



CANAL COURT REPORTING

Linda L. Wesson, Court Reporter
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Phone & Fax (508) 888-4676

- Tape Transcription
- Notary Public

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TOWN CLERK BOURNE

July 5, 2020

RECEIVED
JUL 06 2020
TOWN OF BOURNE
BOARD OF SELECTMEN

Bourne Town Hall
Selectmen's Office
ATTN: Nancy Sundman
24 Perry Avenue
Buzzards Bay, MA 02532

RE: Transcript of the Special and Annual Town Meeting
Held on Monday, June 29, 2020

Dear Nancy:

Please find the original transcript from the Annual and Special Town Meeting last week. I am also enclosing a compact disc attached to the back of the transcript that includes the .PDF document for Bourne's auditing purposes. I am enclosing my invoice also.

If you have any questions, please do not hesitate to call me. Thank you for your continued business!

Sincerely yours,

Linda L. Wesson

Linda L. Wesson, CVR
Court Reporter

Enclosure

COMMONWEALTH OF MASSACHUSETTS

TOWN OF BOURNE

TRANSCRIPT OF A
SPECIAL TOWN MEETING AND
ANNUAL TOWN MEETING

HELD ON MONDAY, JUNE 29, 2020

RECEIVED
JUN 30 7 41 AM '20
TOWN CLERK BOURNE

TRANSCRIPT of a SPECIAL TOWN MEETING and ANNUAL
TOWN MEETING before Donald Pickard, Moderator, taken
by Linda L. Wesson, Professional Court Reporter and
Notary Public in and for the Commonwealth of
Massachusetts, at the Bourne High School Jackson
Field, Bourne, Massachusetts, commencing at 7:03 p.m.

ORIGINAL

* * * * *

CANAL COURT REPORTING
15 Lakewood Road
Sagamore Beach, MA 02562
(508) 888-4676

A P P E A R A N C E S

Donald Picard, Moderator
Barry Johnson, Town Clerk
Robert Troy, Town Counsel
Anthony Schiavi, Town Administrator
Glenn Cannon, Town Assistant Administrator

BOARD OF SELECTMEN:

Judith Froman, Chairman
James Potter, Vice Chair
George Slade, Jr., Clerk
Peter Meier
Jared MacDonald

FINANCE COMMITTEE MEMBERS:

Mary Jane Mastrangelo, Chair
Richard Lavoie
Amanda Bongiovanni
James Sullivan
Aaron Tobey

SPECIAL TOWN MEETING (Page 25)
I N D E X

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Annual Town Meeting

(Convened at 7:03 p.m.)

MODERATOR PICKARD: Having reached the date and hour designated in the Selectmen's --

THE AUDIENCE: Turn it on.

MODERATOR PICKARD: Yeah, it would be a good idea; wouldn't it? Having reached the date and hour designated in the Selectmen's warrant for the June 29, 2020, Annual Town Meeting, I hereby call the meeting to order.

My name is Donald Pickard; I'm the Bourne Town Meeting Moderator.

Mr. Town Clerk, Barry Johnson, how many voters have been checked into the Town Meeting?

CLERK BARRY JOHNSON: One hundred and forty-one.

MODERATOR PICKARD: He responds 141 registered voters. I declare there is a quorum present.

Mr. Town Clerk, has the Annual Town Meeting warrant been duly posted as

1 required by law?

2 CLERK BARRY JOHNSON: Yes, it has.

3 MODERATOR PICKARD: Madam
4 Stenographer, please note for the record
5 that the Town Clerk responds that the
6 warrant has been duly posted.

7 I'd like everybody to silence your
8 cell phones, please, and other electronic
9 devices.

10 Please stand and remain standing
11 until I ask you to take your seats. We will
12 start with the Pledge of Allegiance.

13 (Pledge of Allegiance.)

14 MODERATOR PICKARD: Thank you. I
15 call on the Reverend Glenn Stone to give the
16 invocation.

17 (Invocation.)

18 MODERATOR PICKARD: Thank you,
19 Reverend. Let us offer a special moment of
20 silence for those brave men and women who
21 serve our nation in the military, public
22 safety, and intelligence services at home
23 and abroad, and for those town employees who
24 have passed away since the last Town

1 Meeting.

2 (Moment of silence.)

3 MODERATOR PICKARD: Thank you.

4 Please be seated.

5 MS. JUDITH FROMAN: Mr. Moderator.

6 MODERATOR PICKARD: Yes, Ms.

7 Froman.

8 MS. JUDITH FROMAN: Can you hear
9 me? Point of personal privilege, please?

10 MODERATOR PICKARD: Please.

11 MS. JUDITH FROMAN: I'd like to
12 introduce you to Susan Moran, who is our
13 newly elected State Senator. She's on her
14 way over here to offer a few words.

15 THE AUDIENCE: (Applause.)

16 SENATOR SUSAN MORAN: Thank you,
17 Judy. Thank you to all of the officials and
18 boards of Bourne for setting up this really
19 very ingenious social distance Town Meeting.
20 The Town's business has to proceed and
21 thanks to all of you for your participation
22 in this democracy.

23 I'm only here to say hello and to
24 let you know that my office is available.

1 If you have any questions, please call or
2 email and we're certainly happy to help with
3 any particular issues.

4 I'm very proud to be from the Cape
5 and to be sure that this district and Bourne
6 receives all of the funding and proceeds
7 with all the programs that you and the Town
8 deserve. So very nice to meet you. Have a
9 really great evening.

10 THE AUDIENCE: (Applause.)

11 MS. JUDITH FROMAN: Mr. Moderator,
12 I'd like to offer another point of personal
13 privilege.

14 MODERATOR PICKARD: Go right
15 ahead.

16 MS. JUDITH FROMAN: We're
17 realizing that this is Tony Schiavi's first
18 Town Meeting with the Town of Bourne. I'd
19 like to recognize Tony Schiavi, our new Town
20 Administrator.

21 THE AUDIENCE: (Applause.)

22 MODERATOR PICKARD: Now I'd like
23 to take a point of personal privilege
24 myself. It's my understanding that Bob

1 Dutch is in the, I would say auditorium, but
2 is under the tent somewhere. Bob is
3 retiring as the superintendent of the Upper-
4 Cape Tech where he spent 16 years, I
5 believe. He's standing right down at the
6 rear. So let's offer him a round of
7 applause.

