiefs of the situation.

**Minutes: 7/9/13**

Meier MOVED and SECONDED by Ellis to approve Minutes of 7/9/13 as submitted. VOTE 5-0.

**Correspondence**

Meier read correspondence into record. Hard copies are available at the Town Administrator's office upon request. He also wanted to include in tonight's correspondence two e-mails for the record, including one from Kay Donovan regarding Phyllis McLaughlin.

**Coreen Moore – LCP Committee establishment and recommendations**

Ms. Moore was unable to attend tonight and asked to be put on agenda at another time.

Meier MOVED and SECONDED by Ellis to move #8 before #7. VOTE 5-0.

**Proposed County Charter – County Commissioner Mary Pat Flynn, Richard Anderson**

TA Guerinò asked Ms. Flynn for information relative to the issue of the change for County government. What would the governance change be and how would affect other departments in the County.

Ms. Flynn briefly said the current structure has three (3) elective County Commissioners at-large each having 4-year terms with each having a salary of \$14,000 year. Under the Charter, the County Commissioners are the County Executives approve all hires and all expenditures. County Administrator has a dual role – Financial Director and the Treasurer.

In the next 10 years, the growth will occur in the upper Cape. Sandwich, Mashpee are increasing as well as Bourne and Falmouth. It may be that there could be two towns that could have over 50 percent of a vote with only 2 towns making a decision.

**Special Commission on County Governments.** 28 people from the Cape who served and met from 10/11 – 3/12 and made recommendations of the County Executive having executive functions. Legislative function (Assembly of Delegates) may be merged with the County Commissioners (or supervisors or delegates) with 5-7 individuals to have legislative functions and to take over the Assembly of Delegates. They would be elected by District based on population equal voting.

At least 5 but no more than 7 individuals. Commissioners could also have some executive functions (example: certain approvals related to expenditures over certain amounts). The other piece was that the County Executive should be separate from the Director of Finance. As of July this position is split. An advertisement is out for an Interim County Executive for one year.

Mr. Anderson said with regard to percentages we have now. Bourne is #5 on the list. Having 5 or 7 commissioners would cost \$100,000 and would be cost effective.

Ms. Flynn said proposed salaries are \$30,000 for 5 commissioners, but if they chose to take benefits, the costs of the benefits would come from that \$30,000 and get the cash remaining.

TA Guerino said there are not many functions in Mass. County government as there are throughout the country.

Pickard asked what the next steps would be if the Assembly of Delegates do not approve and what recourse is. Ms. Flynn said recommendations would be brought to the Charter Review Committee. Then it will go to the Assembly of Delegates and the County of Commissioners before going to the legislature.

Mr. Anderson said parts of changes don't need votes of the public.

Meier said if there is a stale mate, it probably dies, but a private group of individuals getting a number of signatures to put forth can be done.

Pickard feels less government is better.

Zuern feels county government is working well and would not want these changes. If you go by population, the smaller communities will never have equal weight. With regard to wastewater and a Cape Cod Water District, she would like to not see any of these changes.

Ms. Flynn said some of the recommendations by the Special Commission were not adopted.

TA Guerino said when you get onto this side of the bridge, there is the Plymouth-Carver aqua share center. These are things that are not being considered.

Ellis said he is a strong advocate with a one man, one vote. He doesn't believe in a balance system. He is also opposed to the Assembly being gobbled up by the Executive. If the Commissioners are to receive \$30,000, he asked if that is going to be a weighted decision so Barnstable pays more than Bourne. Ms. Flynn said those decisions would have be approved and is a long way away. Ellis said this is a way the Cape Cod Commission can take advantage of the Cape.

Ms. Flynn working on other types of alternatives with regard to sewers. One is eco toilets.

Pickard asked TA Guerino if they are asked to take a position on the recommendations. TA Guerino said this evening is not for the board to take a position. He feels the board needs to get the other information on acceptances for more knowledge. He suspects the board may want to put a liaison between himself and the board.

Mr. Anderson said any recommendation tonight would be premature.

Meier said at next week's Sewer Commissioners' meeting, discussion on another element will be on the agenda.

Mr. Anderson supplied a binder that has more information on what has transpired in the meetings to TA Guerino for the board. Zuern suggested to be kept updated on future decisions of these meetings.

TA Guerino said as far as the County-wide organizations, they don't come up this far on the Cape for any information. He was not made aware of a meeting relative to citizens views on any of the proposed changes. When they speak for the Cape, we don't necessarily hear from them or agreeing with them.

Ms. Flynn said the timeline ends 6/30/14 and feels this will not be possible.

#### **Licenses/Appointments**

##### **a. Annual Monument Beach Night Out – closing Beach Street**

Meier MOVED and SECONDED by Zuern to approve closing of Beach Street for Annual Monument Beach Night Out request on 8/6/13 from 4:00 pm – 9:00 pm per routing slip. VOTE 5-0.

##### **b. MMA One Day Liquor 7/31/13 and 8/10/13**

Meier recused himself from discussion and vote.

Zuern MOVED and SECONDED by Ellis to approve MMA request for One Day Liquor License on 7/31/13 (Beachmoor) from 5:00 pm – 10:00 pm; and 8/10/13 (MMA - ABS Library Information Commons) from 5:00 pm – 9:00 pm, per routing slip. VOTE 4-0-1 (abstention from Meier).

##### **c. Pan Mass Challenge One Day Liquor – MMA**

Meier MOVED and SECONDED by Zuern to approve Pan Mass Challenge request for One Day Liquor License on 8/3/13 from 7:00 am – 9:00 pm per routing slip. VOTE 5-0.

##### **d. Open Space Committee – Mary Gelsthorpe**

Ellis MOVED and SECONDED by Zuern to appoint Ms. Mary Gelsthorpe to the Open Space Committee for a term to end 6/31/16. VOTE 5-0.

**e. Stan Gibbs Fisherman's Classic banner and signage – Main Street**

Meier MOVED and SECONDED by Ellis to approve Stan Gibbs Fisherman's Classic banner on signage on Main Street from 8/3/13 – 8/10/13 per plans submitted and per routing slip and to include the proposed banner. VOTE 5-0.

**f. Solarize Bourne Street Banner Main Street – Richard Elrick**

Mr. Elrick is requesting a solar banner 3'x15' in size to educate the public for the duration of the program 8/11/13 through 9/30/13. The program is a partnership with the town, DOER (Mass. Dept. of Energy Resources) and Green Communities. Bourne was selected to be part of this program. The more people sign up, the better the cost. The cost currently is \$3.80 per watt. Solar is installed through a lease program or a power purchase program. The goal is to increase awareness of solar energy in town. The system will last 25 years and there is an opportunity to earn income through solar renewable energy certificates. The program runs through the end of September. Anyone interested to contact Mr. Elrick at (508) 759-0600, ext. 302 or Cotuit Solar directly.

Mr. Mulvey asked about hookup to utility poles and if the town's liability affected. TA Guerino said the town's liability is not affected and the board is fully in their compliment to approve.

Meier MOVED and SECONDED by Zuern to approve Solarize Bourne Street Banner Main Street from 8/11/13 until time the Scallop Festival banner goes up, through the authorization of the Town Administrator. VOTE 5-0.

**Recommendation regarding Power Purchase Agreement – Town Administrator**

TA Guerino said the town has been in the midst of negotiating with alternative power purchase arrangements. The town has the opportunity to enter into power purchase agreements and to try to lower the town's energy costs with energy credits given by the government. The town has been in discussions with both wind and solar. In working with Mr. Nelson, and after Town Counsel's strong revisions, he signed an agreement today with Blue Wave Energy for two megawatts direct current of Power Purchase Agreement at rate of 9 cents per kilowatt. This is a net savings over twenty years would be \$5.4M.

He would ask the board support the administrator's position in signing this contract and have a vote to concur with that decision. The worst that can happen, we go back to what is status quo. He doesn't feel that would happen and is comfortable.

Meier said even though the board would like to work with a local company, the board does have a fiduciary responsibility to fulfill. He asked what protection the town has if it wants to walk away. TA Guerino said the town can walk away within 6 month.

Zuern wanted to thank the Energy Advisory Committee for their time. TA Guerino said about 80% of the town's load will be under contract.

Meier MOVED and SECONDED by Ellis that the board support the Town Administrator's position in signing this Power Purchase Agreement with Blue Wave Energy. VOTE 5-0.

**Selectmen's business**

**a. Review Selectmen's Rules of Procedure**

At the request of Selectmen Zuern, the board should review and establish a policy to identify rules and procedures of a Selectmen appointed committee, once formed, and leadership will be determined.

Zuern requested setting up a subcommittee to oversee the rules of procedures for new committees. She also suggested a subcommittee to work with the COA and to bring forward to the Bylaw committee for approval.

Pickard recommended any changes a board member would like to include in the rules and procedures to forward to TA Guerino and to bring up at the next meeting.

TA Guerino will put on the agenda for the next meeting.

**b. Report on Water Collaborative Meeting in Mashpee**

Meier said he felt there was no preparation for the meeting. Watershed working group was suggested and it didn't seem productive to have meetings in the morning where people have to work during the day.

Ellis felt it appeared the whole function was to see how much they could get other towns to pay without involving the towns.

Zuern said the stake holders would come up with remediation strategies and alternative screenings to be done by November 2013. She feels the Cape Cod Commission has an idea of what they want to do and will not involve the towns and boards.

Pickard said he would have thought the Cape Cod Commission would be more user friendly. He would yield to TA Guerino's recommendation.

Zuern suggested having a joint meeting with the Sewer Commissioners and the Selectmen. TA Guerino will post both agendas.

Mr. Mulvey said the present is for economic growth and not town-wide interest. The town needs a committee to look at wastewater around the town.

**c. Letter from DNR regarding event as Bassetts Island**

Pickard asked if DNR is prohibiting anchoring and rafting up. TA Guerino said there won't be anchoring, but if people are dropped off, they can traverse the island that way. People cannot anchor that day. Harbormaster will take into account the safety of the public.



TA Guerino explained to Pickard the actions of last year is the reason for this remedy. Mr. Mullen stated to TA Guerino that this has nothing to do with the folks participation in the race.

Mr. Mulvey said the internet to the population was "party at Bassetts Island".

**d. Waiver for use of Town Property (90 Main Street)**

TA Guerino said the Chamber has control of the park through the summer with the board and off business hours for concerts on Thursdays from 7:00 pm – 9:00 pm. Meier said he will be voting against a positive motion and would like to concentrate on local merchants.

Meier MOVED and SECONDED by Pickard to deny request for waiver of use of Town Property and a Peddlers license. VOTE 5-0.

**e. Adoption of Goals – July 2013 – April 2014**

Meier MOVED and SECONDED by Zuern to approve Adoption of Goals July 2013 – April 2014. VOTE 5-0.

**Town Administrator's Report**

**a. Current hires and vacancies (informational)**

There is a vacancy in the mechanics position at the DPW and has a hired individual who will be starting in two weeks. Another mechanic's position opened up due to a transfer and was posted today.

The position description for the Facilities Department is being worked on. He will await the return of Facilities Manger before posting.

The date of 8/27/13 will be the swearing in of Firefighters promotions. He will have more information as we move forward.

Zuern went to the Cape Cod Water Protection Collaborative meeting. They are looking to set up a committee that would be looking at alternatives. If anyone interested to contact TA Guerino.

**Adjourn**

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 9:11 pm. UNANIMOUS VOTE.

Respectfully submitted,  
Lisa A. Groezinger, sec.

Joint Meeting of the  
Board of Selectmen and the FinCom  
Minutes of August 14, 2012  
Bourne's Veterans Memorial  
Buzzards Bay, MA 02532

2012 SEP 10 PM 1 13

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Selectmen: Chairman John Ford, Vice-Chairman Don Pickard, Clerk Peter Meier, Earl Baldwin and Linda Zuern

Finance Committee: Chm. Michele Ford, Co-Vice Chm. Elinor Ripley and Mary Jane Mastrangelo, David Ahearn (excused), Mark DeCicco, Hal DeWaltoff, Glen Galusha, Bill Grant (excused), Donald Montour, Jeff Perry, John Redman and George Slade.

Members of the Press: Diana Barth, Bourne Enterprise and Paul Gately, Bourne Courier

List of documents

- None

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

**Finance Committee Meeting** - Chm. Ford called the meeting to order at 6:30 pm.

**Reserve Fund Transfers**

To transfer \$28,120 to allow continuity of the local cable access programming and staffing while articles of incorporation are sent to the Secretary of State and the non-profit is prepared and forwarded to the IRS for temporary approval. Once the non-profit is set up and in place, there will be an article for the transfer of money to the non-profit less dollars spent will be deducted and transferred back to the Reserve Fund – TA Guerino said most likely in October.

Mr. Mulvey – opposes the current charges in his cable bill. TA Guerino said Comcast indicated in the contract agreement there would be a check made to the town.

Mr. Mulvey – raised issue of subscribers being charged for a corporation that doesn't exist. TA Guerino said the option would to have the public access go "black" until set up. Mr. Mulvey said "appropriate" and "legal" are different and questions the legality of the fees.

Redman MOVED and SECONDED by DeWaltoff to approve the transfer of \$28,120 to allow continuity of the local cable access programming and staffing to General Receipts.  
UNANIMOUS VOTE.

**Update of Sewer Commissioner's Meeting**

FinCom Chm. Ford summarized the outcome of the 7/10/12 meeting. The BOSC was re-appointed for another two (2) years and by charge to investigate the next steps and costs underlined in the program presented by the WAC. The intent is to start narrowing charges and costs to get detailed information in looking to expand sewerage in Buzzards Bay. The BOSC agreed there is sufficient work and is important enough for the BOSC to attempt to meet monthly for updates with the WAC.

Mastrangelo – would like the WAC to come before the Capital Outlay Committee.

V. Chm. Pickard – Selectmen Chm. Ford and TA Guerino have met to discuss what the needs are and possible alternative methods to discuss before the BOSC with regard to reducing the town's nitrogen loading.

Zuern – Sat. 8/18/12 is workshop on Composting Toilets from 10:00 am -12:00 pm.

FinCom Chm. Ford - FinCom will stay in session until after the audit review.

**Call Meeting to order – Chm. Ford at 7:00 pm.**

**a. Sullivan, Rogers & Company, LLC to review and discuss report on FY11 Municipal Audit with the Board of Selectmen and Finance Committee – Chris Rogers**

New standard for fund-balance reporting as of 2011. There are five new categories that took effect to the FY11 presentation (pages 36 and 37).

1. Nonspendable
2. Restricted
3. Committed
4. Assigned
5. Unassigned

Financial Summary (pages 18-21)

Balance Sheet of Governmental Funds (June 30, 2012). New Fund Balances broken down and briefly reviewed. Bourne is in a good financial position.

Propriety Funds Statement of Net Assets (page 24)

Revenue surplus - \$250,000 for the year.

CPA and School Construction Fund balances were also briefly reviewed.

ISWM – loss of \$2.3M due to estimated closure costs and capacity of Phase II had been completed (as use, expenses go up).

Note: Capital Assets (page 44) reviewed, totaling a little over \$95M; Sewer - \$3.9M, Landfill - \$93.3M

Note: Long term debt (page 49)

Details related to the outstanding indebtedness at 6/30/11 and the debt service requirements.

Note: Landfill Closure and Post-closure Care (page 53) briefly reviewed. TA Guerino said the town is in full compliance of Closure and Post-closure with DEP in this point in time.

Note: Other Post Employment Benefits (page 54).  
Briefly reviewed.

Note: Net OPEB obligation of \$9.4M out of liability. Increase will grow.  
Briefly reviewed.

Note: Fund Balances (page 58) components of numbers.  
Briefly reviewed.

Note: Stabilization Funds (page 58)  
Amounts and where reported at briefly reviewed.

General Fund – Schedule of Revenues, Expenditures and Changes in Fund Balance Budget and Actual for FY ended 6/30/12 (page 62).

Town of Bourne Reports on Internal Control Over Financial Reporting, Compliance and Federal Award Programs

The audit didn't identify any material weaknesses or deficiencies or on compliance here as no opinions are stated here. This is the most important report.

Town of Bourne Management Letter  
Federal Awards

Bourne spent \$2M. Includes Title I and Special Education Programs. The audit issues an unqualified opinion of two programs, but found 11 findings related to the two programs.

The audit found five (5) findings of internal control. With regard to the Special Education and Title I Programs - both had issues of maintaining appropriate documentation.

- Title I – 5 out of 35 employees didn't have appropriate documentation. Question cost of \$3,200.
- Special Education - 11 out of 32 employees didn't have appropriate documentation. Question cost of \$23,000.

Granting Agency can come back look at Bourne's records. The history with Federal Department of Education is that they probably won't hear about the findings, but Bourne should review and correct.

Reporting has to be based on the Town's General Ledger. Verify information should be recorded in General Ledger and that it agrees. The findings are pretty simple to resolve but do need to be addressed.

#### Management Letter

7 comments; 4 repeated and 2 new comments. Two internal control over financial reporting.

#### Risk Assessment and Monitoring

Recommendation - develop and implement a monitoring program to periodically evaluate the operational effectiveness of internal controls.

Ford – this is part of the BOS policy. TA Guerino said the town side has improved and the policies for the Financial Department and one of the Selectmen's goals is to tighten up. A risk assessment and monitoring policy has been written and will be brought forward for acceptance by the BOS.

Zuern – can the BOS ask for a copy of report to be sent to the Financial Director for back up.

Mastrangelo – she would like to see a policy where grants administrators would request report needed from the General Ledger. It was said this is a simple step to resolve.

TA Guerino –there are some issues, but he can see a huge improvement in the accounting and bookkeeping in the School Department. He doesn't feel the need of a policy but does feel it needs to be cleaned up.

Ford – he agrees with Mastrangelo with regard to policy development.

#### General Ledger

There are accounting issues, but the auditor has met with Financial Director and this will be done next year.

#### Capital Assets

The town completed in 2/2012. This has already been resolved.

#### Student Activity Funds

School Department initiated a process that requires the Director of Business Services to conduct annual performance audit of all activity. Compliance procedures done either internally or externally.

#### Financial Policies and Procedures

Financial Director has begun the process of developing financial policies and procedures for several financial processes.

### Enterprise Funds

Written policy for indirect cost allocation has begun and will be used and updated annually during budget preparation. The town's Treasurer is following up.

Last comment has to do with:

Pension Accounting – a new standard will now require to book town's share of liability for the pension system. FY15 will be the implementation year and is strictly financial reporting.

TA Guerino – requested in the audit under Fund Balances for FY12 (beyond standard reporting) to add a page to show what is needed now and what you are used to seeing for transition on undesignated fund balance. Mr. Rogers can do this.

### **Conclude Joint Session**

Redman MOVED and SECONDED by DeWaltoff to adjourn. Meeting adjourned at 8:00 pm.  
UNANIMOUS VOTE.

Selectmen recessed for 5 minutes and were back in session at 8:06 pm.

### **Selectmen to discuss Facilities Manager (FM) position**

Money was approved at Town Meeting. The position is advertised with the School Department. Resumes have been reviewed and are at the point to commence interviews moving forward pursuant to the board's goals.

Couple of issues have been raised once position has been filled. One of the major pieces deal with long-term responsibilities - working with all custodial staff and to plan different ways to take care of buildings. The town has trades (electrical, plumbing, carpentry) who aren't available in detail or dedicated to jobs – this new staff would be out a couple of years. A couple of things that can be done in this interim period:

The FM's first year will take work off the shelf (Cecil program, looking at cost improvements for examples) and put together a realistic approach in addressing capital issues in existing structures (school and town). The other task is to look at the upcoming DPW facility, add value to the committee, serve as a Project Manager (if qualified saving substantial money) and assist in stamping engineering plans. TA Guerino asked if the latter is sufficient enough to move forward with an \$80,000 - \$90,000 salary or percentage of with remainder of the FY. It is budgeted the way it is funded, but this board has been diligent of cost benefit. He is at the point to move forward and wants to be sure he is backed by this board as he moves the position ahead.

TA Guerino – the position is sustainable as is. No custodians will be under the FM at this time, but it will be transitional. There is sufficient work to be done, but the questions is do we wait until we have the trades people on board or move position forward.

V. Chm. Pickard – believes the town needs to take position to finalization and will vote in favor to fill position as soon as possible.

Zuern – asked for clarification on the Facilities Manager position's responsibilities. TA Guerino said this isn't busy work, but can hire an outside company to do necessary work, however, this town is in need of a lead person to manage not just the custodial but work that needs to be done in the buildings. We have been dependent on DPW and Mr. Tribou for too long. We need to have someone in place.

Meier – this position will ultimately pay for itself and is for funding the position at this time.

V. Chm. Pickard – the town has \$250,000 in building replacement value. One goal of the FM should be to identify where the town is paying prevailing wages by evaluating paid invoices for the town and school side.

Zuern – the library had a leaky roof and asked if this is this what the FM would be doing. TA Guerino said yes and added that Ms. Plante has put in a lot of hours and is still getting specifications together vs. the FM would take a couple of months.

Mr. Mulvey – discussed capital expenditures of DPW, Fire Department, School Department, a Sewer proposal and the Pocasset Fire Station. He has concerns of adding people and expenses in town and when there is a layoff, it is costly in a number of ways. He feels a FM is not needed, and duties of the FM can be done by departments.

TA Guerino – the FM position is not about replacing employees.

Mastrangelo – the issue is addressing the capital expenditures identified which will take a long time. The really important thing is to have a FM to make buildings a good working environment until capital improvements are done. The FM would be a great help to the department heads and is in favor of implementing the FM position.

Redman – he is in support of moving the position forward.

Pickard MOVED and SECONDED by Meier to endorse the Facilities Manager position to direct TA Guerino to continue with the interview and selection process as soon as possible.

#### Discussion

Baldwin – would like to see the FM job description prior to the vote.

Zuern – take vote tonight and TA Guerino to send the description to review at the next meeting.

VOTE 4-0-1 (abstention from Baldwin).

TA Guerino will put the FM job description on the agenda of the next meeting.

**Set Special Town Meeting date for October 29, 2012**

Meier MOVED and SECONDED by Pickard to set Special Town Meeting date for 10/29/12.  
VOTE 5-0.

**Adopt Executive Order action regarding Transportation Advisory Committee (TAC) from October 18, 2011 meeting**

Chm. Ford said the board did discuss the committee make up on 10/18/12, but did not take a vote. He would like to recommend adding the Chief of Police or his designee.

Zuern – asked about why a Planning Board member and suggested a person familiar with bicycles. TA Guerino feels this person can be brought on as an exoficio member.

Meier – recommended a Planning Board member.

Pickard MOVED and SECONDED by Zuern that the membership of the Transportation Advisory Committee to consist of Department of Public Works Director, Chief of Police or his designee, a representative of the Cape Cod Commisson or the MPO, Planning Board and five (5) members appointed by Selectmen. VOTE 5-0.

**Adjournment**

Pickard MOVED and SECONDED by Meier to adjourn Selectmen meeting. Meeting adjourned at 9:00 pm. UNANIMOUS VOTE.

Respectfully submitted,  
Lisa Groezinger, sec.



2013 OCT 2 PM 3 02

TOWN CLERK'S OFFICE  
BOURNE, MASS

Board of Selectmen  
Minutes of August 27, 2013  
Bourne Community Building  
Bourne, MA 02532

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TA Guerino

Earl Baldwin, Chairman (excused)  
Linda Zuern, Vice-Chairman (excused)  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

**Documents**

- None

**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**

**Call to order**

Clerk Meier at 7:00 pm.

**Moment of Silence for our Troops and for Ms. Elinor Ripley who recently passed who has been an active member and a great asset to the Town of Bourne.**

**Salute the Flag**

**Bourne Youth Baseball Team Picture Event**

Dan Dunn, Head Coach for 8 and Under BYB All Star Team along with coaches - Jamie White, Gary Lewis, Mark Ferreira and James Brumstrom. The members of the team introduced themselves individually. Ellis read into record the Town of Bourne Citation for outstanding achievement.

**Public Comment – Non-Agenda Items**

Mr. Joseph Agrillo commented on the location of the DPW facility with the box turtle sightings. TA Guerino said if there is a turtle habitat, the town has to take mitigation measures, but it will not delay nor defer the project nor will it upset the species that are in the area. There will be an initial sweep of the sight, and if it is determined there are habitats of species, they will be moved and at the conclusion of excavation work, provide additional offset land that won't be preserved in perpetuity. Meier said with regard to when the elementary school was built, the turtles were not overlooked.

**Minutes: 7/23/13**

Ellis MOVED and SECONDED by Pickard to approve Minutes of 7/23/13 as submitted. VOTE 3-0.

#### **Correspondence**

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

Item H – Meier asked if the town is setting a precedent by allowing the signs. TA Guerino said he isn't prepared to make a recommendation as he hasn't spoken to Mr. George Sala. If you allow one, doesn't mean you can disallow others and vice versa.

Item B – TA Guerino said the allotment is just shy of \$600,000. The town isn't gaining any additional work this year.

#### **The Executive Suite Revision of Classification and Compensation Plan - Rating/Comp table – Warren Rutherford – POWER POINT PRESENTATION**

Troy Thompson explained the presentation shows the process the town has worked on for the past eight (8) months. TA Guerino introduced Mr. Rutherford. The Town of Bourne has committed itself to maintaining a competitive compensation schedule and to provide "equal pay for equal work". The adoption and maintenance of the recommended compensation schedule can assist in achieving this objective.

Mr. Rutherford recommends a twelve (12) grade compensation schedule and in order to implement, the town will need to do so through collective bargaining. He recommends a compensation schedule to be done annually as revenues allow.

TA Guerino said no one will lose compensation. This Plan gives the town opportunity to start a point-based system; a factually-based system for employees to progress which wasn't available in the past. As far as dollars at this time, he does not have any figures at this time.

Pickard asked what the next step will be. TA Guerino said the job description as approved by department heads and union stewards will be implemented. He will ask the full board to accept the report (not approve) and Ms. Thompson and TA Guerino will bring forward recommendations at Town Meeting and into collective bargaining.

#### **Licenses/Appointments**

##### **a. Associate – Planning Board – Revote for three year term**

Pickard MOVED and SECONDED by Ellis to rescind the vote of 6/18/13 of the appointment of Shaun D. Handy and Michael Leitzel as Associate Planning Board members expiring 6/30/14. VOTE 3-0.

Pickard MOVED and SECONDED by Ellis to appoint Shaun D. Handy and Michael Leitzel as Associate members to the Planning Board for terms to expire 6/30/16. VOTE 3-0.

**b. Commission on Disabilities' Appointment**

Pickard MOVED and SECONDED by Ellis to appoint Dr. Michael L. Flynn, Esq. to the Commission on Disabilities for a term to expire 6/30/14. VOTE 3-0.

**c. Bylaw Committee – Planning Board Member**

Pickard MOVED and SECONDED by Ellis to appoint Elmer Clegg to the Bylaw Committee for a term to expire 6/30/15. VOTE 3-0.

**d. One Day Liquor – Friends of the Library**

Pickard MOVED and SECONDED by Ellis to approve One Day Liquor license for the Friends of the Library at 6 Aptuxet Road on 9/7/13 per routing slip (Police Dept., BOH, Fire Chief). VOTE 3-0.

**e. Steven Cooke Philbrick d/b/a Bourne Taxi - request for change of business name**

Pickard MOVED and SECONDED by Ellis to approve Steven C. Philbrick request for Change of Business Name from Bourne Taxi Company at 1 Ridgehill Lane to Sagamore Beach Transportation for a 2004 Mercury Marquis LV46591 (sale pending on other vehicles) per routing slip.

Mr. Philbrick explained the taxi service won't change, but this will enhance the meter portion and allow more time for contracted work (elderly services); it makes both services full time services.

VOTE 3-0.

**f. GAF Auto Brokers – Class II Dealer's License**

Pickard MOVED and SECONDED by Ellis to approve Gregory A. Folino's GAF Auto Brokers request at 95 Lewis Point Road for Class II Dealer's license per routing slip. VOTE 3-0.

**g. 24 Hour Taxi – request for three [3] additional taxi cabs**

Pickard MOVED and SECONDED by Ellis to approve Richard Sherman request for 24 Hour Taxi at 2 Williams Avenue, Unit #B request for three (3) – 2006 Dodge Caravan – TA693C; 2009 Dodge Caravan – registration to be issued; and 2006 Chrysler Town & Country – registration to be issued per routing slip and payment made for the three vehicles and all others issues related to the Town Hall are settled.

Mr. Agrillo asked how many cabs each taxi company has. Mr. Sherman said he has two (2) cabs and Mr. Philbrick has two (2) cabs.

VOTE 3-0.

**Selectmen's business**

**a. Estimated Order of Betterments – Cataumet Hills – Sanderling Drive, Whimbrel Drive and Pintail Circle**

TA Guerino recommends the board approve.

Ellis MOVED and SECONDED by Pickard to approve the Estimated Order of Betterments (Cataumet Hills, Sanderling Drive, Whimbrel Drive and Pintail Circle). VOTE 3-0.

Meier congratulated the new firefighters and the new lieutenants.

Pickard said Mr. Paul Judge husband of Ms. Debbie Judge will be retiring on 8/30/13. He has been a member of the military for 36 years. He thanked Mr. Judge for his years of service.

Meier recognized Mr. Richard LaFarge's service to the town. An appointment will be needed. TA Guerino to draft a letter on behalf of the board thanking Mr. LaFarge for his service.

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

##### **a. Set date for Special Town Meeting – October 21, 2013**

Pickard MOVED and SECONDED by Ellis set the date to 10/21/13 for the Special Town Meeting. VOTE 3-0. TA Guerino said Articles due to the TA office on before Fri. 9/6/13. Currently we have eight (8) articles.