8 THE AUDIENCE: (Applause.)

9 MODERATOR PICKARD: Later I shall
10 call for a motion to recess this Annual Town
11 Meeting at on or about 7:30 p.m. to convene
12 a posted Special Town Meeting, and then we
13 will return to the Annual Town Meeting at
14 the conclusion of the Special Town Meeting.

15 I have appointed Amy Kullar as my
16 deputy moderator. She is seated right
17 there. If you need assistance with an
18 amendment, by all means see Amy.

19 Town Counsel is to my left. Town
20 Clerk to my right. Finance Committee, Board
21 of Selectmen, and the professional staff
22 from the Town Administrator's office.

23 So I have designated the front row
24 here for the school committee, and that tent

1 for nonvoters to sit under the tent.

2 Does everyone have a Voter's
3 Handbook? If you do not, please raise your
4 hand and we'll get you one. Okay. It might
5 be a while.

6 Okay. I'm informed by the Board
7 of Selectmen that if the Town Meeting does
8 not conclude this evening that it is their
9 intention to move that it recess and
10 reconvene tomorrow evening here at 7 p.m.;
11 is that still the case, Madam Chair?

12 MS. JUDITH FROMAN: Yes, it is.

13 MODERATOR PICKARD: The Town
14 Meeting is governed by Robert's Rules of
15 Order as interpreted by *Town Meeting Time*.
16 I will not read all the Moderator's usual
17 instructions which are detailed in your
18 Voter Handbook. I will address
19 parliamentary matters as they arise during
20 the course of the meeting.

21 The rules for debate at Town
22 Meeting are printed in your handbook in the
23 A-B-C section. When an article is called
24 and you intend to speak on that article,

1 please leave your seat and come up close to
2 one of the two podiums to speak to that
3 article so you will be recognized.

4 Please speak only to the motion on
5 the floor. Do not be repetitive, be
6 concise, and to the point. The meeting is
7 being televised, videotaped for later
8 television on the local Comcast cable
9 channel. There's also a stenographer down
10 front keeping an official written transcript
11 of the proceedings.

12 As a matter of longtime custom and
13 usage within the Town of Bourne, it is
14 solely within the Moderator's discretion to
15 allow nonvoters to address Town Meeting.

16 If anything interferes with your
17 ability to hear, speak, or participate in
18 Town Meeting to your satisfaction, you may
19 interrupt the meeting by calling on me and
20 declaring a point of personal privilege.
21 Your concern will be heard and hopefully
22 addressed.

23 If you need to speak from your
24 seat, please get my attention and we will

1 get you a portable microphone.

2 I'll entertain a motion at this
3 time that the meeting dispense with the
4 reading of the warrant and the Constable's
5 return of service of that warrant and that
6 the Moderator not be required to read the
7 resolutions or warrant articles verbatim but
8 may refer to them by article number and page
9 in the Voter Handbook.

10 (So moved.)

11 MODERATOR PICKARD: Second?

12 (Seconded.)

13 MODERATOR PICKARD: All those in
14 favor, please signify by saying "Aye."

15 THE AUDIENCE: Aye.

16 MODERATOR PICKARD: And opposed?
17 It's unanimous. I declare the motion
18 passes.

19 (Motion passed.)

20 This question is directed to the
21 Finance Committee and the Board of
22 Selectmen. If all of the recommended
23 articles in the Annual Town Meeting that
24 require raising and appropriating funds are

1 passed, will the Town be at their maximum
2 tax levy limit? Response, please?

3 MS. MARY JANE MASTRANGELO: Yes.

4 MS. JUDITH FROMAN: Yes.

5 MODERATOR PICKARD: The chairs of
6 both the FinCom and Board of Selectmen
7 respond in the affirmative.

8 I am informed that there is no
9 article that needs to be -- there's no
10 article which first requires the action of
11 another article. I am informed by the
12 chairman of the Board of Selectmen that in
13 accordance with Section 1.1.9 of the Town
14 Bylaws there are articles which the
15 Selectmen and the Finance Committee have
16 voted essential to the exercise of the
17 Town's corporate functions. These Articles
18 are 1 through 5, 8, 9, and 11. Accordingly,
19 these articles will be taken up in order
20 prior to the articles drawn by lottery.

21 I'd like to remind everybody
22 unless you're speaking at the microphones,
23 would you please leave your face coverings
24 on.

1 And we have about 14 minutes
2 before its 7:30 so.

3 MS. MARY JANE MASTRANGELO: We
4 need the Bourne Resolution.

5 MODERATOR PICKARD: Oh, the Bourne
6 Resolution. Where is that? I'm informed by
7 the Board of Selectmen that there is a
8 Bourne Rule Resolution. This resolution is
9 printed in your handbook on page 95. Madam
10 Chair of the Board of Selectmen, I'll
11 entertain your motion to adopt the
12 Proposition 2-1/2 Resolution as printed in
13 the Voter Handbook on page 95.

14 MS. JUDITH FROMAN: So moved.

15 MODERATOR PICKARD: Is there a
16 second?

17 MS. MARY JANE MASTRANGELO:
18 Second.

19 MODERATOR PICKARD: There's a
20 motion and a second. All in favor, please
21 signify by saying "Aye."

22 THE AUDIENCE: Aye.

23 MODERATOR PICKARD: Opposed? I
24 declare the motion is unanimous and passes.

(Motion passed.)

ARTICLE 1

MODERATOR PICKARD: The first article in the Annual Town Meeting is article -- will be Article 1. This article contains seven items into one motion and one vote. All of these are annual authorizations and votes that are usually -- not usually controversial.

I will call each of them. If any voter wants to have a separate vote on that item, they should call "hold" in a loud voice and the item will be laid aside for consideration under a separate motion. After the vote, any items that have been set aside will be considered separately.

Item 1, Regular Required
Authorizations,

Item 2, Elected Officials
Salaries,

Item 3, Chapter 90,

Item 4, Reserve Fund,

Item 5, Revolving Funds,

Item 6, ISWM Host Community Fee,

1 and,

2 Item 7, Accrued Compensated
3 Absences.

4 I hear no --

5 MR. PARKER FREEDMAN: Hold on Item
6 2.

7 MODERATOR PICKARD: Okay. We now
8 have a hold on Item 2. A little bit late
9 but we'll take it. MJ, go ahead.

10 MS. MARY JANE MASTRANGELO: Okay.
11 Just bear with me one moment. Hold on Item
12 2 --

13 MODERATOR PICKARD: Right.

14 MS. MARY JANE MASTRANGELO: -- is
15 Scenario 2.

16 THE AUDIENCE: Can we use a page
17 -- tell us page numbers on this?

18 MODERATOR PICKARD: Thirty-four.
19 It begins on 34.

20 MS. MARY JANE MASTRANGELO: Just
21 bear with me a moment. I had nine different
22 options based on this. Okay. So the motion
23 that I will read will combine all of the
24 Articles 1 and then 3 through 7, and after

1 we vote that as one article, we will come
2 back and we'll have a separate motion for
3 Article 2.

4 Motion on Article 1. We move the
5 Town approve Article 1 as set forth in the
6 warrant except Item 2, Elected Officials
7 Salaries, as set forth in the warrant, and
8 further move that the sum of \$351,900 for
9 the Finance Committee Reserve Fund be raised
10 and appropriated, and \$150,000 be
11 transferred from Free Cash as set forth in
12 the article for Accrued Contractual
13 Compensated Absences.

14 MS. AMANDA BONGIOVANNI: Second.

15 MODERATOR PICKARD: We have a
16 motion and a second. Any discussion? I'm
17 sorry; you have the floor on that. Thank
18 you.

19 MS. MARY JANE MASTRANGELO:

20 Article 1 this year provides seven of the
21 housekeeping articles that are voted at Town
22 Meeting each year into one article requiring
23 one vote instead of seven separate votes.

24 Item 1, Regular Required

1 Authorizations authorizes various Town
2 officials to take certain actions such as
3 entering into contracts, agreements,
4 applying for grants, and take other actions
5 that are necessary to conduct the Town's
6 business. State law requires these
7 authorizations to be voted every year.

8 Item 3, Chapter 90, each year the
9 Governor's budget appropriates Chapter 90
10 funds for distribution among the cities and
11 towns in Massachusetts earmarked for
12 maintaining safety and accessibility for
13 roads and bridges within the Commonwealth.
14 This authorization allows the Department of
15 Public Works to spend any Chapter 90 funds
16 that are received.

17 Item 4 is the Reserve Fund.
18 Appropriation of 351,000 -- is it 900 --

19 MR. RICH LAVOIE: Nine hundred.

20 MS. MARY JANE MASTRANGELO: -- 900
21 to the Reserve Fund that is used to cover
22 unforeseen or emergency expenditures which
23 may arise during the Fiscal Year. A vote of
24 the Finance Committee is required for all

1 Reserve Fund transfers. The appropriation
2 to the Reserve Fund is determined by the
3 Town's financial policy.

4 Item 5 is Revolving Funds.
5 Revolving Funds are created to allow
6 departments that have fee-related services
7 to raise specific funds that can be used
8 without further Town Meeting action. The
9 law is very explicit as to how this is done
10 and it requires that Revolving Funds be
11 reauthorized every year in order to be sure
12 that each fund is being used as intended.
13 There are no changes to the Revolving Funds
14 this year. There is in the Appendix a
15 listing of all Revolving Fund charges for
16 the previous year.

17 ISWM Host Community Fee allows any
18 Fiscal Year '21 Host Community Fees
19 generated by ISWM, which are in excess of
20 \$600,000, to be added to the Capital
21 Expenditures Stabilization Fund that was
22 established at the 2007 Annual Town Meeting.

23 Accrued Compensated Absences
24 appropriates \$150,000 to replenish the fund

1 used for Contractual Compensated Absences
2 due to employees upon retirement. The fund
3 is used as needed and replenished when there
4 are employees who are expected to retire
5 during the next Fiscal Year.

6 The Finance Committee voted
7 unanimously 11-0-0 to recommend approval of
8 this article with a yes vote in favor of the
9 motion.

10 MODERATOR PICKARD: Is there any
11 further discussion on Article 1, Items 1, 3,
12 4, 5, 6, and 7? Seeing none.

13 All those in favor, please signify
14 by saying "Aye."

15 THE AUDIENCE: Aye.

16 MODERATOR PICKARD: Opposed? I
17 declare it's a unanimous vote. The motion
18 of the Finance Committee carries.

19 Article 2, excuse me, Item 2,
20 Elected Officials Compensation. Does the
21 Finance Committee have a positive motion on
22 Item 2?

23 MS. MARY JANE MASTRANGELO: Yes,
24 Mr. Moderator, we do. We move that the Town

1 vote to fix the salaries and compensation of
2 all elected officials of the Town for Fiscal
3 Year 2021 as provided by Section 108 of
4 Chapter 41 of the Massachusetts General Laws
5 as amended as follows.

6 Moderator, \$644;

7 Selectmen, four at three thousand
8 seven -- \$3,570 for a total of \$14,280;

9 Selectmen 1 at \$4,590 for a total
10 of \$4,590;

11 Town Clerk, \$42,833.

12 Total to be raised and
13 appropriated \$62,347.

14 MS. AMANDA BONGIOVANNI: Second.

15 MODERATOR PICKARD: We have a
16 motion and a second on Article 1, Item 2,
17 Elected Officials Salaries. Thank you. Any
18 discussion? Please come up. Right there.
19 That's fine.

20 MR. PARKER FREEDMAN: Just seeking
21 a point of clarification.

22 MODERATOR PICKARD: State your
23 name.

24 MR. PARKER FREEDMAN: Parker

1 Freeman, Gray Gables. Just seeking a point
2 of clarification. Is this voting on an
3 increase in salaries for the governing
4 boards of the Town or is it just voting to
5 fix the salaries at a set rate?