##### **b. Review and adopt proposed marijuana cultivation and dispensary moratorium**

TA Guerino said there shall be no more than 35 dispensaries in the Commonwealth and at least one placed in each 13 colonies of the Commonwealth. This will need to go before the Planning Board. He recommends the board approve the Article to move forward.

Pickard MOVED and SECONDED by Ellis to forward the Draft Bylaw for temporary moratorium to the Planning Board. VOTE 3-0.

Meier said Section 4831 Purpose seems like an opinion and is not the board's position.

Mr. Joseph Agrillo requested clarification of the routing of said bylaw. Meier said once the Planning Board takes a position, it will then go to Town Meeting.

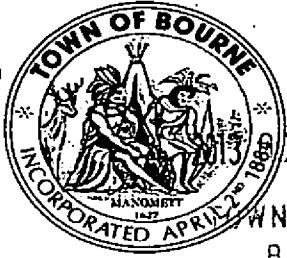
VOTE 3-0.

TA Guerino said the town has allowed construction companies to begin work in Sagamore after the February/March storm damage. These companies are looking to begin work before Labor Day. He understands the necessity to move forward with construction for beach stability, but he is not allowing any construction to begin prior to Columbus Day.

#### **Adjourn**

Pickard MOVED and SECONDED by Ellis to adjourn. Meeting adjourned at 8:15 pm.  
UNANIMOUS VOTE.

Respectfully submitted, Lisa A. Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



SEP 29 AM 10 12  
TOWN CLERK'S OFFICE  
BOURNE, MASS

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday September 3, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (Items 1-3) Call to order

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

4. Correspondence

5. 7:15 Hearing: Underground Propane Storage Tank

6. Licenses/Appointments

- a. Cataumet Club Agreement
- b. Vacancy on the Community Advisory Council

7. Selectmen's business

8. Adjourn

Board of Selectmen  
Minutes of September 3, 2013  
Bourne Community Building  
Bourne, MA 02532 TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino (excused)

Earl Baldwin, Chairman (excused)  
Linda Zuern, Vice-Chairman (excused)  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

**Documents**

- None

**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**

**Call to order**

7:00 pm.

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

**Public Comment – Non-Agenda Items**

None.

**Correspondence**

None.

**7:15 Hearing: Underground Propane Storage Tank**

Chm. Meier opened the public hearing at 7:15 pm and read legal notice into the record. He explained the applicant has 20 days to appeal once filed with Town Clerk. Mr. Michael Lafortone, representing Gendren Construction.

Pickard asked applicant to contact Board of Health agent with regard to the tanks.

Ellis asked if the applicant had any issues. Applicant is looking simply to increase capacity.

Pickard MOVED and SECONDED by Ellis to close public hearing. VOTE 3-0.

Pickard MOVED and SECONDED by Ellis to add one 1,000 gallon tank increase to a total of three (3) 1,000 gallon underground propane storage tanks at 169 South Road, owned by Joseph C. Maher, Jr. Trust/Sega Realty Trust. Roll call: Pickard – yes; Ellis – yes; Meier – yes.

**Licenses/Appointments**

**a. Cataumet Club Agreement**

Pickard MOVED and SECONDED by Ellis to authorize the Lease Agreement between the town and The Cataumet Club, Inc., a non-profit Mass. Corporation located in Cataumet MA pending Town Counsel approval as to form. VOTE 3-0.

**b. Vacancy on the Community Advisory Council**

Meier said without written letter stamped through the Town Clerk, no action shall be taken at this time.

Pickard and Ellis concur with Chm. Meier.

**Selectmen's business**

Ellis believes that we have a bylaw requiring that all fees and taxes owed to the town must be paid in full by a petitioner before he/she can make a request for a Special Permit or any other permit from a town board.

Ellis MOVED and SECONDED by Pickard to seek opinion from Town Counsel as to the validity of this requirement. In other words, can a hearing go forward from a petitioner who owes the town money or must the petitioner pay his debts to the town first.

Pickard agrees with Ellis that people should be held accountable, but suggests this as an agenda for the full board to weigh in on.

Ellis requests Town Counsel review only opinion of the strength of the town's bylaw. Pickard concurs.

Mr. Mulvey suggested a routing slip be created. Chm. Meier said it will trigger action and to let other departments know.

SELECTMEN VOTE 3-0.

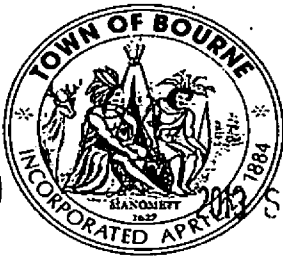
Chm. Meier brought up emails being sent to the board and to town employees without a name from the Cape Cod Commission. Any emails sent to employees should be sent to TA Guerino's office. If any correspondence does not have a name, it will not be submitted into correspondence.

Ellis concurs.

**Adjourn**

Pickard MOVED and SECONDED by Ellis to adjourn. Meeting adjourned at 7:30 pm.  
UNANIMOUS VOTE.

Respectfully submitted, Lisa A. Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



TOWN CLERK'S OFFICE  
**6:00 P.M. Executive Session – Contracts ISWM Negotiations and  
Ongoing Litigation**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday September 17, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

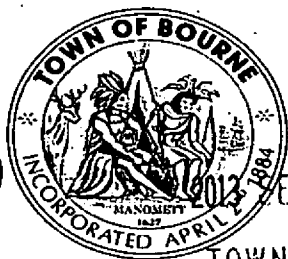
**Note this meeting is being televised and recorded. If anyone in the audience is recording or video taping, they need to acknowledge such at this time.**

7:00 – 7:10 (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: 8.27.13, 9.3.13
  
5. Correspondence
  
6. Local Emergency Planning Committee update
  
7. Licenses/Appointments
  - a. 7:45 p.m. Shellfish Grant Hearing – to be rescheduled for October 1, 2013 at 7:20 p.m
  - b. 8:00 p.m. Transfer from ACK Market to RFS Market
  - c. Monument Beach Sportsman's Club – Change in Manager
  - d. MMA @ Beachmoor – [2] One Day Liquor
  - e. MMA @ MMA – [6] One Day Liquor
  - f. Annual Watershed Ride – Use of Town Roads
  - g. The Mad Batter Bakery – Hawker and Peddler for waiver Use of Town Property
  
8. Selectmen's business
  - a. DPW Facility Conservation Restriction (presentation)
  - b. Board to discuss options regarding 1 Trowbridge Road
  - c. Pan Mass Challenge request for signage -
  
9. Town Administrator's Report
  - a. Special town meeting update
  - b. DHCD visit to Coady
  - c. Custodial service in Town Hall
  - d. Hoxie update

10. Adjourn





# Board of Selectmen Meeting Notice AGENDA



SEP 14 PM 12 10  
TOWN CLERK'S OFFICE  
**6:00 P.M. Executive Session – Contracts ISWM  
Negotiations and Ongoing Litigation**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday September 17, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (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: 8.27.13, 9.3.13
5. Correspondence
6. Local Emergency Planning Committee update
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  - e. MMA @ MMA – [6] One Day Liquor
  - f. Annual Watershed Ride – Use of Town Roads
  - g. The Mad Batter Bakery – Hawker and Peddler for waiver Use of Town Property
8. Selectmen's business
  - a. DPW Facility Conservation Restriction (presentation)
  - b. Board to discuss options regarding 1 Trowbridge Road – Deferred until October
  - c. Pan Mass Challenge request for signage -
9. Town Administrator's Report
  - a. Special town meeting update
  - b. DHCD visit to Coady
  - c. Custodial service in Town Hall
  - d. Hoxie update

10. Adjourn

2013 OCT 2 PM 3 03

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of September 17, 2013  
Bourne Community Building  
Bourne, MA 02532**

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TA Guerino

Earl Baldwin, Chairman (excused)  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

**Documents**

- Charter Review Committee dated 9/17/13 – 2 pages
- Emergency Communications – Enhancing Alerting and Information Capabilities dated 9/17/13 – 3 pages

**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**

Meier MOVED and SECONDED by Pickard to go into Executive Session and to reconvene in public session at 7:00 pm. Roll call: Zuern – yes; Pickard – yes; Meier – yes; Ellis – yes.

**Call to order**

Chm. Zuern at 7:00 pm.

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

**Public Comment – Non-Agenda Items**

Mr. Anderson reviewed three reorganization proposals for the Charter Review Committee:

1. Status quo – no changes
2. Option 1 – Assembly of Delegates Resolution 13-01 model
3. Option #2 – Charter Review Committee suggested model

Mr. Anderson briefly discussed the Cape Cod Commission (CCC) and Assembly Delegates with regard to the DCPC and fertilizer regulations. If Bourne wants their own protection, they have a deadline of 1/1/14 to submit, if the DCPC passes the regulations. If it doesn't pass, towns cannot act on their own separate fertilizer regulations. They will have to be in line with the State.

Zuern asked why DCPC. Mr. Anderson said it is the only way to get before the whole county and is legal according to the CCC. Zuern asked Mr. Anderson's thoughts and he responded he would like to keep as is.

Ellis asked what the tenure of the discussion of the Delegates was. Mr. Anderson said the Charter Review is leaning towards Option #1, but it needs to go to the people.

Fire Chief Greene thanked the board for their letter of recognition of Howie Anderson who recently retired.

**Minutes: 8.27.13, 9.3.13**

Meier MOVED and SECONDED by Ellis to approve minutes of 8/27/13. VOTE 3-0-1 (Zuern abstained).

Meier MOVED and SECONDED by Ellis to approve minutes of 9/3/13 as submitted. VOTE 3-0-1 (Zuern abstained).

**Correspondence**

Meier read correspondence into the record. Hard copies are available at the Town Administrator's office.

Meier briefly discussed Item D. TA Guerino said when a vacancy comes up, the town will advertise. He thanked Mr. Wright for his years of service. TA Guerino will follow up.

Ellis briefly discussed Item J with regard to the Water District and the board should endorse.

TA Guerino briefly discussed Item C. This will be addressed the first meeting in October for an annual update before the board.

TA Guerino briefly discussed Item I and will check with the CCC relative to the date of the letter.

**Local Emergency Planning Committee update**

Mr. Charles Noyes and several LEPC members present: Mr. Weaver, Ms. Monteiro and Fire Chief Greene and Zuern. Immediately following the 2/13 storm, the board directed a regular shelter be established. Most Bourne residents didn't want to go out of Bourne. The LEPC met on 3/6/13 to address concerns of residences on local shelters. There was a formation of subcommittees: Communication Committee - to improve notification; Transportation Committee - to identify local resources (COA and School Department); Feeding Committee - how to feed shelter residents through COA and School Department cafeterias; Public Education Committee - pamphlets made for Bourne residents. All subcommittees were formed for pre-emergency planning. With regard to sheltering, the town identified 36 people to staff the shelter. At this time, there are no commitments, as this is still a work in process. In summary, the town is much better prepared than they were in February.

Mr. Mark Lever, PowerPoint presentation. Hard copies of presentation given to Chm. Zuern.

In summary, the town needs: 1) Early and consistent alerting; 2) Tiered technology with Public Education campaign; Two-way communication; Town CIO; Town Operational Flexibility; and Funding for System enhancements needs to be explored.

Mr. Noyes said the LEPC met monthly and has better knowledge on how to communicate to the public. He thanked Mr. Paul Gately for publishing information.

Mr. James Mulvey suggested a list of gas stations with generators for the members of the public.

#### **Licenses/Appointments**

##### **a. 7:45 p.m. Shellfish Grant Hearing**

To be rescheduled for October 1, 2013.

##### **b. 8:00 p.m. Transfer from ACK Market to RFS Market**

Chm. Zuern opened the public hearing and read into record the legal ad.

Mr. Russell Salimony's intentions for the store would be kept exactly the same.

TA Guerino said the board can approve this license pending all outstanding issues. His office will hold forwarding to the ABCC until all the paperwork is handed in. He recommends the board approve.

Scott Fitzmorris is in favor of this transfer in ownership.

Meier MOVED and SECONDED by Pickard to close public hearing. VOTE 4-0.

Ellis MOVED and SECONDED by to approve the transfer in ownership from ACK Market, Inc. to RFS Market, Inc. (liquor license and property) per routing slip (BOH) and pending all paperwork is handed in (taxes). Pickard – yes; Meier – yes; Ellis – yes; and Zuern – yes.

##### **c. Monument Beach Sportsman's Club – Change in Manager**

Change in Manager – no hearing required. Recommends the board approve.

This pertains to the liquor license.

Meier MOVED and SECONDED by Ellis to approve Monument Beach Sportsman's Club, Inc.'s request at Dump Road, Off MacArthur Boulevard, Bourne for a Change in Manager only from David R. Nichols to Henry F. Donovan. VOTE 4-0.

##### **d. MMA @ Beachmoor – [2] One Day Liquor**

Pickard MOVED and SECONDED by Meier to approve Commonwealth of Mass. And Mass. Maritime Academy's request at 11 Buttermilk Way, Buzzards Bay for Two (2) One Day Liquor Licenses to be held at the Beachmoor at MMA:

- 1) 9/28/13 – 4:00 pm – 9:00 pm (All Alcoholic)
- 2) 10/5/13 – 3:30 pm – 7:00 pm (Time Change only). VOTE 4-0.

**e. MMA @ MMA – [6] One Day Liquor**

Meier MOVED and SECONDED by Ellis to approve Commonwealth of Mass. And Mass. Maritime Academy request at 101 Academy Drive, Buzzards Bay Six (6) One Day Liquor Licenses:

- 1) 10/4/13 – 2:30 pm – 9:30 pm (Wine & Malt) @ Pande Dining Hall
- 2) 10/4/13 – 3:30 pm – 5:00 pm (Wine & Malt) @ Blinn Hall
- 3) 10/5/13 – 3:30 pm – 7:00 pm (All Alcoholic) @ ABS Library Info Comm
- 4) 10/5/13 – 12:30 pm – 7:00 pm (Wine & Malt) @ Alumni Gym/Clean Harbor Center
- 5) 10/5/13 - 3:30 pm – 7:00 pm (Wine & Malt) @ Blinn Hall
- 6) 10/5/13 – 3:30 pm – 7:00 pm (Wine & Malt) @ Pande Dining Hall. VOTE 4-0.

**f. Annual Watershed Ride – Use of Town Roads**

Ellis MOVED and SECONDED by Pickard to approve Donna Cobert for the Buzzards Bay Coalition request at various roads in Bourne for the Watershed Cycling Ride from Westport to Woods Hole on 10/6/13 beginning in Westport at 9:00 am – 5:00 pm in Woods Hole. VOTE 4-0.

**g. The Mad Batter Bakery – Hawker and Peddler for waiver Use of Town Property**

This was withdrawn at the request of the applicant per TA Guerino.

**Selectmen's business**

**a. DPW Facility Conservation Restriction (presentation)**

This is an update for the board on the process of the Conservation Restriction. Templates of the New DPW Facility Project Description and Declaration of Restriction were given to the board. Mr. Jonathan Nelson, Facilities Director, said clearing to begin this Fall. TA Guerino said Mr. Steve Valentine of the Conservation Trust is more than willing to work with the town.

Mr. Nelson, Facilities Manager, said if development happened on the other portion land on the site, there wouldn't be a need for other restrictions on the site moving forward.

Meier MOVED and SECONDED by Ellis to approve the Declaration of Restriction as presented pursuant to the Mass. Endangered Species Act Gl. C. 131a:3 and 321.CMR 10.23. VOTE 4-0. An update will be given sometime in October, per TA Guerino.

**b. Board to discuss options regarding 1 Trowbridge Road**

This is deferred until October, per TA Guerino.

**c. Pan Mass Challenge request for signage**

TA Guerino said Pan Mass is providing signage to the town and is asking for town help in erecting said signage.

Zuern, Ellis and Meier were not in favor of the nature of the request. Pickard would be in favor of signage based on the Public Works Department recommendation.

Meier MOVED and SECONDED by Ellis to deny the request of Pan Mass Challenge. VOTE 3-1 (Pickard in opposition).

**Town Administrator's Report**

**a. Special Town Meeting update**

TA Guerino will review articles in detail at a later date but briefly described Articles.

Article 1 - Unpaid bills.

Article 2 – Zoning Bylaws. TA Guerino will go before the Planning Board on the Selectmen's behalf.

Article 3 – Capital Improvement.

Article 4 – repair and upgrade of Bournedale Herring Run, Red Brook Herring Run and saltmarsh restoration at and adjacent to the Cape Cod Canal on Old Bridge Road.

Article 5 – Sewer Retained Earnings

Article 6 – Reports and recommendation

Article 7 – Budget; amend vote taken under Article 14 of 2013 ATM.

Article 8 – Town Bylaws.

Article 9 – will defer to Ms. Linda Marzelli.

Article 10 – Town's OPEB liability.

Article 11 – CPC.

TA Guerino notified the board of a meeting to be held on 10/8/13 of a meeting from 2-4 pm at the Community Building or at the Library relative to the kick off of traffic reconfiguration at Belmont Circle.

**b. DHCD visit to Coady**

TA Guerino said there is an importance of the town closing with the Stratford Capital's purchase and sale agreement. The issue is the tax credits coming in for historic purposes. DHCD provides approval in this round of funding.

**c. Custodial service in Town Hall**

TA Guerino said the town put out an RFP for private custodial work as the town's two custodians retired. This was a three-month trial which has been extended through the end of this current fiscal year. In addition, a \$1,500 add-on was included to clean exterior windows.

Monies paid to the custodians is paying for the private custodial care. The positions are not currently being filled. This is a net savings of \$40,000 to the town.

Pickard asked about expanding the contract to other buildings. TA Guerino and Mr. Nelson are thinking about that looking forward.

**d. Hoxie update**

TA Guerino said the town has been working with all Board of Directors for the non-profit to come up with a set of criteria for the proposed purchase and sale agreement. The building has a recurring minor leak in the roof and a hot top patch will be done to stop it. There is sufficient oil in the tank which has transferred from the library to the Hoxie with the right stabilizers to keep the oil fresh. The Directors have done a good job in conveying their desires on what they plan to do with the building. Atty. Troy, the Board of Directors and himself will bring back to the board a full agreement. TA Guerino said he is not ready for a timeframe, but there will be a push to move forward. This is the best option for the town at this point in time and he recommends it.

Mr. Scott Fitzmorris said their goal is to preserve the building. The Directors met with Cape Cod 5 for mortgage and funding resources. They are looking into using CPA funds. If anyone wants to donate, they can go to Facebook – Hoxie Center at Sagamore Beach.

Ellis asked if there is a program to submit to the TA Guerino to fully understand and to make people aware of financing through Phases. Mr. Fitzmorris said not at this time.

**Selectmen's Business**

Meier reminded citizens of the Scallop Festival this weekend. He attended the Harvest Festival this past weekend.

Zuern said at the Cape Cod Water Protection Collaborative meeting there was discussion on the funding of regional wastewater projects. The Piper's Band is Sunday at 2:30 pm at the Aptucxet sponsored by the Historical Society.

Ellis said he wanted to put on the next meeting's agenda the removal of state sign at 5 Corners that says "Barnstable County Hospital" and is misleading because it directs people to facility that no longer exists. TA Guerino to follow up.

TA Guerino will be at a ICA conference in Boston next week.

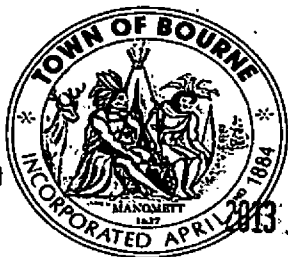
**Adjourn**

Meier MOVED and SECONDED by Pickard to adjourn. Meeting adjourned at 9:00 pm.

UNANIMOUS VOTE.

Respectfully submitted, Lisa A. Groezinger, sec.





# Board of Selectmen Meeting Notice AGENDA



2013 SEP 27 AM 10 46

TOWN CLERK'S OFFICE  
BOURNE, MASS

Date

Tuesday  
October 1, 2013

Time

7:00 p.m.

Location

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

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

7:00 – 7:10 (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: 09.17.13
  
5. Correspondence
  
6. Review, Vote & Sign Warrant for Special Town Meeting
  
7. 7:20 p.m. Shellfish Grant Hearing
  
8. Transportation Committee Update to Selectmen
  
9. Licenses/Appointments
  - a. Historic Commission Vacancy
  
10. Selectmen's business
  - a. Waiver of fee for Psychic Fair
  
11. Town Administrator's Report
  
12. Adjourn

**Board of Selectmen  
Minutes of October 1, 2013  
Bourne Community Building  
Bourne, MA 02532**

OCT 18 PM 2 10

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

**Documents**

- None

**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**

**1. Moment of Silence for our Troops**

**2. Salute the Flag**

**3. Public Comment – Non-Agenda Items**

Mr. Richard Elrick updated the board on the Bourne Solarize Program which has extended through the month of October. At this time there are eight contracts that are signed. Anyone interested in the program, please call Mr. Elrick at 508 759-0600 x302 or contact Cotuit Solar at 508 428-8442. You can visit the website [www.solarizebourne.org](http://www.solarizebourne.org).

**4. Minutes: 09.17.13**

Meier MOVED and SECONDED by Zuern to approve minutes of 9/17/13. VOTE 4-0-1 (Baldwin abstained).

**5. Correspondence**

Correspondence read into the record by Meier. Hard copies are available at the Town Administrator's office.

Ellis requested TA Guerino to speak with the Recreation Department with regard to the Skateboard Park at Clark Field.

Ellis asked about Item I and that TA Guerino request the historic building on Keene Street to be included. TA Guerino will request Comcast extend for the facility.

Zuern asked about Item E with regard to the 'To Go' means. TA Guerino said the town is going to absorb the Meals program. The program has been losing money. He is taking \$11,000 - \$12,000 in the budget to continue the existing meal program going forward. He has two letters from concerned seniors and will contact when he knows the disposition.

Zuern asked TA Guerino to look into Item L.

Meier requested TA Guerino respond to Item G..

TA Guerino asked if the board wants to continue to support the moratorium with regard to Item F and to ask NStar to remain in effect. The board is in concurrence to keep at it is.

Meier MOVED and SECONDED by Zuern to go into a recess until 7:20 pm for the public hearing. UNANIMOUS VOTE.

## **6. Review, Vote & Sign Warrant for Special Town Meeting**

### **Article 1 – Unpaid Bills**

General Fund - \$160

- Human Resource Expense - Tristen Medical - \$90
- Town Building Maintenance Expense – North Sagamore Water District - \$35
- Fire Department Expense – North Sagamore Water District - \$35

ISWM - \$9,677.70

- Salaries – P. Watt \$9,032.70
- Contracted Services - Carlysle Engineering \$645

### **Article 2 – Zoning Bylaws**

Temporary Moratorium on Medical Marijuana Treatment Centers which allows the town a year to work on an area in town that such activity would be allowed in a business zone. The town cannot prohibit, but can zone an area. Selectmen forwarded to the Planning Board. Planning Board voted to accept. Report will be made at Town Meeting.

### **Article 3 – Capital Improvement**

- Fire Station Three - \$15,000 (breakdown in the concrete and caulking)
- Fire Station One - \$15,600 (breathing apparatus, asbestos clean-up mitigation). This will include the plumbing/toilets. Mr. Nelson to have the new total.
- Town Hall - \$8,000
- Sub room air conditioning in the IT room - \$12,000
- Electric Hybrid vehicle - \$29,000

### **Article 4 – Supplement FY2014 Sewer Budget**

To keep rates stabilized that the Board of Selectmen set. Money will be from Sewer Department Retained Earnings in the amount of \$50,000

Article 5 – Departmental Budgets

TA Salaries - proposing to add secretary/administration in the Selectmen's office – floater as well as a succession plan. This position will be used by three departments.

Finance – IT in the amount of \$10,000 needed to navigate Town Hall website.

Town Planner - \$9,300 to continue assistant Town Planner supplement to keep position intact.

Fire Department Salaries - \$27,000 in the budget into Fire Department budget is specifically for the addition of the Assistant Chief for the last quarter. TA Administrator is in full support of this position.

Discussion held about this new position, which is sustainable. TA Guerino said there is a leadership void from a command perspective and it is a necessary position.

Town Hall Maintenance – transfer monies from salary into expenses to pay contractor for the rest of the current fiscal year. This is a savings of \$53,000 to the town.

Facilities Management Expenses – to do some in-house projects that aren't considered capital items. TA Guerino doesn't have the paperwork tonight and will bring to the board in the morning. This is the same with Other Debt Service discussion.

DPW Expenses – free cash from DPW in the amount of \$14,000 for repairs.

Library Expenses – \$4,000 in labor but brings up to the level for State match. Part is from some people leaving, so hiring people at lower levels. Copy center is contracted out so no revenues coming in from the copiers.

COA Expenses – Revolving Fund. The meals ran over and the town has committed to fully fund to hold the services at current level in the amount of \$13,000.

Discussion – Fire Chief position

Meier is in favor of the position.

Pickard would like to take the Assistant Fire Chief to an Annual Town Meeting vote where it may require an override.

Zuern feels this position is needed but is uncomfortable to vote at a Special Town Meeting and suggested putting on the Annual Town Meeting. TA Guerino said the issue is the timeframe. If this isn't authorized now, we are putting off almost another full year.

Ellis supports this request.

Zuern will support if needed.

Chm. Baldwin is in favor of this request.

Zuern requested to look into Civil Service Cape wide at a future hearing. TA Guerino said to include both Fire and Police.

VOTE: Meier MOVED and SECONDED Zuern to support Article 5 as presented. VOTE 5-0.

Article 6 – Centennial Celebration

\$50,000 to supplement a vote taken at the 2013 ATM for public safety. This could also include medical tents.

Article 7 – Unpaid Tax Commitments

This Article allows the Assessor's Office ability to write off bills that are under \$10.

Article 8 – OPEB liability

This is a reallocation of funds that weren't used. This is a good second step to move forward. The total amount is \$100,000.

Article 9 – CPC

The Carlson Property. The town's share for two parcels equaling 42,569 SF is \$149,917. The Article total is for \$170,000 to include incidentals. Anything unspent will be put back into the CPA fund.

Article 10 – CPC

Total amount of \$15,800 for storm damage to the Briggs McDermott House. CPC will entertain application. The Historic Preservation is asking to be reimbursed.

Ellis MOVED and SECONDED by Meier to authorize TA Guerino to seek Town Counsel approval on a municipal interest and the town's liability issue at the crosswalk at Sandwich Road. VOTE 4-1 (Pickard).

Article 11 – Accrued contractual compensated absences

The amount is \$70,000 of accrued contractual compensated absences.

Article 12 – Reports and Recommendations

This request is made by the Moderator.

Article 13 – Easement with One Trowbridge Road

This easement is off Perry Ave for the parking lot to be accessed. A vote will be made at Town Meeting.

Ellis stated that in exchange for easement (Perry Ave.) from the town benefitting a private business that business owner should be required to grant unrestricted public access to the parking lot he hopes to construct.

*Ellis filed a Disclosure of Appearance of Conflict of Interest under Article 13 through Zuern. His wife is a member of the Board of Directors of the Bourne Society for Historic Preservation – their property abuts the property in question.*

Ellis said we need the total public interest to be ready for restrictions for the property. TA Guerino said if there is public access to this parking lot, the issue is the parking lot. Ellis also commented on the sale of the ancient house of the site. TA Guerino said the town needs to have a municipal interest in that negotiation and would need the board's approval to have him check with Town Counsel. Ellis' other suggestion is for TA Guerino to consult Town Counsel for the liability issue at the crosswalk at Sandwich Road. TA Guerino said he believes the road is a State maintained and approved by the Commonwealth.

Zuern feels if the town allows an easement, the town will ask how it will benefit from approval of the easement.

#### Article 14 – Easement with One Trowbridge Road

This easement deals with where construction has taken place on Trowbridge – the needs to grant easement to ease liability if there was an issue at that location.

#### Article 15 – Easement with David P. Delancey

Board of Selectmen approved work to be done on town property for maintaining existing landscaping and outdoor patio area. The town needs access to have liability issues to be taken care of.

TA Guerino said based on Town Counsel, Article pulled today with regard to Bournedale Herring Run.

Meier MOVED and SECONDED by Zuern to sign Warrant as presented tonight. VOTE 5-0.

#### **7. 7:20 p.m. Shellfish Grant Hearing**

Chm. Baldwin read hearing notice into record. Mr. James Rossignol and Mr. Daniel Maurice present tonight filed a joint application on 6/20/13 to establish an Aquaculture/Shellfish Grant License within the municipal waters of the Town of Bourne within Buzzards Bay. The grant will measure approximately 300 by 145 and will be located approximately 550 west of Tobys Island, 2870 southeast of Mashnee Island, and 1300 northwest of the mouth of the Pocasset River.

Mr. Maurice has worked with towns in Wellfleet and Mashpee. Mr. Rossignol does not have any experience but always had a desire to volunteer with the local Aqua farms .

Mr. Maurice explained the operation is oysters. There is a need to keep the young oysters clean and away from predators. There will be a maximum of 200 cages or 1 million oysters under one acre. There will be no storage of gear on town landings.

Mr. Mullen, Director of DNR, stated that at this point there are few areas that are suitable to meet criteria for a grant. For this project, it needs to be in an area that won't interfere with boats or near a channel. This particular area is unique where it is mostly conservation land. The proposed grant would be difficult to expand beyond what Mr. Ross currently has. A second operation in the area could limit the possibilities of existing permit holder to expand any further south.

Chm. Baldwin, Pickard and Zuern are in support of the second grant.

Meier raised issue of the timeframe. Mr. Mullen said the applicants are on board as far as extending and the alternative was to re-apply. Pickard said the correspondence from applicants to Mr. Mullen would indicate approval by both sides.

Ellis asked Mr. Mullen about the last sentence with regard to monitoring before granting. Mr. Mullen said the town is in its infancy as far as shellfish grants go. Ellis asked if it could work out. Mr. Mullen said he couldn't commit to having a serious issue. Ellis asked TA Guerino if this is annually but the board doesn't not have to approve annually.