6 MODERATOR PICKARD: I believe
7 the -- it's set.

8 MS. MARY JANE MASTRANGELO: I
9 believe it's 2 percent for the Town Clerk --

10 MODERATOR PICKARD: Right.

11 MS. MARY JANE MASTRANGELO: -- and
12 the Moderator and its level funding for the
13 Selectmen.

14 MODERATOR PICKARD: Right.

15 MS. MARY JANE MASTRANGELO: So
16 there was no increase for the Selectmen and
17 the chairman of the Select -- Board of
18 Selectmen is the one that gets the one
19 higher. But they stayed at the same rate
20 that they had been getting, but the
21 Moderator and Town Clerk got 2 percent
22 raises.

23 MS. LYNNE FREEDMAN: Okay. Thank
24 you.

1 MS. MARY JANE MASTRANGELO: You're
2 welcome.

3 MODERATOR PICKARD: Okay. We are
4 now about four minutes from --

5 MS. MARY JANE MASTRANGELO: We
6 need to take a vote.

7 MODERATOR PICKARD: I'm sorry. If
8 no further discussion, all those in favor of
9 Article 1, Item 2, Elected Officials
10 Compensation, please signify by saying
11 "Aye."

12 THE AUDIENCE: Aye.

13 MODERATOR PICKARD: Any opposed?
14 I declare the ayes have it. The motion of
15 the Finance Committee on Article 1 passes --
16 I declare it's unanimous.

17 (Article 1 passed unanimously.)

18 MODERATOR PICKARD: We have three
19 minutes before the Special Town Meeting, so
20 I think we'll just --

21 MS. MARY JANE MASTRANGELO: I
22 would -- rather than start the budget --

23 MODERATOR PICKARD: Yeah.

24 MS. MARY JANE MASTRANGELO: -- we

1 should just wait.

2 MODERATOR PICKARD: Okay.

3 MS. MARY JANE MASTRANGELO: Do you
4 want me to start reading the motion?

5 MODERATOR PICKARD: What?

6 MS. MARY JANE MASTRANGELO: I
7 mean, I can read the motion and then we can
8 stop.

9 MODERATOR PICKARD: No, let's
10 just -- we've got three minutes. We're
11 getting a head -- we're getting a new count
12 for the, quorum count, for the Special Town
13 Meeting coming up at 7:30.

14 (Judith Froman and
15 Moderator Pickard conversing.)

16 MODERATOR PICKARD: A point of
17 clarification from the chair of the Board of
18 Selectmen, the elected officials, being the
19 Town Clerk and the Moderator, went up 3
20 percent instead of 2.

21 MS. WENDY CHAPMAN: A hundred and
22 ninety-seven.

23 MODERATOR PICKARD: Thank you. I
24 will entertain a motion to temporarily

1 recess the Annual Town Meeting in order to
2 open the Special Town Meeting scheduled for
3 7:30 p.m. and to reconvene at the conclusion
4 of the duly posted Special Town Meeting.

5 MS. MARY JANE MASTRANGELO: So
6 moved.

7 MS. AMANDA BONGIOVANNI: Second.

8 MODERATOR PICKARD: We have a
9 motion and a second. All those in favor,
10 please signify by saying "Aye."

11 THE AUDIENCE: Aye.

12 MODERATOR PICKARD: Opposed? I
13 declare that the motion carries.

14 (Motion passed.)

15 (Annual Town Meeting suspended at 7:30.)
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SPECIAL TOWN MEETING

MODERATOR PICKARD: The count is 197 voters in attendance. Thank you.

Mr. Town Clerk, we're doing this by lottery.

THE AUDIENCE: Mr. Moderator, what page does that start on?

MODERATOR PICKARD: The Special Town Meeting starts on page 32.

THE AUDIENCE: Thank you.

MODERATOR PICKARD: It's Article 1 and 2, both on the same page.

ARTICLE 2

MODERATOR PICKARD: Article 2, Unpaid Bills. That is located on page 32 of your Voter's Handbook. It is a -- it requires a 9/10ths vote because we're paying Unpaid Bills.

Does the Finance Advisory Committee have a positive motion?

DR. JIM SULLIVAN: We do, Mr. Moderator.

MODERATOR PICKARD: Thank you. I recognize Jim Sullivan of the Finance

1 Committee.

2 DR. JIM SULLIVAN: We move that
3 the Town vote to appropriate the sum of
4 \$4,241.27 for the purposes of this article,
5 and to meet this appropriation to transfer
6 the sum of \$4,241.27 from Free Cash to
7 satisfy the Unpaid Bills of the Town as
8 listed in the chart below.

9 MS. AMANDA BONGIOVANNI: Second.

10 MODERATOR PICKARD: We have a
11 motion and a second.

12 MS. MARY JANE MASTRANGELO: You
13 have to read them. You need to read the
14 items.

15 DR. JIM SULLIVAN: Okay. And
16 those items are Department of DPW, an unpaid
17 bill from the vendor, United Site Services
18 Northeast, Incorporated, \$530.67, and from
19 the Town Administrator Department, a bill
20 from Bracken Engineering, Incorporated, for
21 \$3,710.60.

22 MS. AMANDA BONGIOVANNI: Second.

23 MODERATOR PICKARD: I have a
24 motion and a second. Thank you. Any

1 with throwing money at entities when they
2 say they have enough.

3 And I ask you when you have a
4 tornado and your house disappears, do you
5 still have the cleaning lady come and clean
6 your home? So why are we throwing money at
7 something that said they already have enough
8 funding. This was a terrible process the
9 way this came forward, smear tactics and
10 bullying is more specifically what it should
11 be called.

12 I thank you for your time this
13 evening.

14 MODERATOR PICKARD: Any other
15 questions or a discussion?

16 MS. LYNNE FREEDMAN: Lynne
17 Freedman from Gray Gables. I would just
18 like everyone to reconsider about what Mr.
19 MacDonald said. It may be true; it may not
20 have been the right process, but these are
21 services that our Town needs and they may
22 have funding now, but we all know that the
23 funding that they receive is also from the
24 community. And I know in years past, my

1 family has donated over \$500 per year to the
2 Food Pantry, and I'm not sure this year I
3 can afford to do that donation.

4 So I'm sure all of you feel the
5 same way. You'd love to help personally,
6 but just like perhaps some raises should
7 have be looked at, not everybody has extra
8 money in their pockets right now.