TA Guerino made a comment about the potential of cross contamination. He also asked if the second grant would eliminate anyone to make a living. Mr. Mullen said there would be no contamination. Mr. Mullen doesn't feel one grant could have a bad effect on the other. Zuern said if after a year the grant is not working out, the applicants don't have to stay in that one place. TA Guerino supports the Harbormaster's concerns.

Pickard doesn't see where competition for multiple grants in a certain area, he doesn't see this should be in the board's prevue. Mr. Mullen said the bottom line is that there is not a lot of room in the proposed area. Mr. Ellis asked Mr. Mullen if the proposed site being close to the channel, would it have a disruptive nature on this area. Mr. Mullen said not at this point. Ellis feels the board should support Mr. Mullen.

Chm. Baldwin said if the board doesn't approve the second application, Mr. Ross would look into the area. Mr. Mullen said not necessarily and he isn't sure if there will be enough food to sustain. He would rather see the existing grant up at full capacity for a year or so and revisit. He is not against putting up a second aquaculture site, but is not fully on board.

Meier MOVED and SECONDED by Zuern to close public hearing. VOTE 5-0.

Pickard reiterated his support for both applicants tonight.

Ellis said he feels the board should support the Harbormaster's recommendation.

Zuern is in support of the applicants tonight.

Pickard MOVED and SECONDED by Zuern to approve grant as presented by applicant. Roll call: Pickard – yes; Zuern – yes; Meier – no; Ellis – no; Baldwin – yes. Motion passes.

#### **8. Transportation Committee Update to Selectmen**

Mr. Wes Ewell, Chair of the Transportation Advisory Committee, discussed working with the staff of the Cape Cod Commission (CCC) with regard to the Cape Cod Rotary. The committee felt it important to be a Town of Bourne plan. During August we held three public hearings; business owners, residences and an open public hearing. At the hearings, the staff of the CCC showed different configurations that could be built to replace the rotary. During the past month the committee has tried to facilitate all information and used a grid/matrix evaluation. They have asked the CCC to base their plan on a Three-Step Plan: Step One would be work done between 1-3 years; Step Two is work done between 3-6 years; and Step Three is work beyond 6 years.

There was discussion to add early direction signs on both Route 25 South and Route 128 N to reduce confusion with the rotary coming off the bridge. Another idea to be done in the 1<sup>st</sup> three years is to eliminate one of the curb cuts at the Gulf station and the IHOP restaurant to improve the safety situation. There was discussion to ease the curve between Sandwich Road and the IHOPS parking lot. There was also discussion to add a pedestrian path from the Bourne Bridge, around the State Police barracks to Veteran's Way.

Within 3-6 years, the State will reconfigure the exchange at Belmont Circle. This would encourage vehicular traffic and discourage trucking for Sandwich road. It was recommended that Sandwich Road be increased to a four-lane parkway versus a two lane road.

Ellis commended Mr. Ewell and asked if the Commonwealth had any input with regard to the rotary. Mr. Ewell said they haven't been involved, but feels the Commonwealth will work with the town in the future.

TA Guerino said the town has a decent relationship with District 5 in the past 24-36 months from District 5.

Meier suggested Mr. Ewell inquire if the State would put up signage on Route 44 directing public towards the Cape.

Zuern suggested Mr. Ewell inquire if the State would add the piece of missing sidewalk at Cohasset Bridge. TA Guerino said it is a Bridge Replacement Program and that maybe a small change order can be done.

Meier brought up the commuter rail after reading Mr. Gately's online article. Mr. Ewell said the commuter rail is the next major item is the commuter rail. Meier is in support of the commuter rail to stop at Main Street and not continue on to the Cape.



TA Guerino said there is a lot of work to be done to make sure it works well. He will be at those committee meetings.

Ellis said he is in favor of the commuter rail stopping before the bridge.

#### **9. Licenses/Appointments**

##### **a. Historic Commission Vacancy**

Meier MOVED and SECONDED by Ellis to appoint Ms. Mary Sicchio to the Historic Commission for a term to expire 6/30/15. VOTE 5-0.

#### **10. Selectmen's business**

##### **a. Waiver of fee for Psychic Fair**

Meier MOVED and SECONDED by Ellis to approve Friends of the Bourne Council on Aging request for the Psychic Fair in the amount of \$200 for the use of the Bourne Veterans Community Building on Saturday 10/19/13. VOTE 4-0-1 (Baldwin).

Ellis asked if there was feedback at the sign at the Four Corners. TA Guerino said because there are still State clients in the area, the sign cannot be taken down. Ellis requested to respond to the email and will copy TA Guerino. He wondered if the wording can be changed if it cannot be taken down.

Zuern mentioned the bylaws for the COA. She will get more input from the COA Director Felice Monteiro and will report back to the board. She attended the Scallop Festival, the Planning Board meeting and attended the Wompanoag Day celebration. A person complained to her that the board meetings were not being televised over the summer.

Ellis is pleased to see Chm. Baldwin back.

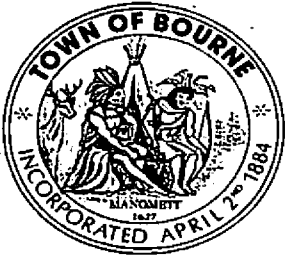
#### **11. Town Administrator's Report**

TA Guerino attended the International City Council Association meeting. It was a huge success as well as one of the better learning conferences he has been to in a long time.

#### **Adjourn**

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 9:45 pm.  
UNANIMOUS VOTE.

Respectfully submitted,  
Lisa A. Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



## 6:45 p.m. Sewer Commissioners Meeting

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 15, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (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: 10.01.13

5. Correspondence

6. 7:15 p.m. Joint Meeting with Housing Authority to fill vacancy

7. Marie Oliva – Scallop Festival Update

8. Private Dirt Road/Winter Maintenance - George Sala

9. Licenses/Appointments

- a. Bourne Human Services Appointment – William Cook-Warren
- b. One Day Liquor. – MMA @ Beachmoor

10. Selectmen's business

- a. Discussion regarding Directed DRI for C.C.C. – 9 Sandwich Road

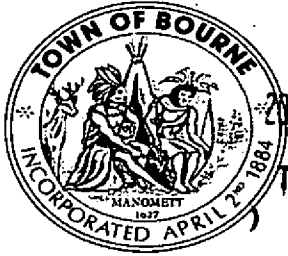
11. Town Administrator's Report

- a. Finance Committee & Special Town Meeting
- b. Financial Position
- c. Personnel Update
- d. FY15 Budget Preparation

12. Request Permission to traverse and pass over town property to install a coastal bank on Phillips Road

13. Adjourn

2013 OCT 10 AM 9 11  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Sewer Commissioners

2013 OCT 10 AM Meeting Notice

TOWN CLERK'S OFFICE  
BOURNE, MASS

## AGENDA



Date

Tuesday  
October 15, 2013

Time

6:45 p.m.

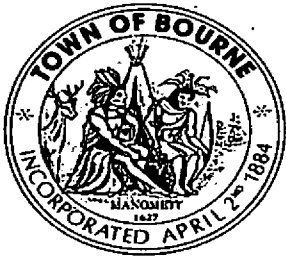
Location

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

Call to order

1. Public Comment – Non-Agenda Items
2. Minutes: 7.30.13
3. Signing Residential & Commercial Sewer Rates
4. Signing Residential & Commercial Overage Rates
5. Other Business
6. Adjourn



# Board of Selectmen Meeting Notice AMENDED AGENDA



## 6:45 p.m. Sewer Commissioners Meeting

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday October 15, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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7:00 – 7:10 (Items 1-4) Call to order

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4. Minutes: 10.01.13

5. Correspondence

6. 7:15 p.m. Joint Meeting with Housing Authority to fill vacancy

7. Marie Oliva – Scallop Festival Update

8. Private Dirt Road/Winter Maintenance - George Sala

9. Licenses/Appointments

- a. Bourne Human Services Appointment – William Cook-Warren
- b. One Day Liquor – MMA @ Beachmoor

10. Selectmen's business

- a. Discussion regarding Directed DRI for C.C.C. – 9 Sandwich Road/1 Trowbridge Road

11. Town Administrator's Report

- a. Finance Committee & Special Town Meeting
- b. Financial Position
- c. Personnel Update
- d. FY15 Budget Preparation

12. Request Permission to traverse and pass over town property to install a coastal bank on Phillips Road

13. Adjourn

2013 OCT 10 AM 10 14  
TOWN CLERK'S OFFICE  
BOURNE, MASS

2013 NOV 6 AM 10 09

Board of Selectmen  
Minutes of October 15, 2013  
Bourne Community Building  
Bourne, MA 02532

TOWN CLERK'S OFFICE  
BOURNE, MASS

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TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

Documents

- None

**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**

**Call to order**

Chm. Baldwin at 7:00 pm.

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

**Public Comment – Non-Agenda Items**

**Minutes: 10/1/13**

Zuern MOVED and SECONDED by Baldwin to approve Minutes of 10/1/13 as amended.  
VOTE 5-0.

**Correspondence**

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

Item G – TA Guerino said this is under the purview of any town and that there are specific provisions in the IMA between the four towns. The town has been cognizant that if something should happen, the town would want discussion for future activities. Zuern said Selectmen from Mashpee would be interested in using the Transfer Station. TA Guerino said all the remaining communities will have to meet and discuss specifically and that Bourne would have to consider Sandwich and Bourne's interest as Falmouth appears to be fading away.

Mr. Joseph Agrillo commented on two members of the board with regard to the "watchful eye". He also commented on the trash behind the hotel after coming off the bridge and the parking on Elizabeth Avenue.

**Joint Meeting with Housing Authority to fill vacancy**

Housing Authority members Paula McConnell, Larry Olsen, Al Huff and Frederic Bartholomew present. Chm. Baldwin called meeting to order. TA Guerino recommends the board to move forward.

Meier MOVED and SECONDED by Zuern to appoint Ann Geary Roche to the Housing Authority to fill a vacancy through the Annual Town Meeting. Roll call: Pickard – yes; Zuern – yes; Ellis – yes; Meier – yes; and Baldwin – yes.

Olsen MOVED and SECONDED by Bartholomew to appoint Ms. Ann Geary Roche to the Housing Authority to fill a vacancy through the Annual Town Meeting. Roll call: Paula McConnell – yes; Larry Olsen – yes; Al Huff – yes; and Frederic Bartholomew – yes.

Meier MOVED and SECONDED by Zuern to take Item #12 out of order. Unanimous vote.

**Marie Oliva – Scallop Festival Update**

Ms. Oliva thanked the town for hosting the Scallop Festival in the past. Unfortunately, the Directors have approved to move the Scallop Festival out of Bourne and to the Cape Cod Fairgrounds for next year. This is due to the regulation in the overall cost with regard to the weather as well as having outgrown the space puts the Chamber on liability.

Meier asked if there would be an increase in cost by changing the venue. Ms. Oliva anticipates an increase.

Zuern thanked Ms. Oliva for always including the board with regard to the Scallop Festival.

Mr. Christopher Farrell said this was a major event and will be a great loss to Bourne. The other major event is PanMASS Challenge in which he commented on the board turning down a sign for PanMASS. He also asked what the name will be if the Festival is moved out of Bourne.

Gately asked what it costs to rent fairgrounds in Falmouth. Ms. Oliva said she is in process of negotiating the price, but it will be far less than the tent and electricity. The change of venue is not just about the money. The tent is a public safety issue. The new name will be The Scallop Festival.

**Private Dirt Road/Winter Maintenance – George Sala**

There are 91 dirt roads in the Town of Bourne. He is here tonight to discuss 12 roads that are a major issue.

1. Wallace Point
2. Arlington Drive

3. Bradford Road – gas lines are still open as of last Friday
4. Pocasset Road
5. Pilgrim Road
6. Naumkeag Avenue
7. Penobscot Avenue – overhead wires hit recycling trucks
8. Lantern Lane
9. Dollins Road – calls for maintenance all year round
10. Rock Avenue
11. Maple Street
12. Arlene Road

There are road where the town would need to get in touch with property owners with regard to the roads. TA Guerino is recommending Mr. Sala notify homeowners in writing by certified mail that if they do not get the roads up to speed, the town will not plow them. On the longer term piece, he would like to recommend he and the Selectmen utilize a senior van for a bus ride to view the roads where there are concerns for first hand views before the winter weather. TA Guerino recommends the first week in November (11/4/13, 11/6/13 or 11/8/13). He will get back to the board on a date.

Ellis MOVED and SECONDED by Meier to approve TA Guerino's and Mr. Sala's request to take action on behalf of the town with regard to the roads : Wallace Point, Arlington Road, Bradford Road, Pocasset Road, Pilgrim Road, Naumkeag Avenue, Penobscot Avenue, Lantern Lane, Dollins Road, Rock Avenue, Maple Street and Arlene Road. VOTE 5-0.

#### **Licenses/Appointments**

##### **a. Bourne Human Services Appointment – William Cook-Warren**

Meier MOVED and SECONDED by Zuern to appoint William Cook-Warren to the Bourne Human Services Committee for a term to expire 6/30/16. VOTE 5-0.

##### **b. One Day Liquor License – MMA @ Beachmoor**

Meier MOVED and SECONDED by Zuern to approve MMA at the Beachmoor request for One Day Liquor License on 10/20/13 from 11:30 am – 4:00 pm at 11 Buttermilk Way, Buzzards Bay. VOTE 5-0.

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

##### **a. Discussion regarding Directed DRI for CCC – 9 Sandwich Road/1 Trowbridge Road**

Ellis MOVED and SECONDED by Zuern to requested "directed" be changed to "discretionary". VOTE 5-0.

Ellis requested discretionary request be put on tonight's agenda in relation to the 8,000 SF addition at 1 Trowbridge Road and the proposed parking lot on the property at 9 Sandwich Road. The owner wants to donate the home to a historic group. The developer has not produced a written, legal document of his promises before moving forward so. He asks the board's support to send the proposed plan to the Cape Cod Commission (CCC) for DRI Review.

If it is accepted, the CCC will use their staff to examine the plans for suggestions and send to our Planning Board. This is an opportunity to get what the town puts into the CCC money wise.

Among reasons for DRI review by CCC are the following (condensed):

1. **SAFETY.** Dangerous location of this private parking lot servicing a retail/office complex across a busy state road. Issue of crosswalk - who will install and maintain? No permission has yet been obtained from the State. The question of liability (state? town? developer?) for accidents occurring in the crosswalk has not been firmly determined. There is no permission yet from the town regarding access/egress (easement) through town property. The plan has been hastily approved without full consideration of all factors. Too many questions remain for it to proceed without further review by a professional, impartial entity: the Cape Cod Commission.
2. **UNRESTRICTED PUBLIC PARKING SPACES.** The developer has not offered in a firm legal agreement any number of dedicated unrestricted parking spaces for public use. The plan should not go forward until the developer has formally incorporated the promise into his plan.
3. **TECHNICAL LOCATION OF PARKING SPACES.** There is confusion regarding the measurement points used by the Town Planner in regard to the legality of creating this off-site parking lot across the street in a residentially zoned area to accommodate his retail/office establishment located in a business zoned area. The plan should not go forward until this 350 foot measurement has been accurately confirmed and the points of reference made clear.
4. **HISTORIC CHARACTER.** Our Local Comprehensive Plan demands that we consider village character as we expand business use. This plan as proposed would impose a huge corporate presence on a tiny village in a conspicuous location that is the former historic center of town and currently the gateway to the largest part of town. As has been asked: "Where will it end?"
5. **ECONOMIC VIABILITY/HISTORIC CHARACTER.** No assurance has been offered by the developer in the presentation of a long-term lease with Cape Cod Healthcare or the presence of any representative of that organization that this entity intends to remain here - with or without the addition requested in the plan. So the public interest in wanting a medical presence in Bourne at this location has not been established. If this entity moves its components elsewhere, as it has already done in the case of the walk-in clinic, this historic part of town could become an area of blight.
6. **HISTORIC HOUSE.** One of the town's oldest homes, and the most recoverable one, sits on the site of the proposed parking lot. The developer has given lip service to saving it but has made no bona fide offer to any historic or preservation group. The plan accepted by the Planning Board shows the house sectioned off with 7 feet on one side



and 10 feet on the other. As such, it would not be acceptable by anyone wishing to restore and use it. Adequate space for parking and installation of a septic system should be assured before such a "gift" is considered a viable offer.

A plan of this magnitude with such a permanent impact in a crucial part of town should not be rushed through. Too much guesswork is flying around. The plan needs more scrutiny and an unbiased review by the professional staff at the Cape Cod Commission. This is a plan with permanent impact and should not be rushed.

Ellis MOVED and SECONDED by Meier that the Selectmen send to the Cape Cod Commission for Discretionary DRI Review the plan for the 8,000 SF addition at 1 Trowbridge Road and the proposed parking lot on the property at 9 Sandwich Road.

#### Discussion

Pickard said if the board approves to send to the CCC, he feels that it steps over the Town Planner and the Conservation Commission, sending the wrong message to the town. Mr. Ellis is not a supporter of the Cape Cod Commission and personally sees this as motivation to delay a developer by position on this board by Mr. Ellis. If it wasn't Mr. Michienzi, this discussion would not happen.

Ellis said his concern is with the health and safety of the citizens of the Town of Bourne and it doesn't matter who the contractor is. He has no political gain.

Zuern has concerns about the property. She raised issue of a stone wall. There is also the issue of pump out tanks late at night and questions if there is a septic issue where maybe the Board of Health can review. She would be in favor of sending this to the CCC.

TA Guerino said to be clear this is separate from the Town Meeting action on 10/21/13. This is to authorize negotiation to an easement relative to a parking lot only. As it relates to the parking lot, Town Meeting can set conditions to the easement only. We can ask for some benefit from Perry Avenue but is not required by the proponent. We are negotiating the best we can, but we are not in full control/access to that property.

Mr. Farrell said a discretionary review by the CCC is a mistake. The Town Planner reviewed as did the Conservation Commission. The property owner is in control, not the town. If the town wants some benefit, he suggests working with the property owner and not against him. The Planning Board followed the rules with regard to the zoning.

Mr. Farrell addressed the proposed wall raised by Zuern. It would have been over 13 FT and was eliminated due to a safety issue. With regard to the pumping out of the system it would have been brought before the Board of Health already. In summary, we are sending the wrong message to the Planning Board, Town Planner, Conservation Commission and the Board of Health.

Mr. Elmer Klegg said he serves on the Planning Board. The Planning Board voted 6-2. He went into a lengthy discussion of why he voted against this vote. He is in support of the board sending to the CCC.

Mr. Farrell commented on issues raised by Mr. Klegg with regard to the stone wall, the business entrance door way and the healthcare. Zuern said this is not undermining the work of Ms. Moore and other boards and commissions. She also said this has nothing to do with one particular developer.

VOTE 2-3 (Zuern, Meier, Ellis in favor). TA Guerino will research the rules for sending to the CCC.

Zuern attended the Friends COA Open House, LEPC meeting with regard to transportation of generators. She also attended a workshop on estuaries and saw a report called Climate Change Part II. She attended the Cape Cod Water Protective Collaborative and there was a summary of how much a household would pay is what they are proposing. She attended a meeting in Natick on police officers and thought may be a good thing to offer on the Cape.

Ellis asked TA Guerino to write a letter on behalf of the board to recognize Billy Wright's work for the town.

Meier attended some DPW workshops as well as Capital Outlay meetings with regard to the Bourne Police Station and said the station is something the board should not lose sight of. TA Guerino said at the Capital Outlay there will be "Chapter 2" discussions. Their top three items are the DPW, Police and Pocasset Station with the understanding that the Peebles Station would have to be addressed if it was put on a list.

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

#### **a. Finance Committee & Special Town Meeting**

The FinCom is not concurrent with the board as it relates to the medical marijuana moratorium. They voted to IP the article. Pickard may change his position due to the FinCom discussions.

#### **b. Financial position**

The Finance Director will be here on 11/5/13 to close out the books and give a report. TA Guerino said we have certified Free Cash in the amount of \$5.7M and will be down to \$5.3M after the Special Town Meeting. Last year the town spent \$1M and this year it will be \$400,000. With Stabilization and the DPW funding, we are well beyond our 12% overall and it is a tribute to a couple of one-time deposits (auction based on other towns) and the town department heads were very responsible with their budgets. The town is in good fiscal shape.

#### **c. Personnel update**

An internal candidate Ashley Dennen has been chosen for the Assistant Treasurer/Collector position which leaves an Account Clerk II position to fill. The Facilities electrician/maintenance position has been funded and three candidates will be interviewed. The vacancy at ISWM is

due to a termination and is looking to add a Crew Leader at the DPW under the existing budget. The Finance Director's contract is up for renewal and it will move the Finance Director to a contractor position of 40 hours. All senior management positions are under contract and not union positions are 40 hours.

**d. FY15 Budget Preparation**

There will be a Department Head meeting within the next two weeks. There are again in uncertain times in the Federal level.

TA Guerino was not able to attend the Friends COA Open House.

**Request Permission to Traverse and pass over town property to install a coastal bank on Phillips Road**

Netco is doing work at #39 and #45 Phillips Road.

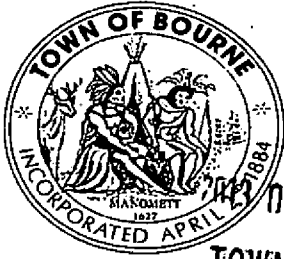
Mr. Don Perry, Pinnacle, is doing work at #21, #25 and #12 Phillips Road and is looking to access through the beach access at the bottom of Standish Road. This is similar to the access to Sagamore Road. Pinnacle would take same precautions as other properties. TA Guerino said the work with the other company will be less cumbersome than Pinnacle. Pinnacle has had good relationships with the town. TA Guerin is asking to negotiate and get them ready

Ellis MOVED and SECONDED by Meier to approve request for Netco and Pinnacle permission to traverse and pass over town property to install a coastal bank on Phillips Road per Netco letter dated 9/30/13. VOTE 5-0.

**Adjourn**

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

Respectfully submitted,  
Lisa A. Groezinger, sec.



## Board of Selectmen Meeting Notice



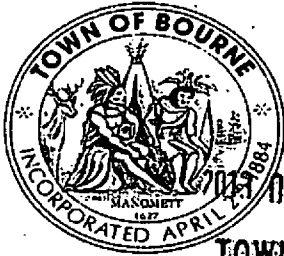
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TOWN CLERK'S OFFICE  
BOURNE, MASS

### AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday October 21, 2013	6:40 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. Vote essential articles for the Annual Town Meeting.
4. Adjourn



# Board of Selectmen Meeting Notice



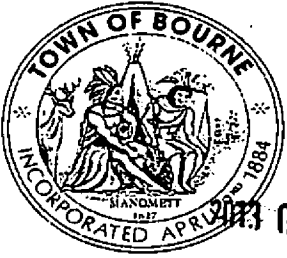
OCT 18 AM 11 40  
TOWN CLERK'S OFFICE  
BOURNE, MASS

## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Thursday October 24, 2013	3:30 p.m.	Bourne Town Hall 24 Perry Avenue Buzzards Bay

1. Board of Selectmen to view various town roads

*Cancelled  
23 Oct 2013*



# Board of Selectmen Meeting Notice



2013 OCT 23 AM 10 11

TOWN CLERK'S OFFICE  
BOURNE, MASS. AGENDA

Date

Thursday  
October 31, 2013

Time

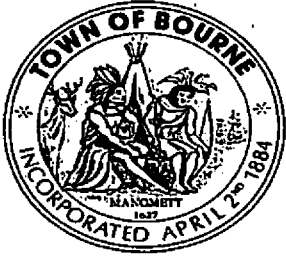
3:30 p.m.

Location

~~Bourne Town Hall  
24 Perry Avenue  
Buzzards Bay~~

*Tom Guerero changed  
location to  
Community Center  
on 1<sup>00</sup> on Oct 31*

1. Board of Selectmen to view various town roads



## Board of Selectmen

2013 OCT 29  
**Meeting Notice 33**

TOWN CLERK'S OFFICE  
BOURNE, MASS



### AGENDA

Date

Thursday  
October 31, 2013

Time

2:30 p.m.

Location

Bourne Veterans' Memorial  
Community Center  
239 Main Street  
Buzzards Bay

2:30 Board discussion on discretionary DRI to the Commission

Board of Selectmen  
Minutes of October 31, 2013  
Bourne Community Building  
Bourne, MA 02532

2013-DEC 2 AM 9 27

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

Documents

- None

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

Call to order

Chm. Baldwin at 2:33 pm.

**Board Discussion on Discretionary DRI of the Cape Cod Commission (CCC) – 9 Sandwich/1 Trowbridge Road**

TA Guerino said in reviewing the DRI piece and looking at the schedule for the CCC, the Town Administrator is seeking guidance on how to approach this particular item. He's asked Town Planner Ms. Coreen Moore to put together a packet for the board to review as it relates to what we sent to the CCC. There are some inconsistencies apparent with what the board is requesting and our current zoning by law as to what is allowed. Under what we could request under the DRI, he is conflicted on a presentation, regardless of who makes it, on how to approach. This isn't for or against.

TA Guerino handed out packets from Ms. Moore to the board.

Ellis asked if TA Guerino put this on the agenda and if in fact he had already sent this to the Commission. TA Guerino did put agenda item together, said he had sent the review form with the criteria he discussed with the board to the Commission which the board voted to do. In conversation with the Commission staff, the case has to be presented to the CCC. There are conflicts and he needs the board's guidance on the conflicts.

Ellis asked what the conflicts are. TA Guerino said the conflicts are relative to what the zoning allows relative to the project as proposed, relative to the Board of Selectmen's concerns for the request for the Discretionary DRI. Before someone goes up to testify – at this point Ellis



volunteered to testify in front of the CCC – he wants to make sure we are consistent on what the town has voted upon in the past.

Ellis asked TA Guerino for a copy of what was sent to the CCC. TA Guerino said a copy of the one-page document was in the packet the board has just received. TA Guerino explained that it was put under a limited Discretionary referral gave project location, project proposal of 8,033 SF addition for a doctors and professional office with auxiliary gravel parking lot across the street. The location is 9 Sandwich Road and 1 Trowbridge Road was given with map and parcel numbers. The form asked to list the municipal agencies before which a municipal development permit is pending and at the time was the Planning Board and the Conservation Commission who already approved. We sent this form on 10/17/13, he believes the board met on 10/15/13 to use land, use and growth management in Historic Preservation and Community Character.

Ellis said the document should also have had “transportation” on it. TA Guerino said transportation doesn’t fit. Ellis said it fits if you are going to cross Sandwich Road. TA Guerino said that is some of the questions he has for the board today as we look at the other zones in village districts. That is one thing we need to discuss. And Sandwich Road being a State road is out of the town’s jurisdiction. The transportation issue will be up to the Mass Department of Transportation (DOT) as they look at an expanded curb cut and the pedestrian issues that may or may not arise from crossing the road. It is a State road. The Commission does not have jurisdiction over that as it is a State highway related issue and that will be deferred to DOT who will look at as a matter of course. It is not an area where the Town of Bourne has jurisdiction.

Ellis said this follows under the umbrella of what he asked TA Guerino relative to the liability of the citizens of the Town of Bourne; people crossing from a residential zoned area across to a commercial site or a commercial site across to a residential zoned area. He is seriously concerned about the citizens of Bourne that use that and the control that is going to be there or not there.

TA Guerino said Ellis also asked to seek Town Counsel’s advice relative to that issue and he has discussed with Town Counsel. He has followed what a member of the board has asked him to do. Ellis concurred.

Zuern agrees “transportation” should be included. When work was done at the Canal Side project, all that information was sent to the CCC. They do have jurisdiction over State roads as well.

Ms. Coreen Moore spoke with John Idelman, Chief Regulatory Officer of the CCC, and she brought up the items the board wished them to see. She also brought up transportation as an item. First, Mr. Idelman said if the board wishes to amend the document, then to add “transportation”. Secondly, she explained the concern of the pedestrians crossing the road was a major concern. Mr. Idelman told Ms. Moore he did not feel it is a transportation issue but rather a safety issue. Transportation talks about the number of trips leaving the driveway, is there enough distance in the site driveway, is the radius correct on the driveway is what he saw

as transportation. Ms. Moore was told this does not preclude the board from putting on the document and making an argument on it. That was the conversation with him.

Zuern also has issues with the wetland on the side where the building is now. TA Guerino said that has passed by Conservation Commission. Ms. Zuern said she still is concerned with the wall that was put up was just mulch. If there is a lot of rain, she has concerns that would be washed into the wetland. She would like the CCC to look at all of that.

TA Guerino said he is fine with whatever the board so chooses. We tried to pick the ones that were the most appropriate where we knew we had jurisdiction. If the ConCom has already approved, I'm not sure they would review.

Ms. Moore said Mr. Idleman explained that the CCC has no jurisdiction after permits are issued. They do not have the authority to revoke or pull permits. If the permits are still pending, then the CCC can stop the permit. If it is a mandatory referral, all permitting stops locally. Under discretionary, you can still do your permits, you can still issue permits. That is the difference. Once it is issued, there is no recourse for them.

Zuern brought up possible future development like future expansion. TA Guerino said that building is included in the Discretionary DRI which is on the front page of the document.

Zuern asked if the CCC is looking at the future plans. Ms. Moore said the CCC can only look at what is on the plan. Zuern feels the CCC has some say on what happens with the future plans without the permits. TA Guerino said that is correct, but the issue that it is not a Town of Bourne generated issue.