9 So to give them some more money
10 now, which is very small in our budget for
11 something that is likely to happen as this
12 virus continues and as people's own pockets
13 are hurt, I think is something that should
14 be considered.

15 MODERATOR PICKARD: Thank you.
16 Sir, please.

17 MR. BILL STAFFORD: I am a little
18 confused in the fact the --

19 MODERATOR PICKARD: Please state
20 your name, sir, please.

21 MR. BILL STAFFORD: I'm sorry;
22 Bill Stafford on Harmony Hill Road.

23 MODERATOR PICKARD: Okay.

24 MR. BILL STAFFORD: The Selectmen

1 was saying that the organizations have
2 enough money to go through 2020, but we're
3 talking about a budget for 2021, and I
4 assumed that during the FY21 year the
5 Community Center is going to be open and
6 will be able to use the information. But
7 I'm hoping that they're not going to have it
8 canceled for 2021.

9 MODERATOR PICKARD: Thank you.
10 Any more?

11 MS. LEONA BOMBACI: Hi. I'm Leona
12 Bombaci from Pocasset. I'm on the Human
13 Service Committee where this budget was
14 addressed prior to the COVID-19 epidemic.

15 If I recall correctly, when we met
16 and put together the budget, the VNA and the
17 Bourne Pantry had asked for more money in
18 their original proposals of which you can
19 see in Town Hall in the Human Service budget
20 proposals that they submit. So they had
21 asked for more money than they got because
22 the Human Service budget was cut back about
23 8,000, if I remember correctly. So we had
24 to redistribute the funds to -- I can't

1 remember exactly how many organizations,
2 maybe ten or so that get the money. So that
3 decision was made prior to the COVID-19
4 crisis.

5 I think what Mary Jane was
6 indicating is that we don't know what's
7 ahead, and these organizations are providing
8 healthcare and services to our community.
9 They may not need the money now, and if they
10 don't use it, I don't know, maybe they give
11 the money back to the Town.

12 So I ask you to support this
13 amendment, and I guess I want to raise a
14 point out to look at, the Cultural
15 Recreation budget, which is 1 percent less
16 than the Human Service and Health allotment
17 here; where does that money go during the
18 COVID-19? So think about it.

19 Maybe somebody can explain the
20 Cultural Recreation budget, which is 1
21 percent less than the Human Service budget,
22 which I think -- I don't even know where
23 that money goes.

24 So, I ask that you support this

1 amendment, and then question the Cultural
2 Recreation budget and where that money is
3 going.

4 MR. AARON TOBEY: Thank you. My
5 name is Aaron Tobey. I sit on the Finance
6 Committee. What we did is that we looked at
7 this and we saw two services that we felt
8 were vital to the community. And we had
9 some options on where we can get the money
10 from without increasing the bottom line.

11 So to drive home the point, we
12 decided to take it from our budget to show
13 to you how important it meant to us.

14 We hope that you support this
15 because we really believe that there are
16 families out there that are struggling, and
17 if they need it, they should be able to have
18 it. Thank you.

19 MR. MIKE CARLOWICZ: Mike
20 Carlowicz from Buzzards Bay. I'm looking
21 for a bit of a clarification. The amendment
22 is adding some money back in for the Human
23 Services. However, if I'm reading things
24 and hearing things right, those budgets were

1 already being cut so we're just adding some
2 of the money back. We're not adding all the
3 money back. If someone could clarify that.

4 Second, when I read through the
5 guide, and I may have missed things and it
6 may be in here, so if someone could point to
7 it. I can read what's being reduced this
8 year. I can't read what's being added to
9 the budget. So at some point before COVID
10 happened, we were increasing the Town budget
11 slightly. We were reducing Human Services.

12 Can we know what it is we're
13 voting for increasing at the expense of
14 reducing Human Services because this is not
15 the time to reduce Human Services. There's
16 a lot of things in this Town. I don't --
17 I'm not actual -- I don't want my taxes to
18 be reduced. I'm happy to pay what I'm
19 paying. But what are we getting more that
20 makes us want to give up on Human Services
21 at a critical time for a lot of people?

22 MS. MARY JANE MASTRANGELO: So, I
23 will stay that primarily the increases in
24 the budget are the contractual salary

1 increase that are negotiated with the
2 various employees over three years. So
3 those are -- to go through union negotiation
4 processes and develop three-year contracts
5 and that's -- we're in that process. So
6 those are the increases. There were
7 personnel added. This is a level service
8 budget basically, and I think that, you
9 know, administration took a hard look at the
10 budget and cut some things that they felt
11 could be cut.

12 I think what the Finance Committee
13 looked at was level funding the Visiting
14 Nurse Association so that contract would not
15 be reduced this year, that they would be
16 able to provide through the health
17 department the same services that the Health
18 Department works with them on to be the
19 essential services.

20 The food pantry is being provided
21 with more money than the original reduction
22 but it's still less than they were getting
23 from town support in 2015.

24 When the process of the Finance

1 Committee goes through with the Board of
2 Selectmen is that we meet with in joint
3 meetings through all the budgets and during
4 those meetings certain issues are raised.
5 After those meetings -- joint meetings
6 happen, the Finance Committee meets
7 separately, and the Board of Selectmen meet
8 separately, and we come to our
9 determinations separately. So the issues of
10 both the VNA, the Visiting Nurses, and the
11 Food Pantry and Human Services and the
12 questions about whether or not the Finance
13 Committee budget had been discussed and
14 brought up during those joint meetings. But
15 it was not until after we went back, and the
16 Finance Committee, and sat back and
17 deliberated and said we really think that
18 this is a change that could be made.

19 There were some unusual
20 circumstances in the Finance Committee
21 recording secretary budget this year that
22 made it look like it might need to be
23 increased, but we don't think that it does.

24 So I have to say I'm sorry that

1 there are allegations of negativity because
2 there's no intention of that between the
3 Finance Committee and the Board of
4 Selectmen. We hope to have a dialogue and
5 to have things discussed and worked out in
6 the best interest of the Town.
7 And, ultimately, the job of the Finance
8 Committee is to advise Town Meeting, that's
9 what we are statutorily there for in
10 Massachusetts. So I hope you will consider
11 our -- the amendment that we have
12 recommended and it's up to you. Thank you.