Ms. Moore said the CCC has a Regulatory meeting on 11/12/13 which they will suggest the board makes a presentation at that meeting. That Regulatory Committee can either make a positive recommendation to the full Commission, a negative recommendation or no recommendation, depending on the information that is presented to them. It is not required, but an option. Or you can go to the straight, full Commission meeting which is two days later (11/14/13) to make a presentation. Mr. Idleman doesn't recommend the latter. He recommends going to the Regulatory Committee because they already have some Commissioners that have already heard the issue and they can also represent back to the full Commission. It is actually a two step process – the Regulatory Commission and then to the full Commission. The staff does not make the full presentation. The staff may review information and present what the RFP says, but they don't make a presentation for the town.

Zuern said the other issue she had was if there was any further development in the area, the septic system would be looked at and if it would be able accommodate further development.

Ms. Moore said if he issued the permits for this, and came back to the Town (ConCom, Planning Board) at that time we can send a Discretionary review to the CCC on future development.

TA Guerino said the Selectmen voted on 10/15/13, we sent the document on Thursday, 10/17/13. The Planner received back from the Commission by registered mail on 10/28/13 to her office. The Planning Board voted to approve a few weeks ago; ConCom voted to approve a few weeks ago as well. That clock starts ticking for their 20 or 30 days since stamped with Town Clerk on an appeal purpose once permits are issued.

Meier asked when was the Planning Board permit stamped in at Town Clerk's Office. Ms. Moore responded 10/16/13. Meier said maybe the best course of action for the Town of Bourne to sue the Planning Board for the town's best interest.

TA Guerino feels the timetable has expired. He doesn't know how it can be stamped on 10/16/13 at Town Clerk's Office and was turned over on 10/17/13 from his office. The board voted on a day and turned the document over to the CCC in two days' time.

Zuern said it was under her understanding that the board could file the Discretionary DRI anytime. There isn't an appeal process with the DRI.

Ms. Moore said discussion is about two different things. Meier is talking about appealing the decision of the Planning Board and Zuern is talking about sending the document to the Commission.

TA Guerino said there are some overlaps and he needs to know the other option. He agreed with Meier's suggestion of taking to the Superior Court if the board was of mind to do so. Meier said for timing purposes (Ms. Moore said the Planning Board you count weekends and the ConCom you don't count weekends), the board would have to meet before 11/5/13. 11/4/13 would be the latest the board can decide to take action.

TA Guerino said he will follow through on how the board votes tonight. He suggested reviewing briefly with the board at this time.

Ellis would like to amend the document to include "Transportation". TA Guerino said yes, based on what Ms. Moore has told the board today we can make that amendment today.

Ellis MOVED and SECONDED by Zuern to make a request that an amendment be made to the DRI submittal and also include under Natural Resources Wetlands and under Community Facilities and Uses, Transportation. VOTE 4-1 (opposition by Pickard).

TA Guerino said the amendments will be made and send up to the CCC first thing in the morning.

While reviewing the packet Ms. Moore gave to each board member, she said the Regulatory Commission requested supporting documentation also be sent. Ms. Moore sent that on Tuesday. They also required a narrative which is why she spoke with TA Guerino. In that narrative we explain the history of the project, what the project is and also what the concerns

are. Concerns will need to be verbalized tonight so we can put in the narrative tonight. This is another document we need to send to the Commission.

The second grouping, when you send down a limited DRI, a scoping checklist will be reviewed by the CCC staff and the Regulatory Committee.

The next grouping is historic information. There was concern about the house and included is some documentation of the house that is at Town Hall. There was a historic inventory done throughout the town. This house was identified as being over 75 years of age and having some historic significance in the town. However, it was recommended by the consultant, to not be on the historic register. The apartment next door was inventoried and was recommended to be on the historic register.

Ellis asked Ms. Moore to clarify that the Keene house was not recommended to be put on the historic register by the consultant the town hired to conduct the historic inventory. Ms. Moore said the consultant didn't feel there was strong historic documentation for it to be on the National register because it had significant changes to it.

Ellis has a letter from the CCC historic person that is in absolute opposite of it. Ms. Moore said if the town wanted to put the house on the National Register, we could and that letter could be part of the opposing argument. Ellis said the Keene house is actually on a proposed list down the road to seek CPA monies to put on the list.

TA Guerino said to Ellis that no one is disagreeing, and only going on documentation that is at Town Hall.

Ellis asked if the documentation at Town Hall was available when this consultant did not recommend putting on the historic register. Ms. Moore said this was the inventory that was commissioned by the Historic Commission. That documentation is attached also.

The site plans that were approved are the next grouping. However, there was an easement on the rear portion of the parking lot which has been taken off the plans.

The next grouping is Zoning information. There was concern that this project was not consistent with zoning or the LCP. One of the things Ms. Moore mentioned that needs to be done is a comprehensive review of our zoning bylaw. There are many conflicts within the bylaw. If you look at Section 2140, it talks about the district purposes: VB the village business is to provide a village oriented business compatible with small scale environments and nearby residents. B1 says to provide high density, generally pedestrian oriented activity concentrations at village centers. Ms. Moore points out that: 1) We do not have a B1 anymore (used to be located downtown across from the park – under Use Regulation Schedule, second column, VB and B1 is the opposite in description.

Zuern asked if there was no longer a B1, then it shouldn't be a conflict anymore. TA Guerino said there is not one in conflict with what is proposed of site on Sandwich Road/Trowbridge Road.

Ellis said in reference to this argument, it needs to be very clear that the VB is dealing with 1 Trowbridge Road and 9 Sandwich Road is a separate entity and needs to be addressed through a Section 3310 of the bylaw under Village Business. What we are doing is the Use Concept of the Use Regulation Schedule and Zuern's point of just striking B1 is a good idea and valid. VB would apply through the rest of it, but you are only talking one half of the project. Zuern added that the other is in residential.

TA Guerino said in 3310, the Town Planner was not clear as to the applicability, therefore as a request through TA Guerino, an opinion through Town Counsel (which was appropriate for the TA to do), reviewed 3310 indicated the language was not clear and rule that it was a determination that had to be made by the Planning Board. The Planning Board did in their subsequent meetings.

Ellis said the issue as stated as requested by Town Counsel the answer was based on two words "any lot" and didn't answer the rest of the 3310 of the question as they apply. Therefore, the rest of 3310 has to have definitive action to apply to the rest of the bylaw. He feels Town Counsel only ruled on whether they could make a comment or statement relative to the parking in a residential zone. The rest of the bylaw must be applied to what goes on at 9 Sandwich Road.

TA Guerino said there isn't an agreement, but feels there is a conflict on interpretation on what 8 parking spaces mean and need Town Counsel to rule. Ellis said in the bylaw 3310 from the entrance is where you should measure 350FT, therefore the 7 spaces should be allowed and not addressed and not the 57 spaces.

Zuern said when Town Counsel looked at the issue Ellis just raised. If there is supposed to be 8, I see where the conflict.

Ms. Moore said she disagrees with that interpretation. She also talked to Town Counsel after 3310 the key word is "AND" for premises located in a B1 and VB you are allowed up to 8 parking spaces in the street. You are not talking about an auxiliary parking lot. You can use parking within 350 FT as long as it meets the criteria. It is saying in these districts, you can count on street parking that doesn't belong to you. The question to Town Counsel was can a parking lot in a residential district be credited to a commercial project in a commercial district. Town Counsel said it was under the authority and jurisdiction of the Planning Board to make that decision.

Zuern said at that meeting she said Town Counsel was surprised to see that there were 57 spaces on that map. Ellis said in reference to up to 8 spaces off street, and on 2 below, it also says the applicant assures pedestrian access to those spaces and his premises by funding by

carrying out construction sidewalks the full length of the frontage of his premises while making needed improvements to sidewalks as required by the board. The 8 spaces in his opinion that they may do that and that there is a lot of leeway given. He feels the bylaw needs to be protected and feels the town may be suffering and we need to protect at all costs.

TA Guerino doesn't agree with Ellis. It is our job to enforce the bylaws and work to institute the directives of the board to the best of our ability. What we are trying to do today, to find out how we best serve the vote the board took given that we have some quandary as to how to do that to the best of our ability. We want some help, which is why we are here.

Ellis is in full agreement. He also is in full agreement that it appears the vote was taken by the Planning Board. It is an interpretation of how it is done. He takes exception because it is the amount of people who have called him about this issue. In his reading of 3310 and discussing further with Town Counsel in Executive Session, he was rather pleased with his comment and this is why he instituted what he has done before. He sent a letter and a packet to the CCC himself under his only signature and support of action and why he volunteered to take responsibility at the Regulatory Committee. We need an unbiased approach as it will be a serious impact in this village.

TA Guerino said he hopes the board would prefer that the staff come before when it has a question as to how the board would like to proceed on any issue when we come and TA Guerino calls for a meeting to fulfill the wishes of the board to the best of our ability. When we have questions as to how to best approach, he would hope the board would want us to come before them where we may be misguided. He hopes the board sees this is what we are trying to do.

Pickard asked if there are questions we can expedite by answering your questions. TA Guerino said the parking was one question. The allowance of variance uses within the criteria in the bylaw has conflicting issues.

Ms. Moore said as far as the CCC, they will look at because it is a limited DRI. She is looking for issues to put in the narrative. Issues are with land use growth and wetlands.

Zuern doesn't see a conflict with the bylaw as she sees as two issues. TA Guerino said it is as it relates to parking, not to historic preservation or wetlands or pedestrian. Zuern said the whole project does and she doesn't know of any other place where a business is looking for 50 parking lots in a residential area.

TA Guerino said the issue we are most concerned about based on today's conversation is not historic, not the 8,033 SF building as allowed in zoning at 100% coverage, it is the transference in the ability to get to Point A to Point B crossing from a VB zone to a residential zone in order to accomplish this project to work.

Zuern said the easiest thing would be for the board to vote Ellis to make the narrative. Ellis commented about a paid professional to do as a Town Planner and reflect what the majority of what this board has voted.

TA Guerino said it is a VB zone. Zuern said it is two different zones. Counsel ruled up to the Planning Board. Zuern commented about Town Counsel was surprised there was 57 spaces in that area.

Pickard said the board voted 3-2 in favor of this discretionary DRI. If two members collaborated with Ms. Moore as to what their opinion is as to what should be in the application. He will vote against as the vote.

Pickard MOVED and SECONDED by Meier the Board of Selectmen two members from the majority of their vote of 10/15/13 to collaborate with the Town Planner with the majority of what would like to see in the application and to return the text to the board to a vote in a public meeting. VOTE 5-0.

Pickard believes it should be from the board who voted in the positive and suggested starting with the senior member working down to present to the CCC.

Zuern believes Ellis has the most knowledge and the best person to present to the CCC. She wouldn't mind to sit with Ms. Moore to do the narrative.

Meier MOVED and SECONDED by Zuern to appoint Ellis to present to the Cape Cod Commission. VOTE 3-1-1 (abstention from Baldwin, opposed by Pickard).

Mr. James Mulvey said where there seems to be a conflict, the will of the people by the approval of the LCP should be a determining factor. Wording and intent should be a factor.

Meier said there is some deficiencies in zoning bylaws, as part of our next budget season, look at putting monies in the budget for Ms. Moore to hire people to review. TA Guerino said the budget will take the board's consideration.

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 3:30 pm.

Mr. Chris Farrell said the only guidance is two people work with Ms. Moore on arguments they want to see moving forward and has to come back to the board for a vote and the board to amend the original DRI (wetlands and traffic).

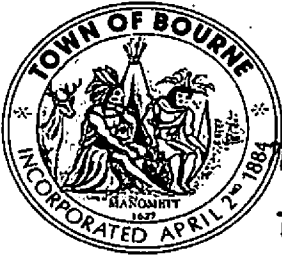
VOTE 5-0.

Chm. Baldwin called meeting to order at 3:37 pm for the view of various town roads. Chm. Baldwin and Pickard will not attend the road trip.

**Adjourn**

Respectfully submitted,  
Lisa A. Groezinger, sec.





# Board of Selectmen Meeting Notice

NOV 1 AM 9:00 AGENDA



TOWN CLERK'S OFFICE  
BOURNE, MASS

Executive Session 6:00 p.m.

**Contracts, Negotiations & Litigation Update**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday November 5, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (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: October 15, 2013

5. Correspondence

6. Rep. Vieira -update

7. Reclassifying propagation closures from a closed status to an open status

8. Linda Marzelli – FY13 closeout

9. 7:30 p.m. Cape Light Compact update

10. Board of Selectmen procedures and modifications

11. Licenses/Appointments

- a. MMA – Bay State Conference Center -1 day liquor license
- b. MMA – Beachmoor at MMA – 1 day liquor license
- c. Historic Commission – Frances Speers

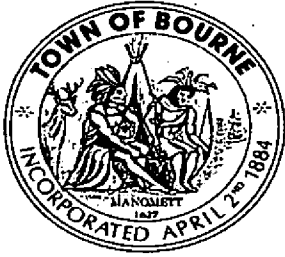
12. Discussion regarding floodplain maps

13. Selectmen's business

- a. 80 Club House Drive, Pocasset – Tax Title

14. Town Administrator's Report

15. Adjourn



# Board of Selectmen Meeting Notice AGENDA



## AMENDED

### Executive Session 6:00 p.m. Contracts, Negotiations & Litigation Update

<u>Date</u>	<u>Time</u>	<u>Location</u>
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7:00 – 7:10 (Items 1-4) Call to order

1. Moment of Silence for our Troops
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3. Public Comment – Non-Agenda Items
4. Minutes: October 15, 2013
  
5. Correspondence
6. Rep. Vieira -update
7. Reclassifying propagation closures from a closed status to an open status
8. Linda Marzelli – FY13 closeout
9. 7:30 p.m. Cape Light Compact update
10. Board of Selectmen procedures and modifications
11. Licenses/Appointments
  - a. MMA – Bay State Conference Center -1 day liquor license
  - b. MMA – Beachmoor at MMA – 1 day liquor license
  - c. Historic Commission – Frances Speers
12. Discussion regarding floodplain maps
13. Selectmen's business
  - a. 80 Club House Drive, Pocasset – Tax Title
  - b. Approval of narrative for the Cape Cod Commission
14. Town Administrator's Report
15. Adjourn

2013 NOV 1 AM 10 33  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Minutes of November 5, 2013  
Bourne Community Building  
Bourne, MA 02532**

2014 DEC 16 AM 9.51

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

**Documents**

- None

**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**

**Call to order**

Chm. Baldwin at 6:30 pm.

Ellis MOVED and SECONDED by Meier to move into Executive Session to discuss contracts, negotiations and litigation update and to reconvene in public session at 7:06 pm. Roll call: Pickard – yes; Zuern – yes; Meier – yes; Ellis – yes; Baldwin – yes.

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

**Public Comment – Non-Agenda Items**

**Minutes: 10/15/13**

Zuern MOVED and SECONDED by Meier to approve Minutes of 10/15/13 as amended.  
VOTE 5-0.

**Correspondence**

Meier read correspondence into record. Hard copies are available at the Town Administrator's Office upon request.

**Rep. Vieira –update**

Grant Program is available through Mass Development for Regional Approaches in the Commonwealth. Military installations are encouraged to work the neighboring communities. He asked the board if there was any interest with the Innovation Challenge Grant or if there is any interest in coordinating towns for opportunities to do so jointly.

Zuern said it would be a great idea to come up with something as a region.

TA Guerino said the town is involved with the County on aerial mapping on all of the Cape towns. Currently Bourne is working with the base concerning wastewater. He is in favor of a joint meeting.

Mr. Vieira will reach out this week with other towns to meet the deadline of 11/22/13.

Mr. Vieira discussed Chapter 90 Funds which have increased from \$200M to \$300M. The Governor is holding \$100M of those funds. He is working on urging the Governor's reconsideration to release all Chapter 90 Funds.

Mr. Vieira discussed proposed legislation to limit coverage's on Flood Insurance for outstanding mortgages which limits the financial impact to the homeowners. He read into record which stated flood insurance protects the creditors and is not for needed repairs or damage.

Mr. Vieira is working with Town Clerk Barry Johnson and the Bourne Recreational Authority on a bill regarding the DEP septic design limiting growth of campgrounds asking DEP to review wastewater regulations as it relate to campgrounds.

Mr. Vieira spoke with Ms. Sally Riggs and TA to explore commuter rail for Buzzards Bay and is working on obtaining cost estimates moving forward.

Mr. Vieira said Belmont Circle was identified for revision.

Mr. Vieira toured the Hoxie School with the Mashpee Wampanoag group who is interested in a Charter school and is in discussions moving forward.

Mr. Vieira is looking to continue to get the youth involved in the community through municipal engagement of the strategic plan.

Zuern raised issue about the difficulty of state mandates and the town costs to carry said mandates. Rep. Vieira is very aware that there is a cost and time involved. Mr. Vieira said with regard to public safety, specifically police training academies, Massachusetts is the only state that doesn't have a designated funding source. He is working on having a bill written to identify funding.

Zuern raised issue of regionalization and feels the town is giving up power and authority. She also stated common core values coming from the Federal government when it should be from the local community.

Mr. Vieira will conduct a follow up meeting with School Committee.

Zuern inquired about the military priority over affordable housing. Mr. Vieira said it was a procedural vote which was an amendment to a bond bill. He said the issue could come back as an independent bill, but currently there is nothing on the calendar.

Ellis asked about when will the schools bring back cursive writing. Mr. Vieira said the focus is on the statutory obligations. The curriculum set by the school committee.

TA Guerino said with the transportation bond bill, \$3 ½ M is set for Belmont Rotary and would like to see it released for work to commence. The other issue is the public piece on the police academy where we need a better way to train officers through the police academies. Mr. Vieira said the MPTC budget has been underfunded and a state wide academy revenue sources is being looked at so agencies can plan ahead. Lastly, TA Guerino asked about getting a consistent figure annually to budget.

Mr. Joe Agrillo asked if there was any assistance for folks who have floodplain insurance. Mr. Vieira explained it is a Federal law.

**Reclassifying propagation closures from a closed status to an open status – Tim Mullen**  
Zuern MOVED and SECONDED by Meier to reclassify propagation closures from a closed status to an open status as recommended by the Shellfish Warden/DNR Director. VOTE 5-0.

**Linda Marzelli – FY13 closeout**

TA Guerino thanked Ms. Marzelli for her work on behalf of the citizens. Some highlights were as follows:

- Council on Aging (COA) creating two new Revolving Funds
- Sale of Town Owned properties by auction on 11/15/12 facilitated by Ms. Nancy Sundman
- New Facilities Maintenance Department created, Funding for OPEB liability
- A new DPW Facility Project

#### Revenues by Source

Ms. Marzelli explained 75% of Bourne's revenues are from property taxes.

#### Tax Rate Levy Calculation

2013 Prior Year Levy Limit - \$36,051,597

#### Local Receipts

FY13 is \$5,538,645

FY14 estimated is \$4,846,170

Miscellaneous line in FY13 include one-time odd revenues coming in. This includes the sale and tax credits for the Cody School.

Majority of the local receipts is from Motor Vehicle Excise - \$2,247,790.

#### State Aid

FY13 budgeted total is \$7,089,787

FY14 estimated total is \$7,241,743

Majority of the State Aid is Chapter 70 - \$4,771,738.

#### Expenditures by Function

- Total turn backs for FY13 was \$831,020
- Transfers from other departments covered budget for Snow & Ice shortfall in the amount of \$318,276
- Group Health Insurance had a turn back in FY12 required a transfer at year end of FY13 the net increase in expense was \$313,000

#### Operating Budget

FY13 expended total - \$51,875,052, increase of \$3,240,597 from FY12 expended.

Majority of the Operating Budget is Education - \$20,448,159 (39%).

#### State Cherry Sheet Charges

FY13 total is \$3,035,152

FY14 total is \$3,459,928

Charter School Sending Tuition is the biggest increase. TA Guerino said making up for it is a difficult one. Currently we are looking at an estimate of 55 more children from Bourne based on 10/1/13 numbers.

Meier commented on the Upper Cape Tech (UCT) will be asking for money to fix their buildings. TA Guerino said these are complex numbers, formulas and challenges the town will have to work out.

#### Debt Service

- Bonded \$7,290,000 on 12/5/12 which included the elementary school, road repairs and ISWM equipment and Phase IV landfill liner.
- Refunded \$4,335,000 of currently outstanding debt on 6/4/13. This included three CPA land purchases, Community Center land and building and the library roof.

Majority is the Exempt Debt - \$13,310,066.

#### Financial Policies

- Free Cash Balance of at least 5% of General Fund Operating Budget

- Stabilization Balance of at least 7% of General Fund Operating Budget – TA Guerino said Ms. Elinor Ripley supplied these numbers and will need to get them.
- Employer Health Insurance Trust Fund not to be less than four months average claims and not less than \$1,600,000 at the end of the fiscal year.

History of Free Cash, General Stabilization Fund and Capital Stabilization Fund History briefly reviewed.

Sewer Enterprise Fund

Keep yearly assessment of \$734

Retained earnings at 7/1/13 - \$633,476

ISWM Enterprise Fund

Retained earnings at 7/1/13 of \$5,446,742

TA Guerino said with regard to the Stabilization Account, 75% of the \$200,000 allocated for “emergency” work at Sagamore Beach will be reimbursed by FEMA to the town. Also, although ISWM retained earnings looks “beefy” currently, in FY15 and FY16 the debt burden will be high as we will be tapping into retaining earnings which is scheduled.

**Cape Light Compact (CLC) update – Maggie Downey**

The CLC includes all 15 towns on the Cape, 6 on the Vineyard and the two Counties. The CLC was created in 1997 and are authorized to have cities and towns to work together for three tasks: 1) Power supply; 2) Energy Efficiency; and 3) Consumer Advocacy. Each task was briefly reviewed with a PowerPoint presentation.

The CLC offers a Heat Loan Program (\$25,000 loan zero interest for 7 years) available for new heating system.

The CLC is also offering a retrofit of street lights in Bourne, saving \$37,000 annually which does not include the maintenance.

TA Guerino asked if the sale by NU will impact the CLC with regard to rate distribution. Ms. Downey said it would not.

2013 Activities were briefly reviewed.

2014 Activities:

- Annual audit every calendar year
- Energy efficiency – conducting a study on who has been served and who is left to be served
- Issuing an RFP for municipal aggregation power supply.

Zuern asked if there was mercury in the LED lights. Ms. Downey said to her knowledge there isn't any mercury in those lights, but they are in the CFLs. Ms. Downey added a homeowner doesn't have to choose all of the suggestions of the Energy Audit.

**Board of Selectmen procedures and modifications – V. Chm. Zuern**

Zuern read into record XIV. Board of Selectmen New Committee Procedures dated 10/29/13. This is for clarification as some committees were not following proper procedures.

Pickard raised issue with being inundated with paper with the second sentence of Page 2. However, he feels it is a good basis of setting up a committee and commended Zuern's efforts.

TA Guerino said filing of minutes in the Selectmen's/Town Administrator's office is running out of room. If distributed as policy, they won't be on file at the Selectmen/Administrator's office but the Clerk's pursuant to the policy.

Pickard said that if a committee is not taking the direction of a charge, it would get back to the Selectmen's attention to be alleviated.

Zuern suggested amending Page 2, Paragraph 1, second sentence ... "The minutes 'may' be included in the packets" ...

Ellis asked if the issue of the minutes reflect in the Open Meeting Law. TA Guerino said this is not in opposition to the Open Meeting Law.

Zuern added an item #4 to Changes to the Procedures III. Procedure for Establishing Policies and Procedures, Item #4 "Action, which may include further discussion, adoption or rejection, may be taken at the end of the discussion at the second reading, or at a subsequent meeting.

No vote was taken but there was a consensus of agreement to the procedures and modifications as outlined and as amended tonight. TA Guerino to send to the Clerk's Office per Ellis.

**Licenses/Appointments**

**a. a. MMA – Bay State Conference Center -1 day liquor license**

Meier MOVED and SECONDED by Zuern to approve MMA request for One Day Liquor License for the Bay State Conference Center on 11/7/13 from 4:30 pm – 7:00 pm. VOTE 5-0.

**b. b. MMA – Beachmoor at MMA – 1 day liquor license**

Ellis MOVED and SECONDED by Meier to approve MMA request for One Day Liquor License for the Beachmoor on 12/20/13 from 10:00 am – 3:30 pm certification of inspection before license provided per routing slip (Building Inspector). VOTE 5-0.

**c. Historic Commission – Frances Speers**



Meier MOVED and SECONDED by Zuern to appoint Frances Speers to the Historic Commission for a term to expire 6/30/14. VOTE 5-0.

**Discussion regarding floodplain maps – Mr. Quigley, Deputy District Director**  
Meier asked to be put on the agenda at Special Town Meeting.

The New Federal Act includes communities near rivers, ponds and mountains that Congress found themselves with homeowners near the floodplain where they didn't have any before. The Homeowners Insurance Flood Ability was introduced giving a four year delay to the Act. Congressmen have talked with FEMA with regard to the map and what methodologies being used.

Mr. Quigley suggested anyone receiving an insurance bill that is unwarranted, to call his office who will speak with FEMA.

Ellis asked when a homeowner writes to the Congressmen which House Bill do they reference. Mr. Quigley will supply TA Guerino the information for distribution to the Selectmen.

Zuern raised issue of models which shows areas that are mostly likely to get hurricanes and not subject to this area. Mr. Quigley said the Bigger Waters Bill will address this issue and added the Bill should be affordable after 4 years.

Mr. Joe Agrillo raised concerns about people up here paying for people down south.

Mr. Jim Mulvey received a copy of the floodplain map from the Town Planner's office. Also, he commended Ms. Rebello for her efforts in the Annual Report.

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

##### **a. 80 Club House Drive, Pocasset – Tax Title**

TA Guerino said the town is working on this property. He will have a recommendation whether to allow property to be bought back or move forward with a tax sale for the next meeting. 11/26 or 12/5 at the latest.

Ellis requested TA Guerino draft letter on behalf of the board for appreciation for Thelma Locke for Historic Commission – done.

##### **b. Approval of narrative for the Cape Cod Commission**

TA Guerino said there was a very productive meeting between the Town Planner Ms. Moore and Zuern and Ellis. Zuern thanked Ms. Moore. Ellis said it was an extremely productive meeting and hopes the board would support this.

Pickard said it appears many issues are based on personal opinion by proponents even though some items are factual.

Ellis said the points #1-#4 were thoroughly discussed with the Town Planner. They were applied against the bylaw that already exists. He was satisfied with the Town Planner.

Pickard said majority vote was able to send to the Cape Cod Commission. He feels this discretionary DRI states a public disgrace of town officials.

Ellis MOVED and SECONDED by Zuern to approve projected narratives by the subcommittee that met with the Town Planner and the Town Planner's comments. VOTE 3-1-1 (opposition by Pickard and abstention by Baldwin).

TA Guerino will report to the board after the meeting of 11/12/13 at 11:00 am.

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

TA Guerino reminded the board he will be at the National League of Cities leaving this coming Monday and will return the following Tuesday. The Finance Director will serve in his capacity in his absence per the Charter.

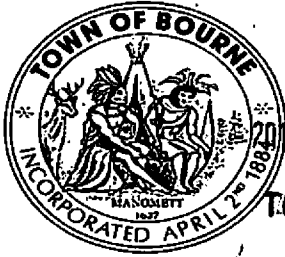
Zuern conducted a TV show with Jerry Ellis as her guest on WWI and WWII memorabilia.

Meier toured substantial roads and understands the Superintendent's request for maintenance and services on these roads. The old building on the Patterson property will be demolished. TA Guerino added the Building Inspector will write a letter requesting to tear the building down.

#### **Adjourn**

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

Respectfully submitted,  
Lisa A. Groezinger, sec.



**Board of Selectmen  
Meeting Notice  
AGENDA**



NOV 22 AM 8 38  
TOWN CLERK'S OFFICE,  
BOURNE, MASS.

**6:00 p.m.  
Executive Session  
Contracts/Labor/Associate Counsel/Pending Litigation**

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday November 26, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (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: 10.31.13;11.5.13
  
5. Correspondence
  
6. 7:15 p.m. Classification hearing
7. 7:20 p.m. BAN note signing
  
8. 7:30 p.m. Kurt Felix, Wellfleet, – shellfish farm presentation – nitrogen reduction
  
9. Approval of the 2014 Shellfish Regulations
  
10. 80 Clubhouse Drive
  
11. Second Reading - Selectmen Policy and Council on Aging amendment [Linda]
  
12. Licenses/Appointments
  - a. 2014 Liquor License Renewal Signing
  
13. Selectmen's Business
  - a. Selectmen's Report
  - b. Request for Town Counsel opinion [Mr. Ellis]
  
14. Town Administrator's Report
  
15. Adjourn

**Board of Selectmen  
Minutes of November 26, 2013  
Bourne Community Building  
Bourne, MA 02532**

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TA Guerino

Earl Baldwin, Chairman (excused)  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

Documents

- None

2014 FEB 11 PM 3 34  
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**

**Call to order**

By V. Chm. Linda Zuern at 7:00 pm.

Motion by Peter Meier and seconded at 6:01 pm by Jerry Ellis to move into Executive Session regarding Labor Contracts Associate Counsel, Pending litigation and to reconvene in open session. Roll call: Zuern – yes; Pickard – yes; Ellis- yes; Meier – yes.

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

**Public Comment – Non-Agenda Items**

None.

**Minutes: 10/31/13, 11/5/13**

Meier MOVED and SECONDED by Ellis to approve Minutes of 10/31/13 as amended.

VOTE 5-0.

Meier MOVED and SECONDED by Ellis to approve Minutes of 11/5/13 as amended. VOTE 5-0.

**Correspondence**

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

Items 7 and 10 – Ellis recommended other letters in opposition or in support to be sent to the Selectmen/Town Administrator's office.

Zuern commented on Item with regard to the Clean Water Collaboration. The total cost of building a wastewater treatment plant is between \$5.2B – \$7.6B and the project will be hooked up to 133,000 properties. For each household it will cost \$38,900 – \$46,000 even if they do not hook up to the system. Ellis said he would be opposed to the capital costs of \$38,000 - \$46,000. After the initial connection to system was paid for, it would cost \$1,800 per year per household.

Item 11 – TA Guerino said the \$5,000 deposit was from the \$115,000 property auctioned by the town. The two (2) properties were located in Cataumet.

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

TA Guerino attended the National League of Cities and it was an excellent conference. He would like to add the Buzzards Bay Coalition to the 12/17/13 Selectmen's agenda as it relates to the single haul tankers coming through the canal. Also, NSTAR has received approval rights of way for herbicide spraying which the Selectmen are on record opposing this act. TA Guerino will ask the board if it wants to follow up with NStar discussions relative to the herbicide.

TA Guerino said most Department Budgets are in and he will begin moving forward the budget process.

#### **Classification hearing**

Chief Assessor Donna Barakauskas was present and recommended the town retain one single tax rate.

Meier MOVED and SECONDED by Ellis to approve and retain one tax rate in the amount of \$9.68/\$1,000 for all classes of property for FY14. VOTE 5-0.

#### **BAN**

TA Guerino said the low bid was from Century Bank came in at a ½ percent of 1 percent.

Ellis MOVED and SECONDED Meier to approve Century Bank's bid in the amount of \$575,000 at the rate of .50%. VOTE 5-0.

#### **Kurt Felix, Wellfleet – shellfish**

V. Chm. Zuern said this will be put on the Selectmen's 12/17/13 meeting agenda.

#### **Approval of 2014 Shellfish Regulations**

Mr. Mullen responded that the regulations were endorsed by him when asked by Ellis. Ellis also asked the overall health of the shellfish beds. Mr. Mullen responded that in some areas they are better than other areas, but overall there are a lot of areas that propagate themselves.

Meier MOVED and SECONDED by Ellis that the Board of Selectmen adopt the 2014 Shellfish Rules and Regulations on 11/26/13 as presented by the Harbormaster Mr. Tim Mullen. VOTE 5-0.

### **80 Clubhouse Drive**

TA Guerino said the Executor of the Estate is seeking the board's consideration to allow paying the taxes owned and taking back for the family. If the town were to keep the house, there would be some \$10,000-12,000 of work needed to be done. This has been done in the past and he recommends the board allow this to happen. His concern is that there is a definitive date this must be concluded and recommends 12/20/13. The total bill and fees accrued is \$34,000 which includes the 1<sup>st</sup> and 2<sup>nd</sup> quarters of estimated 2014 taxes.

Meier MOVED and SECONDED by Ellis to approve request Ellis last day can be redeemed is 12/20/13. VOTE 5-0.

**Second Reading – Selectmen Policies** TA Guerino said the policies go out to the boards that have influence with the Clerk's and Selectmen's office. After the board reviews, they can indicate either to accept any and or all of the proposed changes by other boards, committees, and elected officials. He recommends incorporating into the final draft. He said the board can consider the Final policy amendment at their 12/17/13 meeting. The consensus of the board is to forward the amended copy by email.

Meier MOVED and SECONDED by Ellis to accept changes as proposed by the Town Clerk as submitted and move to the Third Reading. VOTE 5-0.

TA Guerino clarified that both the Town Clerk's amendments and the amendments presented by V. Chm. Zuern are to be incorporate into the Selectmen's policy and procedures.

### **Council on Aging (COA)**

#### **Town By-laws Article 21, 1969 Annual Town Meeting**

V. Chm. Zuern and TA reviewed met with Felice Monteiro, COA Director and Estelle Blake, Chair COA Board to draw up a revised COA Town Bylaw. TA Guerino said this document will identify that the COA board is responsible to the Board of Selectmen and makes it clear who reports to whom. TA Guerino said Ms. Monteiro and Ms. Blake were helpful in making this document and is a good piece to bring to the Bylaw Committee.

Meier MOVED and SECONDED by Ellis that TA Guerino bring the COA Town Bylaw document and if approved, the Board of Selectmen forward said document to the Bylaw Committee. VOTE 5-0.

### **Licenses/Appointments**

TA Guerino notes any restrictions that are with the licenses today that have been placed on in the past, will carry onto the new licenses. There was no waiving of restrictions.

Meier reminded the board and the public that all licensed renewed will not be issued until all taxes are paid in full.

**a. 2014 or License Renewal Signing**

Meier MOVED and SECONDED by Ellis to approve the following requests for Club – All Alcoholic: Aptucxet Post #5988 at 180 Shore Road, Bourne, Manager Warren Silvia for a Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device licenses; Buzzards Bay Eagles at 39 Cohasset Avenue, Buzzards Bay, Manager Matthew Gilbert for a Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device licenses; Marconi Club at 7 Commonwealth Avenue, Sagamore, Manager Archie Rovatti for a Liquor and Common Victualer licenses; Monument Beach Sportsman's Club, Inc. at Dump Road, Off MacArthur Blvd, Monument Beach, Manager Henry Donovan for Liquor, Common Victualer, Weekday Amusement and Sunday Amusement licenses; Otis Fish and Game Club, Inc. at Otis National Guard, Camp Edward, President Michael Veloza for Liquor and Common Victualer licenses; Pocasset Golf Club, Inc. at 77 Valley Bars Road, Manager David Robinson for Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device licenses. VOTE 5-0.

Ellis MOVED and SECONDED by Meier to approve Common Victualer – All Alcoholic for: The Brookside Club at 11 Brigadoon Road, Bourne, Manager Frank Falcone for Liquor, Common Victualer, Weekday Amusement and Sunday Amusement licenses; Buzzards Bay Tavern at 145 Main Street, Buzzards Bay, Manager James Carter for Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device licenses; Courtyard Restaurant at 1337 County Road, Cataumet, Manager Paul Perini-Miller for Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device licenses; Cranberry's Restaurant and Pub the Bog at 618 MacArthur Boulevard, Pocasset, Manager Semantha Burger for Liquor, Common Victualer, Weekday Amusement and Sunday Amusement licenses; Flynn's at 119 Cranberry Highway, Sagamore for Liquor, Common Victualer, Weekday Amusement and Sunday Amusement licenses; Leo's Seafood Restaurant, Inc. at 249 Main Street, Buzzards Bay, Manager Anthony Cubellis for Liquor and Common Victualer licenses; The Lobster Trap Fish Market and Restaurant at 290 Shore Road, Bourne, Manager David Delancey for Liquor, Common Victualer, Weekday Amusement and Sunday Amusement; Lost Dog Canal Café at 71 Cranberry Highway, Sagamore, Manager Kevin Shea for Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device; Mezza Luna Restaurant, Inc. at 253 Main Street, Buzzards Bay, Manager RoseMary Cubellis for Liquor, Common Victualer and Weekday Amusement; The Parrot Bar & Grille at 1356 Route 28A, Cataumet, Manager Brian Crocker for Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device; Port O'Call, Inc. at 57-59 Main Street, Buzzards Bay, Manager Steven Harunk for Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device; Sandy's Famous Seafood Restaurant at 7 Bourne Bridge Approach, Buzzards Bay, Manager Judith Ann Tubbs for Liquor and Common Victualer; Stir Crazy at 570 MacArthur Blvd, Pocasset, Manager Bopha Samms for Liquor and Common Victualer; T.J.'s Grill & Bar, LLC at 4 Bourne Bridge Approach, Buzzards Bay, Manager Judith Ann Tubbs for Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device; Trading Post Lounge, Inc. at 12 Trowbridge Road, Bourne, Manager Kristine Leitzel for Liquor, Common Victualer, Weekday Amusement, Sunday Amusement and Operated Amusement Device; Trowbridge Tavern & Ale

House at 100 Trowbridge Road, Bourne, Manager Mary Ellen McCarthy for Liquor, Common Victualer, Weekday Amusement and Sunday Amusement; Wayho Grill, Inc. at 4 Old Bridge Road, Buzzards Bay, Manager Benny Chu for Liquor, Common Victualer and Weekday Amusement; Wayho Restaurant at 300 Main Street, Buzzards Bay, Manager Siuman Chu for Liquor and Common Victualer; and Whaleback Restaurant at 1052 Sandwich Road, Sagamore, Manager Robert Lacey for Liquor, Common Victualer and Weekday Amusement. VOTE 5-0.

Meier MOVED and SECONDED by Ellis to approve Common Victualer – Wine & Malt for: Buzzards Bay House of Pizza at 270 Main Street, Buzzards Bay, Manager Olga Kalkanis for Liquor and Common Victualer; Golden Place Restaurant at 4 Barlow's Landing Road, Unit 2A, Pocasset, Manager Ze Min Chen for Liquor and Common Victualer; Graziella's at 375 Barlow's Landing Road, Manager Thomas Ruta for Liquor and Common Victualer; Hoagies Diner at 808 MacArthur Blvd., Manager John Hogan for Liquor and Common Victualer; Pizza by Evan at 170E Clay Pond Road, Monument Beach, Manager Peristera Gavriliadis for Liquor and Common Victualer; and Sweet Caroline's Café, LLC at 240 Main Street, Manager Elena Bevilacqua for Liquor, Common Victualer, Weekday Amusement and Sunday Amusement. VOTE 5-0.

Meier MOVED and SECONDED by Ellis to approve General on Premise – Wine & Malt for: Ryan Family Amusement at 200 Main Street, Buzzards Bay, Manager Robert Nichols for Liquor, Common Victualer, Sunday Amusement and Operated Amusement Device. VOTE 5-0.

Meier MOVED and SECONDED by Ellis to approve Package Store – All Alcoholic for: Bourne Bridge Liquors at 310 Main Street, Buzzards Bay, Manager Douglas Beecy for Liquor; Grey Gables Market at 181-183 Shore Road, Bourne, Manager Michael Hallam for Liquor; Liberty Warehouse Liquors at 21 St. Margarets Street, Buzzards Bay, Manager Richard Rymsha for Liquor; The Liquor Barn at 150 Main Street, Buzzards Bay, Manager Norman White, Jr. for Liquor; Luke's Liquor 'N More at 170 Clay Pond Road, Monument Beach, Manager Michael Patterson for Liquor; Portside Liquors, Inc. at 590A MacArthur Blvd., Pocasset, Manager Zeina Metri for Liquor; One Stop Convenience Store at 227 Route 6A, Sagamore, Manager Shakeel Mohammed Farooq for Liquor; Sea Side Wine and Spirit at 4 Barlow's Landing Road, Unit 1, Bldg. 2, Pocasset, Manager Paresh Patel for Liquor; and Ye Olde Spirit Shoppe at 41 Meetinghouse Lane, Sagamore Beach, Manager Muhammad Shadid Hamid for Liquor and \$50.00 Food Vendor. VOTE 5-0.

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

Request to Town Counsel from Mr. Ellis with regard to Zone Section 3300 parking requirements 3310 – A-b-1-2-3. Ellis asks do the provisions of this Section that addresses the exception of a 350' FT distance from a main entrance and allows only 8 off street parking spaces within the building entrance via sidewalk apply to this locus. So that only 8 spaces should be provided. He said the plan shows 57 spaces and feels it is far and excessive.

Ellis MOVED and SECONDED by Meier to seek Town Counsel opinion with regard to 1 Trowbridge Road and 9 Sandwich Road relative to eight (8) off-street parking spaces.



Pickard asked for clarification as the Planning Board already has issued permits and the Cape Cod Commission have refused the discretionary DRI.

Ms. Kathleen Donovan agrees with Mr. Ellis about the parking lot and has safety concerns. Mr. Chris Farrell agrees with Mr. Pickard. The only way can appeal is to go to court. He feels it is a waste of the town's money if the board approves to go to Town Counsel. The permits have been issued and construction has commenced.

TA Guerino spoke with Town Counsel and the Selectmen are still within the 30-day period to appeal the building permit issued by the Building Inspector to the ZBA. The timeframe is up to 12/8/13 for the Selectmen to appeal and the next ZBA meeting is 12/4/13.

Zuern requested to put item on the agenda for the 12/3/13 meeting for discussion and vote. TA Guerino will follow up and let the ZBA know to put on the agenda.

Ellis said he has the best interest of the town in mind and requests this goes forward to Town Counsel.

VOTE: MOVED 4-1 (Pickard opposed).

Pickard said members of this Board made direct contact and directives with regard to 1 Trowbridge Road and 9 Sandwich Road addresses to town Departments. He feels this is a conflict of the Home Rule of the Charter.

Pickard MOVED and SECONDED by Meier that TA Guerino interview the staff of Conservation Department, the Building Department and the Engineering Departments of possible Charter by members of the Board of Selectmen violations and to report on his findings by 12/17/13. VOTE 1-2-1 (Meier and Ellis opposed; Zuern abstained).

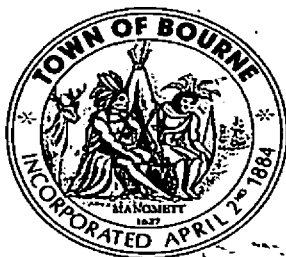
Zuern attended the Veteran's Day parade. Mr. Bob White would like Bourne to work with Wareham next year. She attended the UCT ribbon cutting ceremony.

TA Guerino said the Buzzards Bay Park Tree Lighting will be held December 5, 2013. The Library Tree Lighting is on 12/6/13 at 5:30 pm.

#### **Adjourn**

Meier MOVED and SECONDED by Ellis to adjourn. Meeting adjourned at 8:07 pm. VOTE 5-0.

Respectfully submitted,  
Lisa A. Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



Date  
Tuesday, December 3, 2013  
**TOWN CLERK'S OFFICE**  
BOURNE, MASS

2013 NOV 27 AM 11 45

Time  
7:00 p.m.

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

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

7:00 – 7:10 (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: October 31, November 5, November 26
  
5. Correspondence
  
6. Heather DiPaolo – Book Pocket Libraries
  
7. 9 Sandwich road building inspectors decision appeal to ZBA
  
8. Transportation Advisory Committee
  
9. Nstar discussion on power line rights of way spraying.
  
10. Licenses/Appointments
  - a. Stephen C. Hurlbert, d/b/a Diamond Auto Sales, Class II Dealer's License
  
11. Town Administrator's Report
  
12. Selectmen's business
  - a. Recycling Center Policy
  - b. Selectmen's reports
  
13. Adjourn

**Board of Selectmen  
Minutes of December 3, 2013  
Bourne Community Building  
Bourne, MA 02532**

2013 DEC 19 AM 9 40

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk (excused)  
Don Pickard  
Don Ellis

**Documents**

- None

**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**

**Call to order**

By Chm. Baldwin at 7:00 pm.

**Moment of Silence for our Troops**

**Salute the Flag**

**Public Comment – Non-Agenda Items**

Mr. Robert Schofield discussed the Cape Light Compact Residential Incentives Limited Time Officer: 100% Incentive up to \$4,000 to install recommended weatherization measures. Eligibility and Income Groups were briefly reviewed. Please call 1-800-797-6699 for more information.

**Minutes: November 26**

Zuern MOVED and SECONDED by Ellis to approve minutes of 11/26/13 as amended. VOTE 4-0.

**Correspondence**

Correspondence read into record by Chm. Baldwin. Hard copies are available in the Town Administrator's office.

**Heather DiPaolo – Little Free Libraries**

Ms. DiPaolo, Chm. of the Jonathan Bourne Public Library Trustees and Ms. Tara, V. Chm. of the Jonathan Bourne Public Library Trustees proposing to place Little Free Libraries at: Clark Field (Sagamore Beach), Keith Field (Sagamore), BES (Bournedale), Gazebo (Buzzards Bay), BMS

(Bourne Village), Marina (Monument Beach), Baseball Field (Pocasset), Washington Park (Cataumet) and Beach parking lot (Gray Gables).

The Free Libraries will assist people who cannot travel far and for school-aged children looking for community service. The projected date for installation is Spring 2014. The students at the Upper Cape Tech have built the prototype. The Library will be mounted on a fence post and will be HP accessible.

TA Guerino to work with the Trustees and Mr. Patrick Marshall and either Ms. Caron or Mr. Sala for locations.

Ellis asked how this project will be funded. Ms. DiPaolo said this will be funded through the Friends of the Library. TA Guerino said the town can offer assistance in the installation (digging) of the posts the Libraries will be on.

Tree Dedication this Friday at 5:30 pm at the Library.

**9 Sandwich Road building inspectors decision appeal to ZBA**

TA Guerino said based on discussion last week and discussion with Town Counsel of the 30-day window to appeal after the permit was issued, it brings the deadline date to Mon. 12/9/13. In anticipation of determination to move or not move forward, he has prepared the application for appealing the decision of the Inspector with regard to Bylaw 3310, et al.

Pickard asked if there wasn't also a vote for TA Guerino seeking opinion from Town Counsel. TA Guerino said there is a request for opinion typed and was faxed mid morning of Wednesday after the board's last meeting. Atty. Troy met to further discuss Bylaw 3310 with town staff and TA Guerino doesn't expect an opinion until 12/7/13.

Zuern MOVED and SECONDED by Ellis to appeal the Building Inspector's Decision to the Zoning Board of Appeals.

Pickard said this has been a cost to the town and suggests not sending to the ZBA.

Zuern feels the board should abide by the town's Zoning Bylaws. Pickard said this isn't within this board's purview. Ellis said this Board was elected to protect the citizens of the town and is in favor of moving forward to the ZBA.

SELECTMEN VOTE: 3-1 (Pickard opposes).

Zuern MOVED and SECONDED by Ellis to authorize the Selectmen Chairman to sign the appeal application on behalf of the board. VOTE 3-0-1 (Pickard abstains).

**Transportation Advisory Committee**

Bourne's Transportation Advisory Committee has been working with the Cape Cod Commission

staff in their study of the Bourne Bridge rotary under the Commonwealth's Unified Planning Work Program. This report accurately and completely represents the positions of a majority of the committee members. It recommends to the Massachusetts Department of Transportation a specific three-step action plan.

Actions that should be taken as soon as possible include adding directional signs in advance of the rotary; adding new pavement markings to guide traffic around the rotary; elimination of dangerous curb cuts close to or in the rotary; and construction of a pedestrian and bicycle path around the State Police barracks between the bridge sidewalk and Veterans Way.

Mid-term actions should encourage a shift of traffic connecting Route 25 with the Mid-Cape Highway to Scenic Highway and away from Sandwich Road and the rotary after Belmont Circle and the Route 25 interchange are reconfigured.

The long term recommendation calls for replacing the rotary with an interchange that, to the greatest extent possible, uses existing roads and locates all new construction east of Route 28. While this study reviewed and evaluated several interchange concepts drafted by Commission staff, previously suggested by the Massachusetts Highway Department, and one suggested by a resident of the neighborhood, it is not its responsibility to design a new interchange.

The Committee has a responsibility, however, to recommend to the Board of Selectmen that they urge the State to promptly address traffic problems at the rotary and begin planning now for its eventual reconfiguration. At its meeting of November 21, 2013, the Committee voted seven to one to approve the following motion:

The Transportation Advisory Committee strongly endorses the recommendations for near-term and mid-term improvements as stated in the report, and equally strongly endorses and encourages the state to continue study and consideration of how to move traffic efficiently and effectively to and from the Bourne Bridge and its approaches.

The Bourne Transportation Advisory Committee recommends that the Board of Selectmen take action to get the Bourne Bridge rotary reconfiguration placed on the regional Transportation Improvement Plan, and encourage the Metropolitan Planning Organization to place it high on its list of priority transportation projects.

In addition, Mr. Ewell said it was the recommendation of both the Police Chief and Fire Chief that Adams Street be made one-way from Sandwich Road to Cranberry Highway.

TA Guerino said the Police Chief will be in before the board as it relates to traffic on the first board meeting in January. There was a concerned citizen who discussed the issue of safety. TA Guerino will ask the Transportation Committee to review and make a possible recommendation.

Ellis recommended the Transportation Committee look into left turns off Vermont Street in Sagamore. He also suggested a pedestrian crosswalk be something the Transportation Committee also considers.

TA Guerino said the town is opposed to the closing Exit 1 as well as the Fire Chief and the Police Chief.

Lastly, the Transportation Committee is asking the board to authorize the Transportation Committee to explore with the town and State officials, the potential to bring the commuter rail to Buzzards Bay.

TA Guerino said even if you are an adjacent of the MBTA community, there is a Cherry Sheet assessment as an adjacent community. He recommends the exploration of the possibility.

TA Guerino said Secretary of Transportation would like to see the town's position before they spend time and monies on the matter. They are looking to see if there is an interest in a community and work with a town that is most favorable.

Mr. Ewell said the trains coming to Lakeville will be the ones extended down to Buzzards Bay.

Ellis is not in favor of the train going across the bridge and would endorse it to Buzzards Bay.

He said the said the commuter service to Buzzards Bay may allow downtown Buzzards Bay to bloom.

Zuern MOVED and SECONDED by Ellis to authorize the Transportation Committee to move forward with study on the commuter rail.

Ms. Kay Donovan is in favor of the commuter rail.

SELECTMEN VOTE: 4-0.

#### **Nstar discussion on power line rights of way spraying**

TA Guerino said the board over the years has been a strong advocate for not allowing and supporting the prohibition of herbicide spraying. He plans to meet with Nstar and work with the Conservation Agent, the Board of Health Agent and the Planning Department and recommends this board to continue to support the past board's efforts.

Ellis MOVED and SECONDED by Zuern to support and allow TA Guerino to move forward.

Mr. James Mulvey said he is in favor of not spraying of the herbicide. He suggests asking Nstar how much of the herbicide gets into the soil and how long before it degrades.

SELECTMEN VOTE: 4-0.

**Licenses/Appointments**

**a. Stephen C. Hurlbert, d/b/a Diamond Auto Sales, Class II Dealer's License**

John Biven is representing Stephen Hurlbert.

Ellis MOVED and SECONDED by Zuern to approve the Diamond Auto Sales, Class II Dealer's License per routing slip. VOTE 4-0.

**Town Administrator's Report**

Budget hearings with department heads will begin and continue over the next three (3) weeks. The budgets are in and the town will have some challenges. TA Guerino's Budget Message will be given the second meeting of January.

TA Guerino reminded the board of the Buzzards Bay Park Annual lighting this week.

The Buzzards Bay Coalition sent documentation to TA Guerino which will be put on the next board's meeting agenda to become party to litigation relative to double hauled vessels going through and up the canal.

**Selectmen's business**

**a. Recycling Center Policy**

TA Guerino said there are relatively no changes other than dates. There are no increases in fees. He recommends the board adopt the policy.

Zuern MOVED and SECONDED by Ellis to approve the Recycling Center Policy. VOTE 4-0.

**b. Selectmen's reports**

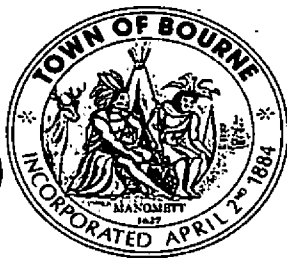
Zuern said signatures for automatic tax increase did make its 1,000 signatures and will be on the ballot. She attended the Watershed meeting in Falmouth and most people were looking at alternatives (for example: barrier reefs and shellfish farms).

Pickard encourages donations to the Food Pantry.

**Adjourn**

Ellis MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 8:05 pm. VOTE 4-0.

Respectfully submitted,  
Lisa A. Groezinger, sec.



# Board of Selectmen Meeting Notice AGENDA



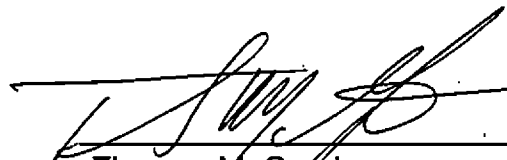
## EXECUTIVE SESSION

Date  
Wednesday  
December 4, 2013

Time  
1:00 p.m.

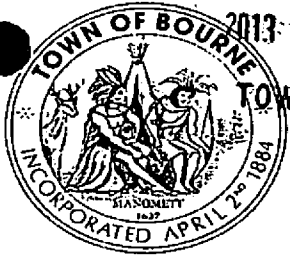
Location  
Bourne Town Hall  
24 Perry Avenue  
Buzzards Bay

Meeting in Boston with the law firm of Wilmer Hale and Town Counsel

  
Thomas M. Guerino  
Town Administrator

2013 DEC 2 PM 12 53  
TOWN CLERK'S OFFICE  
BOURNE, MASS





2013 DEC 6 PM 8 42  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Selectmen  
Meeting Notice  
AGENDA**



**EXECUTIVE SESSION**

Date

Thursday  
December 12, 2013

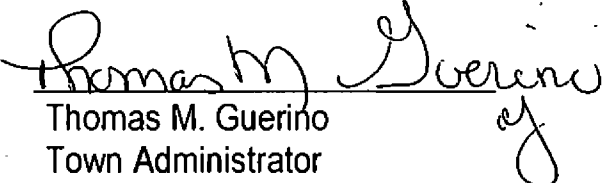
Time

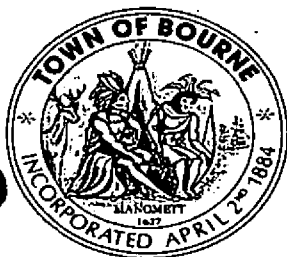
depart 9:45 A.M.

Location

Bourne Town Hall  
24 Perry Avenue  
Buzzards Bay

12:00 PM meeting in Boston with the law firm of Wilmer Hale and Town Counsel

  
Thomas M. Guerino  
Town Administrator



# Board of Selectmen Meeting Notice AGENDA



2013 DEC 12 AM 9 45

TOWN CLERK'S OFFICE  
EXECUTIVE SESSION - CONTRACTS - REAL ESTATE  
6:30 P.M.

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday December 17, 2013	7:00 p.m.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

7:00 – 7:10 (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: 12.3.13

5. Correspondence

6. 7:30 p.m. Kurt Felix, Wellfleet, – shellfish farm presentation – nitrogen reduction

7. Licenses/Appointments

- a. License Renewals – Food – Entertainment – Lodging - Auto Dealers – Junk Yard – Taxi – Public Livery

8. Selectmen's business

- a. Final – Board of Selectmen Procedures
- b. Town Hall Closure for December 24, 2013

9. Town Administrator's Report

- a. Sewer Report

10. Adjourn

**Board of Selectmen  
Minutes of December 17, 2013  
Bourne Community Building  
Bourne, MA 02532**

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TA Guerino

Earl Baldwin, Chairman  
Linda Zuern, Vice-Chairman  
Peter Meier, Clerk  
Don Pickard  
Don Ellis

Documents

- None

2014 FEB 11 PM 3 34  
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 is recording meeting tonight.

**Call to order**

By Chm. Earl Baldwin at 6:30 pm.

Motion by Peter Meier and seconded by Linda Zuern to move into Executive Session regarding Contracts – Real Estate and recommends reconvening in open session. Roll call: Pickard – yes; Zuern – yes; Meier – yes; Ellis- yes; Baldwin – yes.

Meeting reconvened at 7:17 pm.

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

**Public Comment – Non-Agenda Items**

None.

**Minutes: 12/3/13**

Zuern MOVED and SECONDED by Ellis to approve minutes of 12/3/13 as submitted.  
VOTE 4-0-1 (abstention from Meier).

**Correspondence**

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

Mr. Jon Nelson said currently Weston and Sampson, the Town's designer on the project, has provided 90% of the drawings. The project is currently scheduled to go to bid in February, giving the team a month to make corrections and changes.

The site work is ongoing. The site clearing and back filling operations have been completed. Excess material removal is scheduled to begin next. Members of the ISWM and the DPW have labored tirelessly to complete a major portion of the site work prior to the cold. Mr. Nelson publicly recognized and thanked all involved. TA Guerino also thanked Mr. Nelson.

**Kurt Felix, Wellfleet – shellfish farm Power Point presentation – nitrogen reduction**

Slide 1 - Water Quality Indicators reviewed.

Slide 2 - Wellfleet Green Infrastructure Goals reviewed. One example is to protect the Wellfleet Harbor ecosystem now – think 1600s function.

Slide 3 - Program Elements were reviewed.

Slide 4 - Feasibility discussed. Similar projects have been on-going in TX, NC, FL, and Chesapeake Bay for over 15 years.

Slide 5 - Results in Maryland were reviewed.

Slide 6 - Outreach effort reviewed.

Slide 7 - Results – Oyster Efforts briefly reviewed. One example of 4 million new oysters in study area and 20% nitrogen reduction.

Slide 8 - Program Costs and Number of Human Nitrogen Equivalent Removed per Year reviewed in a little more detail.

Various slides with pictures shown and discussed.

Zuern asked if the shellfish take out the nitrogen completely. Mr. Felix said not completely. She also asked where would the reefs be placed. Mr. Felix suggested asking the Shellfish Constable as it will be local knowledge.

Ellis asked if there were any local active programs. Mr. Felix said there are in Falmouth and Barnstable for example. Oysters will do well all over the Cape. The Wellfleet 208 website has documentation that Mr. Felix will be happy to forward to TA Guerino to distribute to the board.

TA Guerino stated when looking at wastewater treatment, there is also chemical discharge and antibiotics discharge (non-related waste issues). He asked if the issue of wastewater in the broader sense be solved beyond nitrogen loading. Mr. Felix said that nobody knows for sure and there is a lot of debate in that area.

TA Guerino said the next step is to have Mr. Mullen be in touch with Mr. Felix.

Mr. Mulvey suggested inviting the commercial fishermen when TA Guerino and the Selectmen meet to discuss further. Mr. Mulvey asked Mr. Felix what that costs would be. Mr. Felix said they would be substantially lower than building another wastewater treatment system.