13 MODERATOR PICKARD: Anything
14 further?

15 MR. TOM BARNES: Tom Barnes from
16 Gray Gables. Just a quick question. We had
17 the Free Cash and I've been following that
18 over the years and it keeps growing and
19 growing in town which is -- I guess the
20 state wants us to have about 3 and a half
21 million and we have about double that.

22 MS. MARY JANE MASTRANGELO: Well,
23 our financial policy is to have 5 percent of
24 the Operating Budget at all times. And then

1 we did start out this year with an excess
2 because we had \$8 million at the beginning
3 of the year, but through the process of the
4 year, we've spent about \$3 million. So it's
5 a process.

6 MR. TOM BARNES: But it grows --

7 MS. MARY JANE MASTRANGELO: And
8 there was a point in this disc -- there was
9 a point in the budget where we could have --
10 where the Board of Selectmen could have used
11 Free Cash to do this.

12 MR. TOM BARNES: Uh-huh.

13 MS. MARY JANE MASTRANGELO: But
14 once you get to Town Meeting, then the
15 Bourne Rule is what applies. So it is the
16 Board of Selectmen's budget that comes to
17 Town Meeting. That is by the Town Charter.
18 And so once you get to Town Meeting under
19 the Bourne Resolution, it's difficult to add
20 using Free Cash. You can add using Free
21 Cash but I -- it was, yeah, sometimes --

22 MR. TOM BARNES: Well, I mean we
23 have -- so we had the Free Cash. It grows
24 every year. It's not earmarked for any

1 particular item.

2 MS. MARY JANE MASTRANGELO: No,
3 it's not designated.

4 MR. TOM BARNES: So it's like this
5 huge pile of cash, and we're only talking
6 about \$10,000 -- less than \$10,000. It
7 would seem like if that's -- enough people
8 feel that's an important enough issue, why
9 not consider using a little bit of that
10 that's not earmarked for anything else for
11 that purpose? Thanks.

12 MS. MARY JANE MASTRANGELO: It
13 could be done but we do use it. We are
14 using \$850,000 of Free Cash towards the
15 budget this year, and one of the things that
16 we have to be concerned with, as the Town,
17 and one of the reasons it's really great
18 that we have Free Cash because you don't
19 know what's going to happen with revenues.
20 You know, the state is going to be \$3
21 billion down in revenue, so we don't know
22 what we're going to get from revenue from
23 the state. You don't know what the state's
24 going to get in revenue from the federal

1 government. The fact that we have Free Cash
2 is going to help us next year and the year
3 after and to make sure that we are still on
4 solid ground and don't have to really make
5 drastic cuts.

6 So I think that supporting this
7 amendment now is the way to go. Hopefully,
8 we'll be able to meet in the fall and have
9 budget discussions but we may not be able
10 to. And so having a budget that we can go
11 into this year and give the administration
12 the flexibility to have the money to start
13 with and make adjustments during the year, I
14 think it's the way to go, and I hope you
15 will support it.

16 Thank you.

17 MODERATOR PICKARD: Anything
18 further?

19 THE AUDIENCE: Move the question.

20 MODERATOR PICKARD: The question,
21 on the --

22 MS. MARY JANE MASTRANGELO:
23 Amendment.

24 MODERATOR PICKARD: -- amendment

1 to the motion of Article 2 of the Annual
2 Town Meeting, this requires a majority vote;
3 I'll try to do it by voice.

4 All those in favor of the
5 amendment to the motion, please signify by
6 saying "Aye."

7 THE AUDIENCE: Aye.

8 MODERATOR PICKARD: Those opposed?

9 THE AUDIENCE: No.

10 MODERATOR PICKARD: I declare that
11 the ayes have it and the amendment passes.

12 (Amendment passed.)

13 MODERATOR PICKARD: Now we will
14 move to --

15 MS. MARY JANE MASTRANGELO: We're
16 back to the main amended motion.

17 MODERATOR PICKARD: Right.

18 MS. MARY JANE MASTRANGELO: So now
19 we're back to voting on the budget as
20 amended. And the Finance Committee voted
21 unanimously 11-0-0 to recommend approval of
22 the article with a yes or aye vote in favor
23 of the motion.

24 MODERATOR PICKARD: Any

1 discussion? Ready for the vote?
2 All those in favor, please signify by saying
3 "Aye."

4 THE AUDIENCE: Aye.

5 MODERATOR PICKARD: Those opposed?
6 I declare it's a unanimous vote on the
7 motion of Article 2 of the Annual Town
8 Meeting.

9 (Article 2 passed unanimously.)

10 **ARTICLE 3**

11 MODERATOR PICKARD: Next is
12 Article 3, the Sewer Department Budget.
13 That is on page 40 of your handbook. This
14 requires a majority vote as well. I
15 recognize Dr. Jim Sullivan.

16 DR. JIM SULLIVAN: Thank you, Mr.
17 Moderator. We move the sum of 1,000,206 --
18 \$1,206,411 to be authorized to be expended
19 by the Sewer Commissioners for the operation
20 of the Sewer Department Fiscal Year July 1,
21 2020 to June 30, 2021 as follows:

22 Salaries and Wages, \$197,680,

23 Expenses, \$908,731,

24 Reserve Fund, \$100,000.

1 And we further move that the sum
2 of \$140,944 be transferred to the General
3 Fund to offset Sewer Enterprise Indirect
4 Expenses, and in order to meet this
5 appropriation, we move that the sum of
6 \$1,297,355 be raised from Sewer Enterprise
7 Receipts and 50,000 be transferred --
8 \$50,000 be transferred from Sewer Retained
9 Earnings.

10 MS. AMANDA BONGIOVANNI: Second.

11 MODERATOR PICKARD: You have the
12 floor.

13 DR. JIM SULLIVAN: This is an
14 annual article to fund the Sewerage
15 Treatment System servicing Buzzards Bay.
16 The proposed budget level funds the
17 department except for minor wage and expense
18 adjustments.