**Licenses/Appointments**

**a. License Renewals – Food – Entertainment – Lodging – Auto Dealers – Junk Yard – Taxi  
– Public Livery**

Meier MOVED and SECONDED by Zuern to approve Common Victualer licenses for:

- American Lobster Mart at 2 MacArthur Blvd., Bourne, Manager Thomas F. Colbert;
- Beach Plum Bakery at 1337 County Road, Cataumet, Manager James McCague;
- Beachmoor at MMA at 101 Academy Drive, Buzzards Bay; Manager Capt. Francis X. McDonald;
- Canal Creamery at 89 Main Street, Buzzards Bay;
- Chen's Kitchen Inc. at 41 Meetinghouse Lane, Sagamore, Manager Neng Zhone Chen;
- Clammy's Pantry at 260 MacArthur Blvd., Bourne, Manager Christine Ricci;
- The Corner Café at 369 Barlows Landing Road, Pocasset, Manager Helen Borman;
- The Daily Brew at 1370 Route 28A, Cataumet, Manager Kathryn A. Hickey;
- Dunkin Donuts at 24 Meeting House Lane, Sagamore, Manager Jose Couto;
- Dunkin Donuts at 278 Main Street, Buzzards Bay, Manager Jose Couto;
- Dunkin Donuts at 174 Clay Pond Road, Monument Beach, Manager Jose Couto;
- Dunkin Donuts at 688 MacArthur Blvd., Pocasset, Manager Jose Couto;
- Dunkin Donuts at 343 Scenic Highway, Buzzards Bay, Manager Jose Couto;
- East Wind Lobster at 2 Main Street, Buzzards Bay;
- Friendly's Ice Cream Corp. at 10 Canal Road, Sagamore, Manager Robert Arruda;
- Ginny's Restaurant at 226 Cranberry Highway, Sagamore, Manager Virginia Briggs;
- Hacienda at 4 Barlows Landing Road, Pocasset;
- Hollyberry's at 254 Shore Road, Monument Beach;
- International House of Pancakes at 2 Bourne Rotary, Bourne, Manager Karl W. Bueller;
- Jake's Pizza Company at 91 Main Street, Buzzards Bay;
- Krua Thai at 100 Main Street, Buzzards Bay;
- Market Basket at 1 Factory Outlet Way, Sagamore, Manager Paul R. Quigley;
- McDonalds Corp. at 15 Meetinghouse Lane, Sagamore Beach, Manager Paul R. Quigley;
- McDonalds at 370 MacArthur Blvd., Monument Beach, Manager Warren Graves;
- Monument Beach Pizza at 18 Beach Street, Monument Beach, Manager Scott S. Romkey;
- Mr. G's Pizza & Ice Cream LLC at 41A Meetinghouse Road, Sagamore Beach, Manager Sahin Gulsen;
- Nick's Pizza at 205 Main Street, Buzzards Bay, Manager Fotini Tsonsis;
- Prime Time House of Pizza at 590D MacArthur Blvd., Pocasset, Manager Edward B. Ashbaugh;
- Sam's Snack Bar at 231 Sandwich Road, Bourne, Manager Thomas F. Welch;
- Skiane's Ice Cream at 856 Scenic Highway, Bourne;
- Starbucks Coffee at 2 Bourne Bridge Approach, Buzzards Bay, Manager Caitlin Webb;
- Subway at 282 Main Street, Buzzards Bay;
- Subway #41630 at 626 MacArthur Blvd., Pocasset, Manager James Turi;
- Yummy You at 269 Main Street, Buzzards Bay. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Lodging license for Noah's Ark at 20 Homestead Ext., Sagamore Beach. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Weekday Amusement licenses for:

- Knights of Columbus at 5 Armory Road, Buzzards Bay, Manager F. Thomas Keogh;
- Beachmoor at MMA at 101 Academy Drive, Buzzards Bay, Manager Capt. Francis X. McDonald. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Sunday Amusement license for Beachmoor at MMA at 101 Academy Drive, Buzzards Bay, Manager Capt. Francis X. McDonald. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Auto Dealers – Class I licenses for:

- Atlantic Subaru at 124 Waterhouse Road, Bourne, President Levon H. Semerjian;
- Battles Buick GMC at 50 MacArthur Blvd., Bourne;
- Bobcat of Bourne at 170 MacArthur Blvd., Bourne, Manager Thomas Ratacik;
- Cape Cod Harley-Davidson/GZ Riders, Inc. at 750 MacArthur Blvd. Pocasset, Manager George Zografos;
- Falmouth Toyota Scion at 290 MacArthur Blvd., Bourne, Manager Thomas F. Murphy;
- New England RV & Marine, Inc. at 150 MacArthur Blvd., Bourne, President David Major;
- Nissan of Bourne at 60 MacArthur Blvd., Bourne, President Antony J. Provost.

VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Auto Dealers – Class II licenses for:

- Auto Marine Industries at 169 Clay Pond Road, Bourne, Manager Douglas G. Fontana;
- Bay Motors at 29 Harrison Avenue, Buzzards Bay, Manager Anthony Delia;
- Buzzards Bay Garage at 174 Main Street, Buzzards Bay, President Kevin Connolly;
- Canal Auto at 78 Cranberry Highway, Sagamore;
- Cape Cod Restorations, Inc. at 4 Crane Circle – Units 5-6-7, Cataumet, Manager Chris Silva;
- Cataumet Auto Sales, Inc. at 1236 Route 28A, Cataumet, Manager Edward F. Parker;
- Coastal Motors and Equipment at 236 Main Street, Buzzards Bay, Manager Ralph MacDougall;
- Diamond Motors at 857 Shore Road, Pocasset;
- Falmouth Motorcar, Inc. at 10 Longhill Road – 45 Route 28A Cataumet, President Richard A. Duffy;
- GAF Auto Brokers at 95 Lewis Point Road, Buzzards Bay;
- Kent Auto at PO Box 936 - 692 MacArthur Blvd. Pocasset, Manager Ken Powderly;
- Madmikes Used Car Sales at 74 Cranberry Highway, Sagamore;
- Miracle Auto Sales at 18 Commerce Park Road, Pocasset, Manager John LaFlamme;
- Ocean Enterprises, LLC at 355 Old Plymouth Road – Unit 1, Sagamore Beach;
- Shoreline Automotive Inc. at 109 Barlows Landing Road, Pocasset, Manager Robin Cohen Ridosh;

- Southeast Truck Center, Inc. at 147 State Road, Sagamore Beach, President Gary S. Allen;
- T Wheels at 8 Otis Park Drive, Bourne;
- Towers Used Cars at 610 MacArthur Blvd., Pocasset, Manager George E. Towers, Jr.;
- Try Auto Group at 10 Millennium Drive – Unit #1, Cataumet, Manager Paul Tragiannopoulos. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Auto Dealers – Class III Junk Yard license for Knowlton’s Garage, Inc. at Route 6A, Sagamore, Manager John H. Anderson. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Taxi license for Bourne Bridge 24 HR Taxi, Inc. (5 vehicles) at 271 Barlow’s Landing Road, Pocasset, Manager Richard Sherman. VOTE 5-0.

Meier MOVED and SECONDED by Zuern to approve Public Livery licenses for:

- Any Occasion Limousine (3 vehicles) at 449 County Road, Pocasset;
- Sagamore Beach Transportation (1 vehicle) at 271 Barlow’s Landing Road, Pocasset, Manager Steven Cooke Philbrick;
- Fantasy Limousine Services, Inc. (3 vehicles) at 68 Tara Terrace, Bourne, President Mary Labbe;
- Green Shuttle of Cape Cod (4 vehicles) at 5 Sherry Lane, Monument Beach; Manager Dean R. Athanas;
- Road Runner (1 vehicle) at Box 969 – 43 Bennets Neck Drive, Pocasset. VOTE 5-0.

**Selectmen’s business**

**a. Final – Bourne of Selectmen Procedures**

Zuern noticed a change on Page 2. TA Guerino said the last page will be a separate page and recommended the board approve with changes presented.

Meier MOVED and SECONDED by to approve the Final Bourne of Selectmen Procedures subject to the changes presented. VOTE 5-0.

**b. Town Hall Closure for December 24, 2013**

TA Guerino said it was at the request of Meier to put on the agenda recommending closing Town Hall on 12/24/13. TA Guerino recommends the request and that employees included would be non-essential.

Ellis MOVED and SECONDED by Meier to approve the Town Hall Closure for 12/24/13.

Chm. Baldwin said the unions should have negotiated this day in their contracts and said the dispatchers in the Police Department may have issues.

SELECTMEN VOTE 5-0.

## **Town Administrator's Report**

### **a. Sewer Report**

The Town Administrator's determination as it relates to the concerns brought forward by residents of Hideaway Village. These relate to the costs of waste water disposal and transmission. This determination has been formulated after substantial consultation with Mr. George Tribou, Mr. Michael Leitzel and discussions with USDA Rural Development. Consultation with USDA RD was limited to documentation on file with the Agency and those documents have apparently been purged due to the long time period elapsed since the original agreements were signed in the late 1980s and early 1990s.

A brief history of the inception of the sewer system was discussed.

It is the town's position that Hideaway Village has no extraordinary right to reduced rates in regards to fees assessed for the collection/transmission of wastewater. The town has no additional responsibility to maintain any lines, additional pumping capacity, or replace same in relation to Hideaway Village.

Hideaway is not treated or considered in any different light than any other private housing or condominium development connected to the wastewater collection system, nor should it be.

After as thorough review as possible with staff and taking into consideration the totality of the waste water system in Buzzards Bay, no financial or fee reduction is warranted or recommended.

Ellis MOVED and SECONDED by Meier to instruct TA Guerino to forward his memo dated 12/10/13 to the Hideaway Village Condominium. VOTE 5-0.

Meier recommended a future workshop with the Selectmen, Planning Board, and the ZBA with regard to the Zoning Reform law. This will come up for vote sometime in the spring and feels the town should take a position. TA Guerino recommends the board review in February after budget discussions.

Zuern attended the dispatchers meeting.

Meier said Bourne fundraising efforts raised this year collected 1,500 pounds of food; 3,200 toys, and over \$10,000.

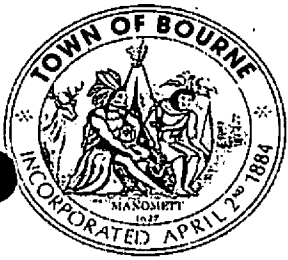
Ellis said received a letter with regard to the marijuana dispensing center in support. He encourages the public to send in signed letters for and against the center in Bourne.

### **Adjourn**

Meier MOVED and SECONDED by Zuern to adjourn. Meeting adjourned at 8:45 pm. VOTE 5-0.

Respectfully submitted - Lisa A. Groezinger, sec.





# Board of Selectmen Meeting Notice AGENDA



Date

Tuesday  
December 31, 2013

Time

2:30 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

1. To discuss and possibly retain associate outside counsel to represent the selectmen at the upcoming ZBA hearing regarding the 9 Sandwich Road appeal.

Adjourn

2013 DEC 27 PM 2 19  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

2013 JAN 10 AM 8 46  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**MEETING NOTICE**

**AMENDED**

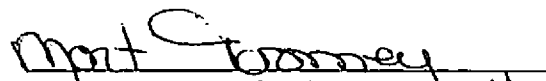
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, January 14, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of meeting held on December 3, 2012
- 2) DNR Director Tim Mullen: Input concerning working with Marine Fisheries
- 3) Review categorization of permanently closed shellfish beds
- 4) Committee oversight of NPDES PHII small MS-4 general permit and draft of the Stormwater Bylaws
- 5) Update status of the Buzzards Bay Estuaries Mini Grant at Taylor Point Project
- 6) Buzzards Bay Coalition on decision maker's workshops
- 7) Discuss future agenda topics
- 8) Date and time of next meeting
- 9) Adjourn

  
Mort Toomey, Chairman  
Date: January 10, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Tellier, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**  
2013 JAN 9 PM 1 09  
TOWN CLERK'S OFFICE  
MEETING NOTICE BOURNE, MASS

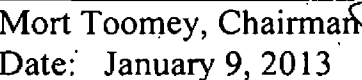
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, February 11, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of meeting held on December 3, 2012
- 2) DNR Director Tim Mullen: Input concerning working with Marine Fisheries
- 3) Review categorization of permanently closed shellfish beds
- 4) Committee oversight of NPDES PHII small MS-4 general permit and draft of the Stormwater Bylaws
- 5) Update status of the Buzzards Bay Estuaries Mini Grant at Taylor Point Project
- 6) Buzzards Bay Coalition on decision makers workshops
- 7) Discuss future agenda topics
- 8) Date and time of next meeting
- 9) Adjourn

  
Mort Toomey, Chairman  
Date: January 9, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Tellier, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

*CANCELLED*

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION**

and

**PHASE II STORMWATER MANAGEMENT**

2013 FEB 6 AM 11:03  
**COMMUNITY OVERSIGHT GROUP**

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

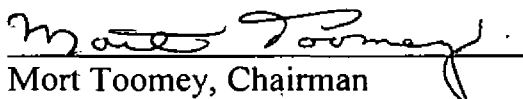
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, February 11, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of meeting held on January 14, 2013
- 2) Discussion on draft letter submitted by Elaine Graybill, secretary to send to the Mass Marine Fisheries about the Shellfish bed testing
- 3) Community Oversight Group on N.P.D.E.S. PH11 Small MS-4 General Permit and draft of the Bourne Stormwater Bylaws
- 4) Discuss testing of cranberry bog runoff beyond fecal coli form testing
- 5) Coalition for Buzzards Bay for the Decision Makers Workshops
- 6) Discuss future agenda topics
- 7) Date and time of next meeting
- 8) Adjourn



Mort Toomey, Chairman

Date: February 6, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

MEMORANDUM

2013 FEB 14 PM 9 51

TOWN CLERK'S OFFICE  
BOURNE, MASS

TO: Town Clerk  
FROM: Mort Toomey, Chairman  
DATE: February 13, 2013  
SUBJECT: Meeting cancellation

\*\*\*\*\*

Selectmen's Task Force on Local Pollution had their meeting cancelled due to power outage at Town Hall caused by Blizzard Nemo.

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

2013 FEB 25 AM 9 34

**MEETING NOTICE**

TOWN CLERK'S OFFICE  
BOURNE, MASS

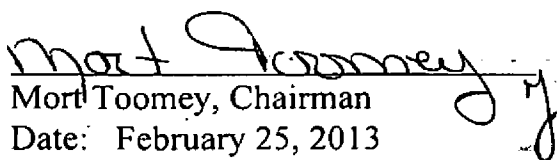
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, March 11, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of meeting held on January 14, 2013
- 2) Discussion on draft letter submitted by Elaine Graybill, secretary to send to the Mass Marine Fisheries about the Shellfish bed testing
- 3) Community Oversight Group on N.P.D.E.S. PH11 Small MS-4 General Permit and draft of the Bourne Stormwater Bylaws
- 4) Discuss the upcoming RFR for the FY14/319 Grant Program
- 5) Discuss testing of cranberry bog runoff beyond fecal coli form testing
- 6) Coalition for Buzzards Bay for the Decision Makers Workshops
- 7) Discuss future agenda topics
- 8) Date and time of next meeting
- 9) Adjourn

  
Mort Toomey, Chairman  
Date: February 25, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
AND  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

2013 APR 9 AM 8 29  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Minutes of meeting held March 11, 2013**

Called to order by Chairman Mort Toomey at 7:07 p.m.

Members present: Jim Mulvey, Stewart Bell, Mort Toomey, and Elaine Graybill.  
Les Perry had an excused absence.

1. Approval of minutes of January 14, 2013. Mulvey moved to approve, Bell seconded. Unanimously approved.
2. Consideration of draft letter to Massachusetts Division of Marine Fisheries about shellfish bed testing, which summarizes our analysis of closed beds in Bourne. Mulvey moved to change the salutation of the letter to Michael Hickey, director of shellfish, New Bedford office, with CC's to Aquatic Biologists Jerome Moles and Gregory Sawyer, who report to Hickey, with individual letters to each of them. Bell seconded. Unanimously approved. The secretary will implement that.
3. We continued our discussion of our role as Community Oversight Group on MPDES PHII Small MS-4 General Permit and draft of the Bourne Stormwater Bylaws. Three members of this group attended the Bourne Planning Board meeting on February 28, 2013, where Town Planner Coreen Moore acknowledged that her department had dropped the ball on the stormwater bylaw draft. Coreen Moore has met with Bernie Taber and John Rockwell of the Buzzards Bay National Estuary Program (BBNEP) several times working on the stormwater bylaw draft and found it too comprehensive to introduce to Town Meeting. She proposed that her working group would draft stormwater regulations with the purpose of having them included in the Planning Board's subdivision regulations. Adoption would require a hearing before the Planning Board. She said the next step would be an amendment to the zoning bylaw under Site Plan Review for commercial projects, which would proceed in the fall. Graybill moved that we attach Moore's February 26, 2013 memo outlining her proposal to the meeting minutes. Bell seconded. Unanimously approved.
4. Discuss the upcoming RFR for the FY14/319 Grant Program. Toomey is going research additional sources of grant funding for stormwater remediation projects. There was discussion about being prepared for the new cycle of grants in light of future reponse to our March 13, 2013 letter about closed shellfish beds from the Massachusetts Division of Marine Fisheries. We believe

we are already in line for a follow-up grant to complete the Taylor's Point project.

5. We resumed a discussion of testing cranberry bog runoff into estuaries beyond fecal coliform testing to testing for agricultural chemicals. Cost is a big factor in chemical testing on bog runoff. We discussed previous arrangements with Barnstable County Health Department to do bacterial testing. There is a need to investigate the costs of doing chemical testing. We discussed lawn chemicals as another source of detrimental runoff. Graybill mentioned her discussion with a local landscaper about forgoing lawn chemicals in a seeding project and his reluctance to do so. Cindy Coffin of the Bourne Health Department has made lawn chemicals a priority and was instrumental in Bourne promoting this idea with a brochure distributed at the landfill. The Buzzards Bay Coalition distributes a brochure about lawn chemicals. The Bourne Conservation Commission requires a plant barrier between a new lawn and an estuary to mitigate chemical runoff. The Puritan Road cranberry bog that is being rehabbed is a federal project out of Barnstable. There is a state or federal regulation that bog operators are to report regularly to their local Board of Health a list of chemicals being used. It is the consensus of the committee that we follow up on compliance with that regulation, which some members of the committee have heard is low.
6. We distributed the schedules, locations, and names of those on the committee who have registered for the Buzzards Bay Coalition March 20 and April 3 Decision-Maker workshops.
7. Future agenda topics
  - a. Approve minutes of March 11, 2013 meeting
  - b. Confirm that letter sent to revised addressee
  - c. RFR follow up
  - d. Research report on bog chemicals
  - e. Discussion of BBC workshop takeaways
8. Next meeting 7 p.m. Monday, April 8, 2013.
9. Graybill moved to adjourn, Bell seconded. Unanimously approved. Toomey adjourned the meeting at 8:18 p.m.

Respectfully submitted,

Elaine Cook Graybill, secretary





**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

2013 APR 4 PM 1 02

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

**AMENDED**

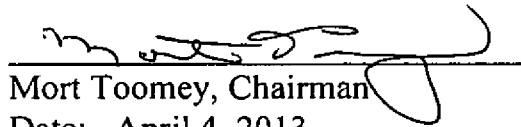
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, April 8, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of meeting held on March 11, 2013
- 2) Update of letters to the Mass Marine Fisheries sent by the committee
- 3) Discussion of the Community Oversight Group on the N.P.D.E.S PHII small MS-4 general permits and the draft of the Bourne Stormwater Bylaws
- 4) Planning a strategy to deal with the new and upcoming RFR Fy14 Grant Programs
- 5) Discussion about the various Buzzards Bay Coalition decision makers workshops which were attended by the committee members
- 7) Future agenda topics
- 8) Date and time of next meeting
- 9) Adjourn

  
Mort Toomey, Chairman  
Date: April 4, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Tellier, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
AND  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP  
Minutes of meeting held April 8, 2013**

2013 MAY 14 AM 8 27  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Called to order by Chairman Mort Toomey at 7:04 p.m.

Members present: Les Perry, Stewart Bell, Mort Toomey, and Elaine Cook Graybill. Jim Mulvey absent.

1. Approval of minutes of March 11, 2013. Bell moved to approve, Perry seconded. Unanimously approved.
2. Consideration of revised addressee on letter to Massachusetts Division of Marine Fisheries (DMF) about shellfish bed testing, which summarizes our analysis of closed beds in Bourne. Letter was sent to J. Michael Hickey. Toomey will talk with Tim Mullen about whether a phone call follow-up should be made since there has been no DMF response to the letter in a month.
3. We continued our discussion of our role as Community Oversight Group on MPDES PHII Small MS-4 General Permit and draft of the Bourne Stormwater Bylaws. Revisions to last year's report are due April 24. Bell presented an e-mail received today from Tim Mullen requesting updates of last year's NPDES PII Small MS4 General Permit Annual Report seeking revisions and updates of the report. Our role in this report is to encourage the town to complete its annual report in a timely fashion and to advocate for it to be reflective of any changes or new information that has been provided. Graybill moved and Bell seconded that we put City Planner Coreen Moore's February 26, 2013 memo about the stormwater bylaw issue on the agenda for our May meeting so that we can re-read the memo and our discussion from the March meeting before we discuss again whether this requires any more action from the committee. Unanimously approved.
4. Discuss the upcoming RFR for the FY14/319 Grant Program. Bell presented the name of Katherine Garafoli, Barnstable County Resource Development Officer, who can provide information about possible grants for Bourne to apply for. Toomey will call her and we will put this on the agenda for the May meeting.
5. We discussed the various Buzzards Bay Coalition Decisionmakers' workshops that members attended in March and April. One question raised was what can

or should be done to educate people about reducing nitrogen in estuaries through a change in use of lawn chemicals, which would be a future agenda item. One suggestion is distributing printed materials at Bourne's spring town meeting about the use of lawn chemicals. This remains a topic for future discussion.

6. Future agenda topics
  - a. Approve minutes of April 8, 2013 meeting
  - b. Discussion of Coreen Moore's February 2013 memo regarding stormwater bylaws.
  - c. RFR follow-up with information from Barnstable Resource Officer Katherine Garafoli
  - d. Update on DMF response to our letter
  - e. Discussion of cranberry bog chemicals
7. Next meeting: 7 p.m. Monday, May 13, 2013.
8. Bell moved to adjourn, Perry seconded. Unanimously approved. Toomey adjourned the meeting at 7:57 p.m.

Respectfully submitted,

Elaine Cook Graybill, Secretary



**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

**MEETING NOTICE**

2013 MAY 8 PM 4 16

TOWN CLERK'S OFFICE  
BOURNE, MASS

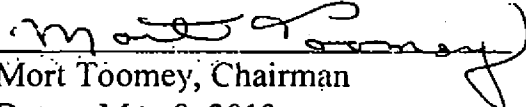
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, May 13, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of meeting held on April 8, 2013
- 2) Discussion of the N.P.D.E.S. PH11 Small MS-4 General Permit and Coreen Moore's response and e-mails to committee members regarding the Stormwater ByLaws
- 3) Discuss the Cranberry Bog using various chemicals in their operation
- 4) Update on upcoming RFR Grant programs for the FY14 Program and an update on the D.M.F. response
- 5) Discuss future agenda topics
- 6) Next meeting: June 10, 2013
- 7) Adjourn

  
Mort Toomey, Chairman

Date: May 8, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

**MEETING NOTICE**

2013 MAY 8 PM 4 16

TOWN CLERK'S OFFICE  
BOURNE, MASS

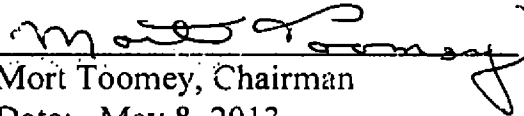
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, May 13, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of meeting held on April 8, 2013
- 2) Discussion of the N.P.D.E.S. PH11 Small MS-4 General Permit and Coreen Moore's response and e-mails to committee members regarding the Stormwater ByLaws
- 3) Discuss the Cranberry Bog using various chemicals in their operation
- 4) Update on upcoming RFR Grant programs for the FY14 Program and an update on the D.M.F. response
- 5) Discuss future agenda topics
- 6) Next meeting: June 10, 2013
- 7) Adjourn

  
Mort Toomey, Chairman  
Date: May 8, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

2013 JUL 31 PM 4 17

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION**

**AND**

TOWN CLERK'S OFFICE  
BOURNE, MASS

**PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

**Minutes of meeting held May 13, 2013**

Called to order by Chairman Mort Toomey at 7:11 p.m. Members present: Jim Mulvey, Stewart Bell, Mort Toomey, and Elaine Cook Graybill. Les Perry, excused absence.

1. Approval of minutes of April 8, 2013. Bell moved to approve, Graybill seconded. Unanimously approved.
  
2. We read Coreen Moore's February 26, 2013 memo to our task force and discussed it. Question was raised as to where the plan stands to draft subdivision regulations for adoption in late spring or early summer. Has anything happened since the writing of the memo in February. Also questioned is the reasoning for not having it apply to individual residential properties. This would be a regulation, not a bylaw, meaning it doesn't have to go to town meeting, but what are the other distinctions? Graybill moved that we request a joint meeting in June or July with the Stormwater Management Staff Group to discuss the contents of Coreen Moore's February 26, 2013 memo to our group. Bell seconded. Unanimously approved. The secretary will draft a memo with this request and e-mail it to Coreen Moore. More questions have to do with federal requirements for town bylaws. What kinds of projects exactly would these new regulations and bylaw amendment would this apply to? How are subdivisions and commercial projects defined? How would these regulations apply to the new DPW complex? Bell suggested that we re-examine Tom Sexton's draft bylaw to clarify these new regulations and amendment. Mulvey read that the town "must develop and enforce a program" to regulate stormwater runoff in "new development and re-development projects" that "disturb more than one acre." From "Storm Water Management Program for the Town of Bourne, MA in support of Notice of Intent" submitted to the NPDES General Permit, 3-10-2003 to 3-10-2008. Prepared by the Bourne DPW.
  
3. Toomey asked Bell to review use of chemicals in cranberry bogs from the Buzzards Bay Coalition seminar he attended. Bell said the bottom line is there has been improvement due to oversight and also because of better management, e.g., it has been learned that if you put in more than a certain level of nitrogen there is no additional benefit. Also, water used in the bogs now is contained until it releases some of the harmful effects of nitrogen, phosphorous, herbicides, pesticides, and fungicides, before it is released back into the environment. Mulvey said any new bog or renovation has to create a holding pond for the chemicals to degrade before they are released. On Puritan Road a bog is being expanded and that is under the federal Department of Agriculture, not local oversight. Mulvey will bring in a document about the design work on that bog. Bell said at the Red Brook bog project in Cataumet there has been a lot of excavation with exposed sand. He's not sure what they're doing and if there is oversight. Are holding ponds required in that project?

This topic will go on next month's agenda. Bell will research on what chemicals are being used, when holding ponds are required, and record-keeping before the next meeting.

4. Discuss the upcoming RFR for the FY14/319 Grant Program. Toomey learned grant notices will be coming out in the summer and we should discuss this at a future meeting. Related to grant applications, Mulvey moved the secretary send a follow-up e-mail to the DMF acknowledging that this is a busy season for them but we haven't received a response. Bell seconded. Unanimously approved.
  
5. Future agenda topics:
  - a. Approve minutes of May 13, 2013 meeting
  - b. Update on this committee's letter to the Division of Marine Fisheries and whether there has been a response.
  - c. Review committee's presentation at the spring annual town meeting with ideas for future such presentations.
  - d. Discussion of Coreen Moore's February 2013 memo regarding stormwater bylaws.
  - e. Discussion of NPDES PII annual report for 2013.
  - f. Place agricultural chemical usage and discharge on July agenda.
  - g. RFR follow-up with information from Barnstable Resource Officer Katherine Garafoli
  - h. Motion to excuse absences
  
6. Graybill moved, Bell seconded, to excuse Jim Mulvey from the April 8 meeting and Les Perry from tonight's meeting, for cause.
  
7. Next meeting: 7 p.m. Monday, June 10, 2013.
  
8. Toomey moved to adjourn, Bell seconded. Unanimously approved. Toomey adjourned the meeting at 8:26 p.m.

Respectfully submitted,  
Elaine Cook Graybill, Secretary



**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

2013 JUN 6 PM 12 15

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

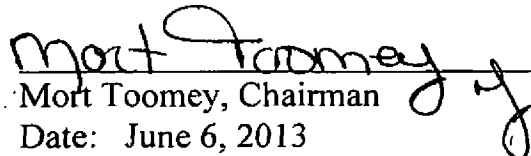
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, June 10, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Discussion with the Stormwater Management staff group about Stormwater Regulations and zoning amendments
- 2) Approve minutes of meeting held on May 13, 2013
- 3) Update on the committee's letter to the Mass Division of Marine Fisheries
- 4) Review committee's presentations at the spring Annual Town Meeting with ideas for future such presentations
- 5) Discussion on the new NPDES MS4 Annual Report
- 6) Discuss future agenda topics
- 7) Next meeting: July 8, 2013
- 8) Adjourn

  
Mort Toomey, Chairman  
Date: June 6, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay



**SELECTMEN'S TASK FORCE**  
**ON LOCAL POLLUTION** JUL 31 PM 4 17  
**AND** TOWN CLERK'S OFFICE  
**PHASE II STORMWATER MANAGEMENT** MASS  
**COMMUNITY OVERSIGHT GROUP**  
**Minutes of meeting held June 10, 2013**

Called to order by Chairman Mort Toomey at 7 p.m. Members present: Jim Mulvey, Stewart Bell, Mort Toomey, Les Perry, and Elaine Cook Graybill. Guests are Town Planner Coreen Moore, Conservation Agent Brendan Mullaney, and Board of Health Agent Cindy Coffin.

Graybill moved and Bell seconded that we table agenda items 3 through 6 to the July 8 meeting. Passed with one opposed.

Item 1: Discussion with the Stormwater Management staff group about Stormwater Regulations and zoning amendments.

Moore said the town received a draft of Phase II stormwater regulations and zoning amendments from the Buzzards Bay National Estuary Program (BBNEP). Staff will review those and get back to Bernie Taber and John Rockwell from BBNEP. Following a process of discussion and feedback between the town and the BBNEP, Moore will submit a proposed draft of a zoning bylaw site plan review process for commercial developments to the Planning Board. Commercial developments are defined as anything subject to planning board review. The ultimate goal would be to take the new regulations to town meeting in spring 2014.

Moore said any subdivision plan in Bourne right now has some level of review for stormwater management, even when there is nothing on the books about it. A new bylaw or zoning amendment would not affect single family homes; in a subdivision it would apply to each new lot. However, the town planner reviews stormwater provisions for single family homes even though there are no regulations applying to them.

Why not single family homes?. Mullaney said it would be unfair to impose stringent standards on individual homeowners; just paying engineers to design a system is expensive and the impact from one home is minor; it is the same with wetlands provisions where an exception is made for single family homes. Other towns have exempted single family dwellings. Mullaney said in this town it's assumed tax money pays for stormwater management.

Moore said subdivision regulations are available in engineering department; free to members of a committee.

Mullaney said BBNEP is involved to make the new regulations consistent with the EPA—federal requirements. Bourne can't have regulations that contradict state law; they can be more stringent but not less. Mullaney is not sure if the EPA will ever partner with states to try to assist communities with this giant unfunded mandate.

So it's a difficult program to implement. In the end, enforcement is difficult and better if you can work with the violator to come into compliance. He's seen minimal or nonexistent enforcement. Usually an effort to comply satisfies towns.

Toomey said the bylaws come first. Mullaney says bylaws are already in place to handle the most serious violations like someone running a washing machine into a storm drain. It's a long process.

Moore said there are different phases of compliance. Mullaney said if a matter involves the Wetlands Protection Act it automatically falls under the Mass. Stormwater Act and those standards have to be met. An example is the planned retirement complex behind the post office.

Kingman project coming down the line—would a new bylaw apply to them? Moore said their plans are above and beyond what the town requires right now. Their engineers are "the best firm around" in terms of design and completion of stormwater treatment and have a contract with EPA to teach others how to do it.

Moore described how a subdivision defined. Forty thousand square feet and 125 feet of frontage is a lot. If you don't satisfy that frontage, it's a subdivision. A commercial project is anything other than a single family home. An addition under 1,500 square feet that doesn't change the parking or drainage is just subject to a building permit.

Moore spoke about the problem with the stormwater draft bylaw created several years ago by Tom Sexton. She said to implement it would be heavy and expensive with much engineering oversight: far above what staff could do. It was so heavy on hiring engineers that it was not cost-effective.

Right now staff haven't had their first meeting on this on the BBNEP draft so there is nothing yet to examine. When staff issue their evaluation of it to the planning board they will issue it to everyone else. This task force can make our recommendations at that point. Moore says the review process will include more than one pass. By the time the Planning Board sets a public hearing we will have had access to the document. This will not be before September.

Bell asked about Wastewater planning advisory committee meeting to form goals. How does that committee interact with stormwater staff and will they be involved with any of this stormwater regulation? Mullaney said it's two separate animals. In New Bedford for example, wastewater and stormwater mix due to inadequate capacity during heavy storms. Mullaney: the two aren't related at all. Maybe just to be sure new wastewater plant meets stormwater requirements. Moore: we live in an area where we can recharge a lot of our stormwater naturally. Moore said the town doesn't even like to take roof runoff into sewer because it's clean—so they separate it into drywells. Mullaney: the town requires gutters, downspouts, and dry wells in new single family homes so that ninety percent of stormwater is going to be infiltrated on the site.

Debriefing: as a task force we know more than before; we know about where town staff are with the draft and we will have access to their draft before the draft goes to the planning board. Now we know how to get subdivision regulations. We were given an answer about exposure of town to federal law before bylaws are passed. Moore offered to come to future meetings.

Item 2: Approve minutes of meeting held May 13, 2013. Bell moved to approve, Perry seconded, unanimously approved.

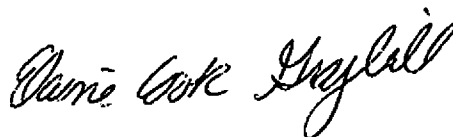
Mulvey moved that we send May 13 minutes to selectmen and town administrator to keep them fully advised. Perry seconded. Unanimously approved. Secretary will implement that.

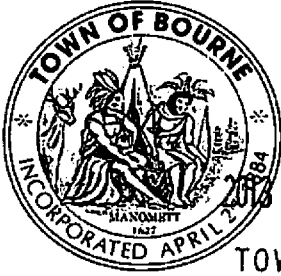
Next meeting: 7 p.m. Monday, July 8, 2013.

Graybill moved to adjourn, Bell seconded. Unanimously approved. Toomey adjourned the meeting at 8 p.m.

Respectfully submitted,

Elaine Cook Graybill, Secretary





**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
AND PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP  
MEETING NOTICE**

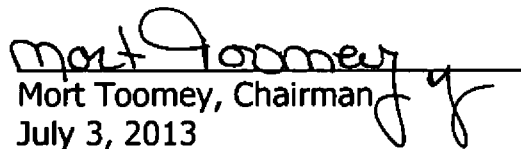
JUL 3 PM 2 51  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Date: Monday – July 8, 2013**  
**Time: 7:00 P.M.**  
**Location: Bourne Town Hall  
Lower Conference Room  
24 Perry Avenue  
Buzzards Bay, MA 02532**

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## **Agenda Topics**

1. Approve minutes of meeting held May 13, 2013.
2. Discussion on Local Comprehensive Plan.
3. Discussion on subdivision regulations.
4. Review the new NPDES MS-4 Annual Report.
5. Review committee presentations with ideas for future presentations.
6. Discuss future agenda topics.
7. Date and time of next meeting
8. Adjourn

  
Mort Toomey, Chairman  
July 3, 2013

cc: Town Clerk  
Town Administrator - Board of Selectmen  
Committee Members: Bell, Graybill, Mulvey, Perry and Toomey  
Staff: Coffin, BOH; Mullaney, Cons. Comm; Moore, Plan. Dept.; Tellier/Sala, DPW fax: 759-0617;  
Mullen, DNR,  
Notify: Buzzards Bay Project - Coalition for B. Bay

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and** 2013 AUG 8 AM 9 14  
**PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP** TOWN CLERK'S OFFICE  
BOURNE, MASS

**MEETING NOTICE**

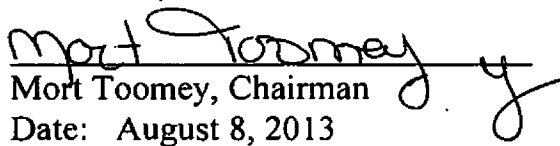
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Tuesday, August 13, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of meeting held on July 8, 2013
- 2) Committee to review draft of the Town of Bourne Annual Report
- 3) Discussion of the Planning Board's progress in completing the Phase II Stormwater Management Bylaws to be presented at the next Town Meeting
- 4) Review the new N.P.D.E.S. MS4 Annual Report
- 5) Discuss future agenda topics
- 6) Date and Time of next meetings
- 7) Adjourn

  
Mort Toomey, Chairman  
Date: August 8, 2013

cc: Town Clerk  
Town Administrator-Board of Selectmen  
Committee members: Mulvey, Bell, Graybill, Perry, Toomey  
Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;  
Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

**MEETING NOTICE**

Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

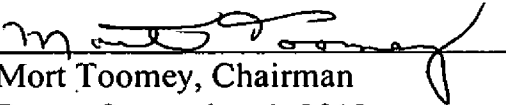
Date: Monday, September 9, 2013

Time: 7:00 P.M.

2013 SEP 4 AM 2 44  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Agenda Topics**

- 1) Approve minutes of meeting held on July 8, 2013
- 2) Committee to review draft of the Town of Bourne Annual Report
- 3) A. Discussion and responses on Mass. Fisheries Letters  
B. Update on Buttermilk Bay Stormwater Remediation project
- 4) Review the new N.P.D.E.S. MS4 Annual Report
- 5) Discuss future agenda topics
- 6) Date and Time of next meetings
- 7) Adjourn

  
Mort Toomey, Chairman  
Date: September 4, 2013

cc: Town Clerk  
Town Administrator-Board of Selectmen  
Committee members: Mulvey, Bell, Graybill, Perry, Toomey  
Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;  
Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
AND  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

**Minutes of meeting held September 9, 2013**

2013 OCT 8 AM 8 22  
TOWN CLERK'S OFFICE  
BOURNE, MASS

Called to order by Chairman Mort Toomey at 7:07 p.m. Members present: Stewart Bell, Les Perry, Mort Toomey, and Elaine Cook Graybill. Jim Mulvey was excused.

1. Approval of minutes of July 8, 2013. Perry moved to approve, Bell seconded. Unanimously approved.
2. Toomey said he will update our entry in the Annual Town Report by adding to the existing report. In the existing report he will update the information on the Taylor Point project grant amount to \$100K. He will use the information we gave Coreen Moore in July for her to update the Local Comprehensive Plan. That information follows.
  - a. Educated public through inviting press to meetings and manning literature table at Town Meeting
  - b. Pursued education pertaining to local pollution and stormwater management, for example through BBC workshops
  - c. Have overseen stormwater remediation efforts by town, for example at Taylor's Point, co-sponsored with DNR
  - d. Conducted research on closed shellfish beds and contacted DMF about re-inspecting and reopening shellfish beds closed due to pollution
  - e. Made efforts to move Bourne forward in creation of Phase II storm water regulations
3. RE: Mass. Fisheries letter, sent twice; Perry moved and Bell seconded that the secretary invite Tim Mullen to the next meeting to discuss strategy for the shellfish bed reopening project.
4. Toomey reported that the town expects to receive the \$100K Coastal Zone management grant to continue work on the Taylors Point Project.
5. The NPDES MS4 annual report review will be moved to a future meeting.
6. Agenda for next meeting:
  - a. NPDES MS4 Annual Report review
  - b. Tim Mullen to come to discuss strategy with DMF.
  - c. Update on newly discovered culvert near Eel Pond Road.
  - d. Taylor's Point update
  - e. Information on Pitcher Lake and Queen Sewell Pond issues.

7. Next meetings are Oct. 7, Nov. 4, and December 9
8. Bell moved and Perry seconded that the meeting be adjourned. Unanimously approved. Toomey adjourned the meeting at 8:06 p.m.

Respectfully submitted,

Elaine Cook Graybill, Secretary



**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

2013 OCT 2 PM 12 23

**MEETING NOTICE**

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

Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, October 7, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approval of minutes of September 9, 2013
- 2) Stewart Bell will give his report on the County Lawn Fertilizer seminar which was held in Sandwich, MA
- 3) Discussion on the community information table at the next Town Meeting on October 21, 2013
- 4) Review the problems at three locations consisting of Queen Sewell, Picture Lake and Eels Pond
- 5) Update on the letter sent to the Division of Mass Fisheries regarding the reopening of shellfish beds
- 6) Next meeting is November 4, 2013
- 7) Agenda for next meeting
- 8) Adjourn

  
Mort Toomey, Chairman

Date: October 2, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

2013 NOV 5 AM 9 35

TOWN CLERK'S OFFICE

BOURNE, MASS

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION****AND****PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP****Minutes of meeting held October 7, 2013**

Called to order by Chairman Mort Toomey at 7 p.m. Members present: Stewart Bell, Les Perry, Mort Toomey, Jim Mulvey, and Elaine Cook Graybill.

1. Approval of minutes of September 9, 2013. Perry moved to approve, Bell seconded. Unanimously approved with one abstention due to that member's excused absence at the last meeting.
2. Stewart Bell attended the Barnstable County Assembly of Delegates Fertilizer hearing in Barnstable on September 11, 2013. At the hearing, the Assembly of Delegates approved a Capewide Planning District for fertilizer that allows towns to regulate its use, with towns needing to decide on their regulations by January 1, in connection with the Clean Water Act. The Cape Cod Commission voted to approve the concept of district planning, with the ability for towns to sign up, sign off, or go it on their own before district regulations take effect. However, ultimately, there will need to be Capewide uniformity. A Scott's Miracle-Gro official at the hearing said the company controls 70 percent of the fertilizer use on the Cape, and sold 300,000 pounds on the Cape last year, which is much less than Cape Cod Commission figures of Cape fertilizer use of nearly 6 million pounds annually, with 4.3 million pounds of that used residentially. Bell presented *Cape Cod Times* stories describing the meeting and the history of the issue. Bell said there is a lot of education potential here, including the town meeting coming up. Bell went to the Buzzards Bay Coalition (BBC) office in New Bedford and obtained related handouts that he passed out for us to evaluate and one of those is attached to these minutes. Bell said upcoming state regulations won't be as concerned with nitrates as we are on the Cape. Bell suggested that we watch the progress of the Town creating its fertilizer policy, with a possible warrant article at the May town meeting setting lawn fertilizer regulations. Perry moved that we get a rubber stamp with "Town of Bourne Selectmen's Task Force on Local Pollution" to stamp on our handouts at the Town Meeting table. Bell seconded. Unanimously approved. Toomey volunteered to obtain the rubber stamp. The committee expressed gratitude to Bell for attending the meeting.
3. There was a discussion of a community information table at the October 21, 2013, town meeting. We will pass out the BBC folded handout, the "Stop" brochure, and the Preventing Stormwater Pollution brochure. All members but Graybill can staff the table at the town meeting. Graybill offered to stamp the brochures ahead of time using the new rubber stamp. Mulvey suggested handing out an application for membership on this committee. Bell and Graybill reported that in May, Coreen Moore's office set up the table with a cloth and backboard display. Toomey said he would contact them about doing that on October 21. Mulvey and Toomey discussed printing a sign for the display bearing the name of the committee. Mulvey moved

that the chairman will obtain a rubber stamp and Mulvey will make a name card stand for the table. Bell seconded. Unanimously approved.

4. The task force discussed the Queen Sewell, Pitcher Lake, and Eels Pond, issues. Mulvey said the committee worked with DPW several years ago to remove catch basins and construct a large infiltration basin at the basis of Cherry Street at the public beach. Tellier also indicated a problem of discharge into Queen Sewell at Cyprus and Maple streets at the boat ramp. There still is a non-functioning catch basin, a bubbler, there now. At Pitcher Lake, <sup>(EEL POND)</sup> there were two beach closings this year due to road runoff and the plume underneath from the Massachusetts Military Reservation. That problem is appropriate for future attention.

For Queen Sewell Pond, the county has a program called PALS (ponds and lakes ...) that is done in other towns, which includes a source of funding and stations set up on pond for sampling at successive times. Mulvey said this group should be aware that this exists. Also, Mulvey said the cranberry bog at Puritan Road will be enlarged, which has environmental implications. He suggested the possibility Boy Scouts earning eagle badge could be useful for preliminary work on a Pitcher Lake Shoreline environmental study to determine the need for remediation. Graybill suggested that Arthur W. Neill, Senior Environment Corps Fieldwork Coordinator, MMR, would have the wherewithal to assist with some projects and that we schedule a field trip to his facility. Mulvey noted the work that Americorps did along that shoreline one summer plus other projects.

For Eel Pond, Perry, through water department work, learned of two culverts that exist that aren't on the town's map of stormwater structures. He said the town has recently cleaned out and examined the culverts and tested them, and learned that they drain untreated road runoff into Eel Pond. Mulvey moved that Perry and Graybill create a letter on behalf of the committee addressed to George Sala, acting DPW chief, about this situation and mail it before the next meeting. The letter should note that his department work crew is already aware of this. Bell seconded, unanimously approved.

5. Tim Mullen sent the following e-mail to the task force concerning our unanswered March 13, 2013 letter to J. Michael Hickey, Division of Marine Fisheries, about reopening some closed shellfish beds: *FYI, I spoke to Mike Hickey and Greg Sawyer over the last few days. Both Greg Sawyer and Jerry Moles have been assigned additional territories. It is my understanding that they could barely keep up with the workload prior to these new assignments. Also occupying much of their time is the recent outbreak of Vibrio in the local oyster population. <http://www.cdc.gov/nczved/divisions/dfbmd/diseases/vibriop/> Hopefully over the winter months they will have some time to review the committee's request. At this time I would have to say that it is not a priority, understandably so.*

Mulvey moved that we put this on the back burner. Perry seconded. Unanimously approved.

5. Agenda for next meeting:

a. Senior Environment Corps Fieldwork Coordinator Arthur Neill.

- b. NPDES MS4 Annual Report review
- c. Budget for our task force

- 6. Next meetings are Nov. 4 and December 9.
- 7. Bell moved and Perry seconded that the meeting be adjourned. Unanimously approved. Toomey adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Elaine Cook Graybill, Secretary



**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

OCT 31 PM 3 06

**MEETING NOTICE**

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

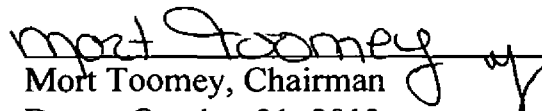
Location: Bourne Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, November 4, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approval minutes of October 7, 2013
- 2) Discussion on the N.P.D.E.S. PHII small MS-4 general permit annual report
- 3) Review on the Town of Bourne draft stormwater bylaws
- 4) Discuss the Eel Pond situation and possibly an installment of an interceptor system to be used
- 5) Review plans for new additional ways to inform the public about preventing stormwater pollution and understanding why and what they can do
- 6) Next meeting
- 7) Agenda for next meeting
- 8) Adjourn

  
Mort Toomey, Chairman  
Date: October 31, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
AND**

2014 FEB 11 AM 7 40

TOWN CLERK'S OFFICE  
BOURNE, MASS

**PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP  
Minutes of meeting held November 4, 2013**

Called to order by Chairman Mort Toomey at 7 p.m. Members present: Stewart Bell, Mort Toomey, Jim Mulvey, and Elaine Cook Graybill. Les Perry was excused.

1. Approval of minutes of October 7, 2013. Bell moved to approve, Mulvey seconded. Unanimously approved.
2. The task force went through the May 1, 2013 NPDES Phase II Small MS-4 General Permit Annual Report with alacrity. This document, issued annually by the town administrator, is the self assessment part of the annual compliance review for the EPA's Phase II Stormwater Program. The stormwater management oversight role of this committee was mandated under that program. RE: Part III, item 1-1, we believe we should ask that in the next annual report we appear in the "responsible person" column under the town planner, if we and the town believe that is our charge. Someone suggested that in the headings "responsible Dept./Person," the category "committee" should be added in reference to us. Possible areas of focus for next year gleaned from our review of this report are educating the public, seeking grants (1a-2), distributing materials (3-3), continuing efforts to identify grants (3a-1), and continuing to provide stormwater management oversight (3a-1-5).
3. There was no information tonight on the draft stormwater bylaws since the February 6, 2013 memo from Coreen Moore and subsequent meeting with our task force. Previously we were told the bylaws would undergo review by the Planning Board and public hearings in preparation for presentation at the May 2014 Town Meeting. Mulvey will follow up.
4. Plate 30.2 on the town mapping, bordering on 95 Eel Pond Road, shows an easement leading to a runoff outfall into Eel Pond. There has already been filtration installed at three other locations on Eel pond so we believe this new outfall should be remediated as well. The secretary will send a letter about this to Acting Department of Public Works Director George Sala plus other town officials and Bernie Taber of the Buzzards Bay National Estuary Program.
5. We reviewed plans for new ways to inform the public about preventing stormwater pollution and understanding what they can do and why they should do it, including seeking articles in the newspaper and public service announcements. We discussed obtaining a budget for our task force to assist with this goal. A budget would allow us to obtain marketing expertise for our message among other things.

6. Agenda for next meeting:
  - a. Senior Environment Corps Fieldwork Coordinator Arthur Neill.
  - b. Eel Pond letter update
  - c. Bylaw update
  - d. Mort will research protocol for obtaining a budget.
  - e. More public information ideas.
  
7. Next meeting is December 9, 2013.
  
8. Graybill moved and Bell seconded that the meeting be adjourned. Unanimously approved. Toomey adjourned the meeting at 8:30 p.m.

Respectfully submitted,



Elaine Cook Graybill, Secretary

**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
and  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP**

**MEETING NOTICE**

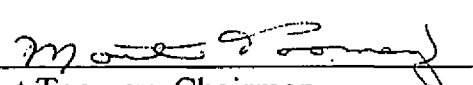
Location: Bourne-Town Hall - Lower Conference Room  
24 Perry Avenue, Buzzards Bay

Date: Monday, December 16, 2013

Time: 7:00 P.M.

**Agenda Topics**

- 1) Approve minutes of November 4, 2013
- 2) Discuss the Eel Pond situation and the letter update to the Bourne D.P.W.
- 3) Discussion on the Federal Grant awarded to the Town of Bourne for stormwater management
- 4) Senior Environment Corps Fieldwork Coordinator, Arthur Neil and the letter update
- 5) Next meeting
- 6) Agenda for next meeting
- 7) Adjourn

  
Mort Toomey, Chairman

Date: December 11, 2013

cc: Town Clerk

Town Administrator-Board of Selectmen

Committee members: Mulvey, Bell, Graybill, Perry, Toomey

Staff: Coffin, BOH, Mullaney, Cons. Comm; Moore, Plan. Dept.;

Sala, DPW; Mullen, DNR

Notify: Buzzards Bay Project, Coalition for Buzzards Bay

2013 DEC 11 PM 12 18  
TOWN CLERK'S OFFICE  
BOURNE, MASS



2014 JAN 14 AM 8 26

TOWN CLERK'S OFFICE  
BOURNE, MASS

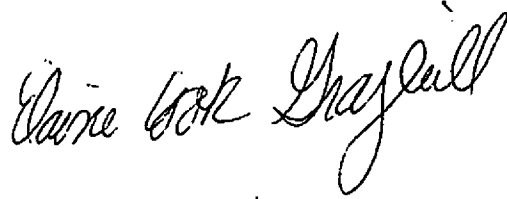
**SELECTMEN'S TASK FORCE  
ON LOCAL POLLUTION  
AND  
PHASE II STORMWATER MANAGEMENT  
COMMUNITY OVERSIGHT GROUP  
Minutes of meeting held December 16, 2013**

Called to order by Chairman Mort Toomey at 7:10 p.m. Members present: Stewart Bell, Mort Toomey, Jim Mulvey, Les Perry, and Elaine Cook Graybill.

1. Approval of minutes of November 4, 2013. Bell moved to approve, Perry seconded. Unanimously approved.
2. There was discussion of the Eel Pond letter to the Bourne DPW that was sent out this past month to DPW Acting Director George Sala and others. A copy of that letter is attached to these minutes. The letter points out untreated runoff into Eel Pond that should be remediated. Bell moved that if we haven't received a response by next meeting that we put the item on the agenda to consider next steps, Graybill seconded.
3. Discussion of state grant awarded to Bourne for stormwater management on Taylors Point. The Bourne Courier has said will correct its reference to our committee's involvement in this, calling us the wastewater committee.
4. Response from Arthur Neill of the Senior Environmental Corps about coming to speak to us will be placed on the agenda of the next meeting.
5. Agenda for next meeting:
  - a. Senior Environment Corps Fieldwork Coordinator Arthur Neill; also ask him for recommendations for new members for this committee.
  - b. Follow up on new grant with Bernie Taber.
  - c. Eel Pond letter update response.
  - d. Review closed shellfish beds request to DMF.
  - e. Board of Health fertilizer update.
  - f. Bylaw update.
  - g. Protocol for obtaining a budget.
  - h. New member recruitment ideas: Arthur Neill, senior center.
6. Next meetings are January 13, 2014; followed by February 10, March 10, and April 14.
7. Toomey moved and Perry seconded that the meeting be adjourned. Unanimously approved. Toomey adjourned the meeting at 8:06 p.m.

Respectfully submitted,

Elaine Cook Graybill, Secretary



ADDENDUM:

December 6, 2013

Bourne Department of Public Works  
Acting Director George Sala  
Town Hall  
24 Perry Ave.  
Buzzards Bay, MA 02532

Dear Mr. Sala:

As the Bourne Selectmen's Task Force on Local Pollution and Phase II Stormwater Management Community Oversight Group, we would like to bring to your attention a situation at Eel Pond.

The Bourne Water Department recently learned of two culverts that are draining untreated road runoff into Eel Pond. Your workers encountered the two culverts while doing work in the area. After the discovery, town workers cleaned out and examined the culverts, which is how they learned about the untreated runoff. Our task force member Les Perry lives nearby and was there when this work was done. Attached to this letter are a map and an aerial view showing the locations of the culverts and outflow pipes.

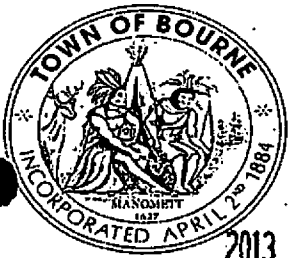
We feel this situation needs to be remedied and we welcome a response. We feel the culverts are candidates to be remediated by infiltration and we hope you would support our approaching the Buzzards Bay Estuary Program concerning a possible grant.

Sincerely,

The Bourne Selectmen's Task Force on Local Pollution and Phase II Stormwater Management Community Oversight Group

Contact: Chairman Mort Toomey, (508) 789-7873

CC: Town Administrator Tom Guerino, Bourne Selectmen, Buzzards Bay Coalition, Bernie Taber, Tim Mullen



# Board of Sewer Commissioners Meeting Notice AGENDA



2013 JAN 24 PM 2 52

TOWN CLERK'S OFFICE  
BOURNE, MASS

**Date:**  
Tuesday  
January 29, 2013

**Time:**  
6:30 P.M.

**Location:**  
Bourne Veterans' Memorial  
Community Center

1. Call meeting to order
2. Minutes: 10.23.12 & 11.27.12
3. Update on the development plans for the Senior Housing Community for Buzzards Bay – Fee for capacity reserve
4. Wastewater Committee
5. Adjourn

Board of Sewer Commissioners  
Minutes of January 29, 2013  
Bourne Veterans' Memorial Community Building 1 28  
Bourne, MA 02532

2013 JAN 1 11 28 AM  
TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Don Pickard, Chairman  
John Ford, Vice Chairman (excused)  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern (excused)

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

**Call Meeting to Order**  
6:30 pm by Chm. Pickard.

**Minutes of 10/23/12 and 11/27/12**  
Deferred to next meeting.

**Update on the development plans for the Senior Housing Community for Buzzards Bay – Fee for capacity reserved**

Mr. Milke - Seeking water capacity of 23,430 per day (Design Flow – min. required). The project proposed will be behind the Post Office. Property does not run to the canal, but is across the way from the recreational way that the town owns.

Proposing 140 units (down from original of 144); the design slightly different from last year as they ved some of parking under ths; 40 independent 1-bedroom; 20 memcare units; 1 guest unit; 15 assisted 2-bedrooms; 6 independent 2-bedrooms and 1 kitchen serving for a total of 23,430 gpd. Three levels of care; independent, assisted and memcare.

TA Guerino – The town has the capacity to currently undertake. 113-117 user fee based on the number of connections. Mr. Milke said there are connections from the bathrooms off the dining room and elevator lobbies.

Chm. Pickard – asked the assessment of property. The project is \$20M – no request for tax stabilization or increment in tax finding per TA Guerino.

TA Guerino – recommends an allocation of this nature be given for unspecified period of time at no cost. He is recommending to assess a \$5,000 reserve fee for this project. If there is

substantial progress (Mr. Milke said faster), the \$5,000 will be placed against the initial hook up fee (\$14,000 +/-) (net 9,000 +/-). The deposit would be for the Sewer Fund.

Mr. Milke – hopes to be breaking ground within two years. He is talking with several conventional banks.

Pickard MOVED and SECONDED by Meier to extend the timeframe for a period of one year (through 2/1/14) to hold and reserve 23,430 gpd necessary for the "Village at Buzzards Bay" project in the sum of \$5,000. Should substantial progress be made moving forward, to put a reserve placed against the initial progress. If there is no substantial progress, the fee will be forwarded to the Sewer fund. UNANIMOUS VOTE.

**Wastewater Committee – Ms. Sally Riggs**

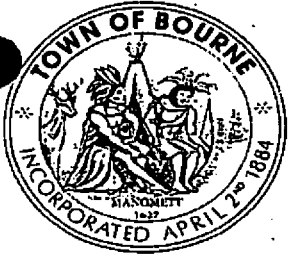
Ms. Riggs - Town Meeting approved the amount of \$145,000 for appropriation for Wastewater Study Related Activities. A portion of the \$145,000 was to hire a contracted project coordinator (not consultant) who would work with WAC and the BOSC with TA Guerino. The position would prefer Project Manager experience and one who is familiar with the request for proposal process, seek grants and apply for grant applications. This position has been advertised and currently there are seven (7) applicants. The application deadline is 2/4/13. This position will be part-time, up to 50 hours a month with a salary of (\$25 - \$40/hour).

Next steps: TA Guerino - interviews will be taken by the HR Director, TA Guerino, Ms. Riggs and a member of the WAC.

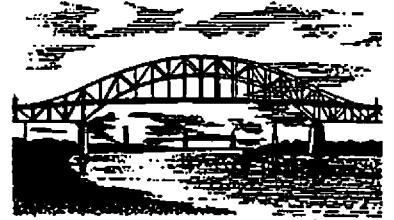
**Adjournment**

Meier MOVED and SECONDED by Pickard to adjourn meeting at 6:49 pm. and go into Selectmen regular session meeting at 7:00 pm. UNANIMOUS VOTE.

Respectfully submitted,  
Lisa Groezinger, sec.



## Board of Sewer Commissioners Meeting Notice



### AGENDA

**Date:**

Tuesday  
February 26, 2013

**Time:**

6:15 P.M.