19 The operations fee paid to Wareham
20 has been increased to \$410,000 which is a
21 2.5 percent increase.

22 A yes vote in favor of the motion
23 approves the Sewer Operating Budget for this
24 coming Fiscal Year. The Finance Committee

1 voted unanimously 11-0-0 to recommend
2 approval of this article.

3 MODERATOR PICKARD: Thank you. A
4 motion and a second. Do we have any
5 questions on the Sewer Department Budget?

6 TOM (INDISCERNIBLE): Mr.
7 Moderator.

8 MODERATOR PICKARD: Yes, sir.

9 TOM (INDISCERNIBLE): (Inaudible)
10 Shore Road.

11 MODERATOR PICKARD: Go ahead.

12 TOM (INDISCERNIBLE): This is my
13 first Town Meeting, although we've had a
14 beach house in Pocasset for a hundred years
15 but we've never been able to vote before.
16 And I just want to say to the elected
17 officials and the volunteers, I don't know
18 why you picked this job, but thank you, very
19 much, for doing it.

20 MODERATOR PICKARD: Question on
21 the sewer?

22 TOM (INDISCERNIBLE): My question
23 is Buzzards Bay gets the Sewer Department.
24 I didn't know there was sewage in the Town

1 of Bourne when I bought the house here. I
2 was looking out front but there's no sewer
3 covers out front. But just trying to figure
4 out how that benefits everybody who lives on
5 this side of the Canal and that is my
6 question.

7 MODERATOR PICKARD: I recognize
8 Mary Jane Mastrangelo.

9 MS. MARY JANE MASTRANGELO: So
10 it's a Sewer Enterprise Fund, which means it
11 operates under its own expenses, the user
12 fees pay the expenses. It doesn't come
13 under the Town budget. It is operated
14 through an Enterprise Fund and that's why
15 it's voted as a separate article. The same
16 is through ISWM, which will be the next
17 article.

18 MODERATOR PICKARD: Anything
19 further? All right.

20 All those in favor of Article 3 of
21 the Annual Town Meeting, please signify by
22 saying "Aye."

23 THE AUDIENCE: Aye.

24 MODERATOR PICKARD: Those opposed?

1 I declare that the ayes have it on the
2 motion of the Finance Committee and the vote
3 is unanimous.

4 (Article 3 passed unanimously.)

5 **ARTICLE 4**

6 MODERATOR PICKARD: Article 4 is
7 on page 40 of your Voter's Handbook. It
8 requires a majority -- I'm sorry -- yeah,
9 it's on page 40. It's the ISWM budget. I
10 recognize Amanda Bongiovanni.

11 MS. AMANDA BONGIOVANNI: Thank
12 you, Mr. Moderator. We have a positive
13 motion on this article. We move that the
14 sum of \$10,476,805 be authorized to be
15 expended for the operation of the Integrated
16 Solid Waste Management Enterprise Fund for
17 Fiscal Year July 1, 2020, to June 30, 2021,
18 as follows:

19 Salaries and Wages, \$2,287,580;

20 Expenses \$6,689,225,

21 Reserve Fund \$600,000,

22 Host Community Fee \$900,000.

23 And we further move that the sum
24 of \$2,261,996 be transferred to the General

1 Fund to offset the ISWM Enterprise Fund
2 Indirect Expenses. And in order to meet
3 this appropriation, we further move the sum
4 of \$11,680,771 be raised from ISWM
5 Enterprise Receipts and \$1,058,030 be
6 transferred from ISWM Retained Earnings.

7 MR. RICH LAVOIE: Second.

8 MODERATOR PICKARD: We have a
9 motion and a second.

10 MS. AMANDA BONGIOVANNI: This
11 article --

12 MODERATOR PICKARD: Go right
13 ahead.

14 MS. AMANDA BONGIOVANNI: Sorry.
15 This article approves the Operating Budget
16 of ISWM for the coming year including the
17 ISWM Operational Budget, Salaries and Wages,
18 Host Community Fee, and the ISWM Reserve
19 Fund, and the General Fund Administration
20 Fees. The ISWM budget includes the cost
21 associated for the disposal of the Town's
22 municipal solid waste and the residential
23 drop off center. ISWM will continue to pay
24 for a curbside trash pickup and curbside

1 recycling.

2 A yes or aye vote in favor of the
3 motion approves the ISWM Operating Budget
4 for Fiscal Year 2021 from July 1, 2020, to
5 June 30, 2021.

6 A no or nay vote opposed to the
7 motion would mean there would be no approved
8 operating budget and ISWM could not
9 function.

10 The Finance Committee voted
11 unanimously 11-0-0 to recommend approval of
12 this article with a yes or aye vote in favor
13 of the motion.

14 MODERATOR PICKARD: Thank you.
15 Any discussion on the budget of ISWM in
16 Article 4 as proposed by the Finance
17 Committee? Seeing none.

18 All those in favor of Article 4,
19 please signify by saying "Aye."

20 THE AUDIENCE: Aye.

21 MODERATOR PICKARD: Those opposed,
22 "Nay." I declare that the ayes have it.
23 The motion carries of the Finance Committee,
24 and I declare it to be a unanimous vote.

1 (Article 4 passed unanimously.)

2 ARTICLE 5

3 MODERATOR PICKARD: Article 5,
4 which is the Capital Outlay article. I
5 recognize Mary Jane Mastrangelo.

6 MS. MARY JANE MASTRANGELO:
7 Capital Outlay is on page 41. We move that
8 the Town vote to appropriate \$481,000 to
9 pays costs of the Capital Outlay projects
10 listed in the schedule printed with the
11 motion, and to meet this appropriation we
12 move to transfer the sum of \$81,000 from
13 Sewer Retained Earnings; \$200,000 from the
14 Waterways Improvement Fund, and \$200,000
15 from Free Cash to satisfy the article.