**Location:**

Bourne Veterans' Memorial  
Community Center  
239 Main Street  
Buzzards Bay

1. Call meeting to order
2. Approval of Minutes: January 29, 2013
3. Sewer Budget
4. Discuss and possible vote on Water Overage rates
5. Adjourn

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TOWN CLERK'S OFFICE  
BOURNE, MASS

Board of Sewer Commissioners  
Minutes of February 26, 2013  
Bourne Veterans' Memorial Community Building  
Bourne, MA 02532

2013 AUG 15 AM 10 34

TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

- Don Pickard, Chairman
- John Ford, Vice Chairman (excused)
- Peter Meier, Clerk
- Earl Baldwin
- Linda Zuern

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

**Call Meeting to Order**  
6:30 pm by Chm. Pickard.

**Minutes of 1/29/13**

Meier MOVED and SECONDED by Baldwin to approve meeting minutes of 1/29/13 as submitted. VOTE 3-0-1 (abstention from Zuern).

**Sewer Budget**

Replace of equipment is up \$25,000 and continue to budget \$273,000 as estimated payment to the Town of Wareham. We are suspect of the formulation they are using to bill us.

Capital Article for \$62,000 for pump replacements. Retained earnings is down, but Ms. Marzelli says to keep high as Wareham is suspect.

TA Guerino – meet with Wareham to be sure the IMA formula is being used correctly. If there is a shortfall, the appropriation will cover. Overage rates will be stable for the 4<sup>th</sup> year in a row. Overage rate the BOSC adopted has been the same since 2007 and believes we can keep these rates constant. At a future meeting, Mr. Tribou will send to the BOSC a request of repairs over a 5-year period which includes a critical needs and a 2-5 year plan (underground discharges and some smaller mains).

Mr. Tribou – suggested TA Guerino hire a grade 4 or grade 5 operator as the contracted yearly fee is about \$200,000.

Meier MOVED and SECONDED by Baldwin to approve the sewer budget of \$814,559 as presented. VOTE 4-0.

**Discussion and possible vote on Water Overage Rates**

Meier MOVED and SECONDED by Baldwin to approve the overage rate of one 1 penny per gallon over 45,000 gallons per user. VOTE 4-0.

**Other – TA Guerino**

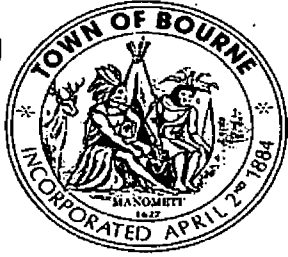
Ms. Riggs and the HR Department to conduct interviews and by the first of April will have a part time contract employee.

**Adjournment**

Meier MOVED and SECONDED by Baldwin to adjourn meeting at pm. and go into Selectmen regular session meeting at 6:32 pm. UNANIMOUS VOTE.

Respectfully submitted,  
Lisa Groezinger, sec.





2013 MAR 14 PM 4 00  
**Board of Sewer Commissioners**  
**Meeting Notice**



## AGENDA

**Date:**  
Tuesday  
March 19, 2013

**Time:**  
6:00 P.M.

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

1. Call meeting to order
2. Approval of Minutes: October 23, 2012; November 27, 2012; February 26, 2013
3. Discussion with Health and Conservation regarding Nitrogen loading and possible mitigation
4. System wide cast discussion including Hideaway for future planning
5. Other business
6. Adjourn

**Board of Sewer Commissioners**  
**Minutes of March 19, 2013** AUG 15 AM 10 34  
**Bourne Veterans' Memorial Community Building**  
**Bourne, MA 02532** TOWN CLERK'S OFFICE

.....  
BOURNE, MASS

TA Guerino

Don Pickard, Chairman  
John Ford, Vice Chairman  
Peter Meier, Clerk  
Earl Baldwin  
Linda Zuern

Board of Health Director, Cindy Coffin and Skip Barlow of the Board of Health; Coreen Moore, Town Planner; Brendan Mullaney, Conservation Agent and members of the Conservation Commission.

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

**Call Meeting to Order**

Pickard MOVED and SECONDED by Zuern to recess and open as Board of Sewer Commissioners and to reconvene as Board of Selectmen in regular session at 6:45 pm.

**Minutes of 10/23/12, 11/27/12 and 2/26/13**

Zuern MOVED and SECONDED by Ford to approve meeting minutes of 10/23/12 as submitted. VOTE 4-0-1. Meier abstained.

Ford MOVED and SECONDED by Zuern to approve meeting minutes of 11/27/12 as amended. VOTE 4-0-1. Meier abstained.

Zuern MOVED and SECONDED by Meier to approve meeting minutes of 2/26/13 as submitted. VOTE 4-0-1. Ford abstained.

**Discussion with Health and Conservation regarding Nitrogen Loading and possible mitigation**

Mr. Barlow – Discussion tonight is about nitrogen loading and its effects. All shellfish eat the nutrients so it is necessary to control the amount of nutrients. Health implications are also to be considered.

Chm. Pickard – stated that Wareham is now upgraded to reduce nutrients it is discharging from its wastewater treatment plant.

Ms. Coffin – the town itself doesn't have a nitrogen loading bylaw. The town of Falmouth does have a bylaw, but it is a Planning Board regulation. It is a complex and not a general one-size-fits-all regulation. The Board of Health (BOH) has septic systems upgraded with the expansion of bedrooms or living space, and the town has close to 70-90 nitrogen removal systems the Board of Health try to monitor. The Board of Health is not at the point of requiring, but generally are willing to look at.

Ford – asked if there are some old sewers that haven't upgraded to a Title V. Ms. Coffin – those are being fixed when homes are being sold and fail; most have been converted to Title V. She has a map of internal systems that she can supply. The BOH can put regulations on anyone within the coastline to have alternative septic systems, but this is a huge expense for the general public without being assured getting the removal that is needed.

Ford – asked about lawn care. Mr. Mullaney - some towns have adopted fertilizer regulations. However, the issue is that it is almost impossible to enforce and difficult to put into a bylaw. If there is a town bylaw, nothing stops the buyer to go to the next town to purchase fertilizer. Nitrogen loading started becoming an issue in the 1970s. There are a combination of factors, but anywhere between 50%-90% is from wastewater; fertilizer and stormwater runoff contribute less than wastewater.

Meier – inquired about alternative systems and monitor agreements and if there is any way to force a permit so they cannot shut off the system if it is seasonal. Ms. Coffin – when a person makes an agreement, the BOH is able to go in and see who has dropped their contract - which is enforcement. As far as a dedicated, separate switch and if they are a seasonal building, the BOH is not going to do anything. The initial start up cost is \$10,000 - \$12,000 in addition to a regular system.

Mr. Mullaney – with regard to alternative systems, there is no one person checking affluent levels every day. Seasonality is an issue. With the sewer plant, licensed operators regulate.

Ms. Moore – the education element is important. The more people are aware of what they are doing the better understanding.

Mr. Barlow – as far as lawn companies, reports have been made of what they were putting down. However, it appears the homeowner is the big culprit. Ms. Coffin – the law companies use a slow release fertilizer.

Mr. Ligor (Conservation Commission) – suggested contacting the Buzzards Bay Coalition who may want to give a workshop or speak before the board as to how we can mitigate this issue. They also probably be willing to train people.

Ms. Martha Craig-Rheinhardt (Conservation Commission) – Education and public outreach is critical. The town may want to consider Eco toilets in addition. There are a few upcoming events and Ms. Rheinhardt will supply documents by email to TA Guerino for distribution.

Mr. Holmes (Conservation Commission) – educational and outreach programs are key. In his experience, it is the high school level that is the most effective; get students active.

Mr. Barlow – an inexpensive solution would be to plant oysters which filter a lot of gallons per day; an acre of oysters can filter about a million gallons a day.

Baldwin – he would like to see the base looked at closely.

Pickard –recommended TA Guerino to coordinate a meeting at the May BOSC meeting with Mr. Mullen and the professional staff on what to recommend and how to incorporate the educational aspects.

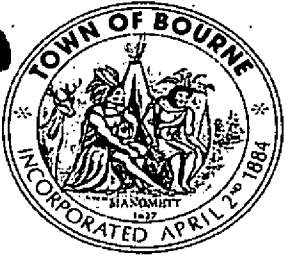
**System wide cast discussion including Hideaway for future planning**

Ford – looking for a way to come up with a fair system for Hideaway to obtain new replacement pumps part through an enterprise fund; currently they are paying a fee that buys grinder pumps. He spoke with TA Guerino and came up with a policy for monies to go into a stabilization fund rather than decrease the fee to set money aside. Bourne needs a stabilization fund to give money for capital outlay. Pumping stations will need some overhaul per George Tribou at some point.

TA Guerino – take the shared costs, deduct the cost of Wareham, get the difference to calculate the number. He would like to start after town meeting to put on the BOSC agenda for discussion.

Meier MOVED and SECONDED by Baldwin that we adjourn the Board of Sewer Commissioners Meeting and to go back into Selectmen's meeting. Meeting adjourned at 6:45 pm.  
UNANIMOUS VOTE.

Respectfully submitted,  
Lisa Groezinger, sec.



## Board of Sewer Commissioners Meeting Notice



### AGENDA

**Date:**

Tuesday  
June 18, 2013

**Time:**

6:00 P.M.

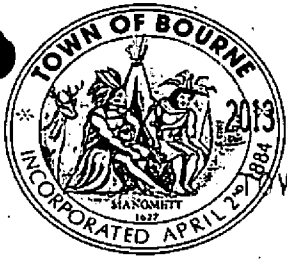
**Location:**

Bourne Veterans' Memorial  
Community Center  
239 Main Street  
Buzzards Bay

1. Call meeting to order
2. Minutes of previous meetings
3. Reorganization of the Sewer Commissioners
4. Update and report of the Wastewater Advisory Committee
5. Other business
6. Adjourn

(Note the meeting must be concluded by 6:25).

2013 JUN 13 PM 9 07  
TOWN CLERK'S OFFICE  
BOURNE, MASS



## Board of Sewer Commissioners

JUN 14 AM 9: Meeting Notice

TOWN CLERK'S OFFICE  
BOURNE, MASS



### AGENDA

**Date:**

Tuesday  
June 18, 2013

**Time:**

6:00 P.M.

**Location:**

Bourne Veterans' Memorial  
Community Center  
239 Main Street  
Buzzards Bay

1. Call meeting to order
2. Minutes of previous meetings
3. Reorganization of the Sewer Commissioners
4. Update and report of the Wastewater Advisory Committee
5. Other business
6. Adjourn

( Note the meeting must be concluded by 6:25).

Board of Sewer Commissioner's  
Minutes of June 18, 2013  
Bourne Community Building  
Bourne, MA 02532

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2013 AUG 14 PM 4 09  
TOWN CLERK'S OFFICE  
BOURNE, MASS

TA Guerino

Don Pickard, Chairman  
Linda Zuern, Vice-Chairman (excused)  
Peter Meier, Clerk  
Earl Baldwin  
Don Ellis

**Documents**

- None

**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**

**Call meeting to order**

6:00 pm by Chm. Pickard.

**Reorganization of the Sewer Commissioners**

Meier MOVED and SECONDED by Baldwin to nominate and appoint Don Ellis as Clerk of the Board of Sewer Commissioners. VOTE 4-0.

Meier MOVED and SECONDED by Baldwin to nominate and appoint Linda Zuern as Vice Chairman of the Board of Sewer Commissioners. VOTE 4-0.

Ellis MOVED and SECONDED by Baldwin to nominate Peter Meier as Chairman of the Board of Sewer Commissioners. VOTE 4-0.

**Minutes of previous meetings**

Baldwin MOVED and SECONDED by Meier to approve minutes of 3/19/13. VOTE 3-0-1 (abstention from Ellis).

**Update and report of the Wastewater Advisory Committee**

Sally Riggs gave brief summary of the Downtown Revitalization. The goal is to create an environment that is welcoming to residential and commercial development in order to increase sources of revenue for the town.

One issue remains – limits to the capacity of wastewater treatment in the Downtown District.

After a proposed Request for Qualifications (RFQ) was reviewed by the Board of Health and other Town officials and approved by Town Counsel, Mr. Ewell released RFQ last week. The plan is for responses to come to the town by mid-July and to be evaluated by a team made up of Advisory Committee members. After the Committee makes a recommendation to the Town Administrator, a contract will be drawn up and approved by the Town Administrator.

Work will most likely begin at the end of the summer with all drilling and sampling scheduled to avoid conflict with athletic events at the two sites. The analysis and report will probably be available before the end of the year.

Mr. Ewell's tasks include researching possible grants to assist the town in expanding wastewater treatment capacity and working out an agreement, when the time is right, with a developer for the private component of the public/provide partnership.

Mr. Ewell is also helping with a public outreach campaign beginning with regular features in the Bourne Enterprise. The first article has been drafted and is under review at this time. You will see more about both the need and the steps to meet that need in the near future.

#### **Other business**

Pickard – discussed the new legislation that was signed by the Mass. Department Agriculture Regulations with regard to nitrogen loading and fertilizer.

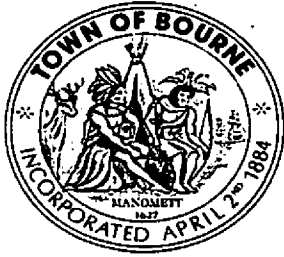
Chm. Meier – the next BOSC meeting will be on 7/23/13 – 6:00 pm or 6:30 pm.

#### **Adjourn**

Baldwin MOVED and SECONDED by Ellis to adjourn. Meeting adjourned at 6:17 pm.  
Unanimous vote.

Respectfully submitted,  
Lisa Groezinger





# Board of Sewer Commissioners Board of Selectmen Meeting Notice



## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday July 30, 2013	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

### Call to order

1. Moment of Silence for our Troops
2. Salute the Flag
3. Public Comment – Non-Agenda Items
4. Minutes: June 18, 2013
  
5. Establish sewer rates for the ensuing year.
6. Discussion on Hideaway Village lifter pumps.
7. Update and review by Wastewater Committee.
8. Discussion on County 208 Process.
9. Discussion related to County Charter Recommendation on Water quality/wastewater.
10. Other business

2013 JUL 25 AM 9 06  
TOWN CLERK'S OFFICE  
BOURNE, MASS

**Board of Sewer Commissioners/Board of Selectmen**

**Minutes of July 30, 2013**

**Bourne Community Building**

**Bourne, MA 02532**

2014 AUG 8 PM 3 28

TOWN CLERK'S OFFICE

BOURNE, MASS

TA Guerino

Peter Meier, Chairman  
Linda Zuern, Vice-Chairman  
Don Ellis, Clerk  
Don Pickard  
Earl Baldwin

**Documents**

- None

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

**Call to order**

Chm. Meier at 6:00 pm.

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

**Public Comment – Non-Agenda Items**

Neil Langille raised issue with regard to sewage treatment rates be reduced from the overall sewerage of Buzzards Bay. TA Guerino said this has been done as the town receives grants to offset some of the sewerage to keep the rates reasonable. Not all of the grant is for the offset.

**Minutes June 18, 2013**

Baldwin MOVED and SECONDED by Ellis to approve minutes of 6/18/13 as submitted.  
VOTE 4-0-1 (abstention from Zuern).

**Establish sewer rates for the ensuing year**

TA Guerino said looking at budgets going back from 2008 – 2014, sewer user fee overages were dropped as usage is dropping. He was able to bring the budget to what it was in 2012, keeping the rates stable for the 4<sup>th</sup> straight year at \$734 per unit.

Zuern asked if additional number of users have been charged. TA Guerino said the connections won't be included until June 2014.

TA Guerino said the amount in retained earnings will begin a preventative approach.

TA Guerino's recommendation is to keep the sewer rate steady at \$734 per unit sewer charge for 2014. He said there will be a slight increase for next year.

Ellis MOVED and SECONDED by Zuern to approve TA Guerino recommendation of \$734 per unit sewer charge for FY2014. VOTE 5-0.

Ellis MOVED and SECONDED by Zuern to approve the overage current rate of one penny per gallon over 45,000 gallons. VOTE 5-0.

#### **Discussion on Hideaway Village lifter pumps**

TA Guerino and Mr. George Tribou reviewed the original Hideaway agreement between the State and the government. While they don't recommend going onto private property, he recommended the town purchase and deliver pumps for when the pumps need to be replaced. Hideaway currently has seven (7) lifter pumps with backups.

Chm. Meier has no issue.

Ellis asked for a cost estimate of these pumps. TA Guerino said it is between \$2,800 - \$3,300 each.

Richard Gowell, Treasurer of Hideaway, is looking to be treated fairly. This is the first time the town has offered any assistance. It is a cottage community. He asked for clarification on why the town cannot go onto private property.

TA Guerino said you have to go back to the agreement signed with the State and the government. He explained there are legal issues with easements and pipes running under private property.

Pickard asked what the cost of installation for the units. TA Guerino guessed it would take several hours but didn't have a number for cost at this time. Pickard asked if there is any method by which the town and Hideaway could enter into a Hold Harmless agreement. TA Guerino will have to ask Atty. Troy.

TA Guerino suggested entering into an agreement with a third party installer to buy, install and back bill the town alleviating concern with maintenance with the system. This takes liability off the town with property crossings.

Zuern would like to hear from Mr. Tribou on how much it would cost.

Ms. Mary Andrews, President of Hideaway Association, explained they are facing huge costs in repairs for backup generators as well.

Chm. Meier said the first step would be to supply the pumps. Anything else that comes up the board can discuss when appropriate.

TA Guerino said he has to look at potential costs would be.

Mr. Gowell asked for copies of the original agreement between DEP and Hideaway Village. TA Guerino will look to see if his office has a copy of said agreement.

Zuern agrees that it seems fair to also at least cover the installation in some way.

TA Guerino said there are two separate agreements signed by two different entities. The next Board of Sewer Commissioners (BOSC) meeting will be on 9/17/13.

#### **Update and review by Wastewater Committee**

TA Guerino asked Ms. Riggs to give a historic background where we have been the last 6-7 years and where the committee is now.

Ms. Riggs said 2007 is when the BFDC allocated funds from the State with Tighe & Bond for wastewater needs in Buzzards Bay. This would be part of an overall look at how the village could be revitalized. This study took a year and a half to complete. Near the end, the BOSC appointed the Wastewater Advisory Committee (WAC) to look at said report. This committee made recommendations to the BOSC in March 2008. The Tighe & Bond report is in TA Guerino's office and available on BFDC's website. That report in 2008 to the BOSC had one primary recommendation which was to look at a site of town-owned land as a site for both an expanded wastewater treatment and a disposable subsurface treatment. This report was broken down by study areas and was reviewed. The re-evaluation came up with Buzzards Bay as the primary place where help was needed. There were a number of criteria. The 2008 report included a couple of secondary recommendations, pertaining to other ways to reduce nitrate flow into estuaries.

The current WAC charge was to look at how the capacity for wastewater treatment and the downtown area could be expanded. This was done in the context of the interest in treating the environment for additional businesses (expansion in commercial and residential sectors). An increased commercial sector would bring some relief to residents. The WAC started meeting frequently. The Cape Cod Commission (CCC) assigned members of its staff to work with the WAC. The CCC hired a firm named CH2MHill that worked with the WAC to come up with a report that was reviewed in July 2012. The WAC and Capital Outlay put together a proposal to bring up at the Fall Town Meeting which included a public private agreement in which the town would create a subsurface area nearby. Two areas were recommended: 1) Queen Sewell park; and 2) Behind the Community Building. The report from the CCC and CH2MHill found there was great compatibility between subsurface facilities and ball parks.

Included in the proposal, the WAC recommended funding over a 2- year period to: 1) hire a project coordinator who would be the one to keep process going; 2) a hydro geologic study; and 3) person who can keep tabs with various potential developers. Part of the funding the WAC was asking for was to have a person to be in touch with potential developers and work

toward a public private partnership. A public private partnership is a special entity which requires special legal services. Included in the budget request is to obtain legal services. Capital Outlay agreed this had to be done. An Article came before the BOSC, Selectmen for the Fall Town Meeting. It proposed \$145,000 over a 2-year period with funding used to hire a project coordinator to do hydrogeologic study and for the town to pursue a public private partnership. The project coordinator was determined not to be a staff position, but rather a part-time contracted position with dotted line to the wastewater committee. Mr. Wes Ewell was designated as the project coordinator.

Copies of 2008 report can be emailed to the board. Copies of the CCC CH2MHill report is in TA Guerino's office.

TA Guerino said the Tighe & Bond report which is related to Buzzards Bay and Sagamore, a lot of numbers is from what came out of the estuaries. There were a number of reports that went into the Tighe & Bond report.

Ms. Riggs said two entities are interested in the 11 acre property and in 6-8 months they will have an idea which entity will be chosen. One of the parties interested was the Cecil Group who wanted to take the downtown district bylaw and apply it to the 11-acre parcel, and the 3-acre parcel across from Town Hall that would have mixed use. This is what is referred to the Cecil Group Study.

Zuern asked about nitrogen loading and if it needed to be addressed immediately in the Tighe & Bond report. Ms. Riggs said the recommendation was to look at spreadsheets and there some attention was given to that portion. A fair piece of the report was the economical potential.

TA Guerino said there were some areas concerned with nitrogen studies.

Ms. Riggs said there were options for non-sewering ways which lead to the secondary recommendations of shellfish beds, controlling fertilizer for example. The WAC is aware of the charge. Many of the wastewater committee members welcome a direction from the BOSC that would expand the purview of the WAC in not only downtown, but the entire town.

Zuern asked for clarification that the \$145,000 is for the hydrogeological study and not to enter into a public private partnership. Ms. Riggs said it was included to have legal services to explore the public private partnership. TA Guerino said the town is not engaged in a public private entity. If we were to go into a public private partnership a draft agreement would be established, but the committee doesn't have a charge to do so.

Zuern requested minutes of the WAC be given to the BOSC for review. TA Guerino will have the past year available to the BOSC.

Chm. Meier said Linda Zuern was appointed to the Cape Cod Water Protection Collaborative and requested Ms. Riggs put her on the WAC mailing list.

Ms. Riggs said Mr. Ewell consulted with people and a document was developed by Town Counsel with a deadline of 7/10/13. On 7/11/13, Ms. Riggs and Mr. Ewell logged in responses of nine companies. During this time, an evaluation team was put together. On 7/17/13, Noland Leroy, Ms. Riggs and Mike Leitzel, facilitated by Mr. Ewell. The evaluation team choose a small number of companies. There was good discussion and a very amicable resolution to the companies interviewed. On 7/24/13 and by the consensus of the evaluation team, they were in favor of one company. The next step is to negotiate a draft scope of work and time line with the company. At that time they made recommendation to the Town Administrator to have Mr. Brian Dudley (Environmental Protection) review the draft. TA Guerino met with the staff who put the report together and an addendum was added for clarifications and given to Brian Dudley. It was three weeks before the draft scope and contract was given to TA Guerino. During the evaluation, no town athletic activities would be displaced on the project and will do work required in a responsible manner as to not interfere with athletic activities. Work with the selected company will be completed by end of the calendar year. An escape clause will be looked at. In the meantime, the finalist company indicated a price that is within the budget presented to Capital Outlay and will be brought to Fall Town Meeting 2013.

TA Guerino said the final negotiations will be undertaken by himself and Atty. Troy. This will not come before the Selectmen. If the BOSC directs he will have before the Selectmen, but charter is clear with those types of contracts.

Pickard said the Selectmen were brought into the involvement in the past. TA Guerino will bring before the board before they sign if they so please. If we move forward with results of the study, it would come before the Selectmen.

Zuern wants to make sure this is an objective committee. TA Guerino said there is factual data and have followed an open process.

Ms. Riggs said as evaluation team was looking at reference checks and fully believes assuming negotiations go forward, that the company is reputable.

James Mulvey talked about components on the public private partnership. He asked if Queen Sewell surface and subsurface is adequate to handle the amount of treated sewerage or projecting for the future. If a developer builds on his own land, is the cost of the operation of the packaged plan (maintain and run) who would be responsible after sludge is pumped out? What is the cost of a system to pump to the infiltrate system? What is the cost to pump to Queen Sewell? There is also the cost of the force pipe from the package plant, across St. Margaret's and the bypass up to Queen Sewell - who pays for that up to the infiltration system and who maintains the infiltration system? If there is a package pump by a developer and another developer comes into the area, will he use the package pump or buy and maintain a second package pump? Is there going to be a private sewer district where there is a legal

private sewer system? As far as the estuaries studies, there were only two the town paid for: Back River and Eel Pond is a published report paid by ISWM. Phinney's Harbor was done and paid for by the town. Pocasset, Pocasset Harbor, Squeateague Harbor and Red Brook fell apart.

TA Guerino said there are a number of scenarios of how different mechanisms are put in place. Ms. Riggs said Mr. Mulvey's questions make the point on why this project is very complex. The town is looking at one treatment plant that would allow additions and other developers to buy into. Mechanics would have to be negotiated. More than one plant is not the highest investment of land in town.

Mr. Mulvey said the town doesn't want to spend a lot of money towards something we don't know about and how it would be done. Ms. Riggs said there are some estimates from both ends and what is being done is the first step in acting if the sites are appropriate.

Pickard said we have to rely on TA Guerino, Ms. Riggs, Mr. Ewell, professional staff, etc. as there are so many things we need to look at. We are headed in the right direction.

Chm. Meier concurs with Pickard.

#### **Discussion on County 208 Process**

Chm. Meier put on the agenda to further discuss. TA Guerino hasn't prepared any material but it was his understanding this was put on the agenda to continue discussions on what transpired in Mashpee.

Zuern said there is no more information, except for notes from Mr. Richard Anderson that were given to the board at the last meeting. The meeting was to discuss regionalization and address watersheds without town lines.

Pickard said discussion addresses wastewater. In the charter, it creates authority for wastewater and assures it has authority on quality water standards in the Cape Cod plan. This is an area of concern and feels at some point they will have full control. This is something to keep an eye on.

Meier said it is worth monitoring before we move forward. The facilitator was not prepared for the meeting.

Ellis said the presentation was not user friendly. He feels the CCC will try to take over eventually.

Zuern said there is a shellfish farm in Wellfleet and suggested members of the board to visit. She is interested in going herself.

Mr. Wesley Ewell said it is important to point out that what we do in the future, this permit has to be consistent with the 208 Plan and is very important we really keep a close eye and monitor to make sure they don't do something contrary to the town's interest.

TA Guerino said Buzzards Bay is in a different watershed area. They weren't aware of that. We have to be careful that the entire town is understood as well as the transcend count; Bourne e transcends county aquifers as we go into Plymouth County.

Pickard said Bourne has different circumstances from the rest of the Cape. They are regulatory by nature.

Mr. Mulvey said that is called a Plymouth/Carver/Bourne/Wareham and have Brendan Mullaney as Bourne's representative.

Ms. Riggs said she noticed at the CCC they had many maps and quilts which showed the Cape area stopping at the canal. They aren't there now. The maps and quilt are down. Buzzards Bay and Finger Pond Group meetings will be at Falmouth Town Hall on 9/24/13, 10/25/13 and December has yet to be determined.

Ms. Riggs said no one is saying for towns to stop continuing what they are doing.

Zuern said with regard to the shellfish farming, Mr. York, a Mashpee farmer would be willing to come to one of our meetings for a presentation for the Selectmen. Pickard said he feels this should have to be coordinated with Mr. Mullen.

**Discussion related to County Charter Recommendation on Water quality/wastewater**

TA Guerino said we must stay vigilant in keeping local control where necessary and required.

**Other business**

The next BOSC meeting is 9/17/13.

**Adjourn**

Zuern MOVED and SECONDED by Baldwin to adjourn. Meeting adjourned at 8:30 pm.

UNANIMOUS VOTE.

Respectfully submitted,  
Lisa A. Groezinger, sec.



Board of Sewer Commissioners 2014 AUG 8 PM 3 28  
Minutes of October 15, 2013  
Bourne Community Building TOWN CLERK'S OFFICE  
Bourne, MA 02532 BOURNE, MASS

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TA Guerino

Peter Meier, Chairman  
Linda Zuern, Vice Chairman  
Don Ellis, Clerk  
Don Pickard

**Documents**

- None

**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**

**Call meeting to order**

6:45 pm by Chm. Meier.

**Minutes of previous meetings**

Zuern MOVED and SECONDED by Baldwin to approve minutes of 7/30/13 as submitted.  
VOTE 5-0.

**Other Business**

TA Guerino said while the Hideaway Village (HAV) discussion is not on the agenda, there was a question while Mr. Ford was on the board as to why there is the same sewer rate for HAV and the rest of the users in the village. Folks on the HAV piece of the system are required to maintain their own system, capital equipment, all costs for disposal from the HAV location to the pump station. When a system breaks on a homeowner or underground in HAV, they are bearing the full cost. With a user on the village side, the budget that is passed at Town Meeting covers the costs. We are looking to find the history and what the cost would be if the town would take over that piece. There are separate agreements (HAV and the village) and there is some difficulty in obtaining documentation from the government agencies.

TA Guerino said the town is in a position to beginning sitting down with the folks at HAV to come up with either an agreement or arrangement to bring forward, if any, to the Sewer Department, the Facilities Director and Town Counsel. TA Guerino believes a draft proposal will be ready by the first of December.

**Sign Residential and Commercial Rate**

The board signed the Residential and Commercial Rate of water overage fees determined as follows: a fee of .010 for every gallon of water in excess of 45,000 rates effective for the calendar year 2013.

The next BOSC meeting will be on 11/26/13 and the Hideaway Village discussion will be put on the agenda.

At this time, TA Guerino is asking a group of Hideaway Village to sit with himself, Mr. Tribou, Mr. Nelson and Mr. Sala for further discussion. The Wareham numbers appeared to not follow the IMA and the formula. Actual numbers spent is the goal.

Ellis requested copies the board gets copies of the draft agreement.

**Adjourn**

Zuern MOVED and SECONDED by to Ellis adjourn. Meeting adjourned at 6:58 pm. Unanimous vote.

Respectfully submitted,  
Lisa Groezinger