16 Facilities Department, roof
17 repairs for Fire Station 1, \$200,000, Free
18 Cash;

19 Department of Natural Resources,
20 Dredging, \$200,000 from the Waterways
21 Improvement Fund;

22 Sewer Department, Pumps and
23 Alarms, \$56,000 from Sewer Retained
24 Earnings;

1 Sewer Department Safety Upgrades,
2 \$25,000, from Sewer Retained Earnings for a
3 total of \$481,000.

4 MS. AMANDA BONGIOVANNI: Second.

5 MODERATOR PICKARD: Motion and a
6 second on Article 5. Thank you. You have
7 the floor.

8 MS. MARY JANE MASTRANGELO: Thank
9 you, Mr. Moderator. This article requests
10 the appropriation of funds for the Fiscal
11 Year '21 Capital Improvement Budget
12 recommendations of the Capital Outlay
13 Committee. Most of the Capital Outlay items
14 requested have been deferred for
15 consideration at a Special Town Meeting in
16 the fall or at the Annual Town Meeting next
17 May.

18 The items recommended in this
19 article are those which have been deemed to
20 have the highest priority and could not be
21 delayed. After COVID-19, the Town
22 Administrator requested input from
23 department heads on all capital item
24 requests. Based on that input, many capital

1 requests were deferred in order to maintain
2 Free Cash reserves and to reduce future
3 commitments for debt service.

4 Once the impacts of COVID-19 are
5 clear, there will be a revaluation of the
6 Capital Plan. A Five-Year Capital Plan and
7 this year's requests are in Appendix B on
8 pages 74 to 82 of the Voter Handbook.

9 A yes or aye vote approves the
10 high priority capital expenditures
11 recommended by the Capital Outlay Committee.
12 A no or nay vote opposed to the motion would
13 mean that the high priority expenditures
14 could not be funded and these high priority
15 needs would not be addressed.

16 The Finance Committee voted
17 unanimously 11-0-0 to recommend approval of
18 this article with a yes or aye vote in favor
19 of the motion.

20 MODERATOR PICKARD: Thank you.
21 Any discussion or questions on Article 5 for
22 the Fiscal Year 2021 Capital Plan as
23 proposed in the motion by the Finance
24 Committee? Seeing none.

1 This requires a majority vote.
2 All those in favor of Article 5 for the 2021
3 Capital Plan, please signify by saying
4 "Aye."

5 THE AUDIENCE: Aye.

6 MODERATOR PICKARD: All those
7 opposed, "Nay." I declare the motion of the
8 Finance Committee passes with a unanimous
9 vote.

10 (Article 5 passed unanimously.)

11 **ARTICLE 8**

12 MODERATOR PICKARD: Our next
13 essential article is we move down to Article
14 8. That is on page 44 of your Voter's
15 Handbook, and I recognize Rich Lavoie of the
16 Finance Committee.

17 MR. RICH LAVOIE: The Finance
18 Committee -- the motion is -- we move the
19 Town vote upon the recommendation of the
20 Community Preservation Committee to raise
21 and appropriate and reserve the sum of
22 \$1,142,995 for the Community Preservation
23 Fund projects and Special Purpose Reserves
24 listed in the Community Preservation Fund

1 Committee Report as printed in Article 8.

2 And to meet this appropriation and
3 reserve to appropriate the sum of \$1,142,995
4 from Fiscal Year 2021, Estimated CPA
5 Revenues.

6 MS. AMANDA BONGIOVANNI: Second.

7 MODERATOR PICKARD: I have a
8 motion and a second. You have the floor.

9 MR. RICHARD LAVOIE: Thank you,
10 Mr. Moderator. This article allows for the
11 appropriation of money for work that the
12 Community Preservation Committee will do
13 during Fiscal Year '21. It's laid out in
14 the handbook and quite a bit of it deals
15 with Affordable Housing and also some with
16 Historic Preservation and Open Space.

17 All of these purposes are
18 authorized by the Community Preservation Act
19 and all are very important. The housing
20 pieces are extremely important in today's
21 world in order that the Town maintain its
22 stock of affordable housing so we can have a
23 well-rounded community and the funds are
24 needed to provide a means to monitor the

1 various affordable housing restrictions that
2 go when somebody uses this money.

3 All set.

4 MODERATOR PICKARD: Thank you, Mr.
5 Lavoie. Mr. Johnson, Chairman of the
6 Community Preservation Committee, does the
7 Community Preservation Committee recommend
8 this article?

9 MR. BARRY JOHNSON: Yes, we do.

10 MODERATOR PICKARD: He states that
11 they do. Any discussion on Article 8,
12 Community Preservation Fund? Seeing none.
13 This requires a majority vote.

14 All those in favor of Article 8,
15 please signify by saying "Aye."

16 THE AUDIENCE: Aye.

17 MODERATOR PICKARD: All those
18 opposed, "Nay." I declare that the motion
19 of the Finance Committee passes. I declare
20 that the vote is unanimous.

21 (Article 8 passed unanimously.)

22 **ARTICLE 9**

23 MODERATOR PICKARD: The next
24 essential article is Article 9. That is

1 located on page 45 of your Voter's Handbook.
2 Rich. Again, I recognize Rich Lavoie of the
3 Finance Committee.

4 MR. RICH LAVOIE: Thank you, Mr.
5 Moderator. The Finance Committee has a
6 positive motion on this article. We move
7 the Town vote upon the recommendation of the
8 Community Preservation Committee to
9 appropriate the sum of \$75,000 for the
10 purpose of Administrative and Operating
11 Expenses of the Community Preservation
12 Committee for Fiscal Year 2021, and to meet
13 this appropriation to transfer the sum of
14 \$75,000 from Community Preservation
15 Undesignated Fund Balance.

16 MS. AMANDA BONGIOVANNI: Second.

17 MODERATOR PICKARD: A motion and a
18 second on Article 9. You have the floor,
19 Mr. Lavoie.

20 MR. RICHARD LAVOIE: Thank you,
21 Mr. Moderator. This article will allow for
22 operating funds for the Community
23 Preservation Committee for Fiscal Year 2021.
24 These funds are needed for a variety of

1 purposes relating to various projects that
2 come before the committee. These could be
3 engineering or appraisal fees or other
4 assorted items or studies to determine the
5 feasibility of a proposal and whether it's
6 in the interest of the Town to consider
7 approval of the proposal for Community
8 Preservation funds.

9 Thank you, Mr. Moderator.

10 MODERATOR PICKARD: Mr. Johnson of
11 the Community Preservation Committee, does
12 the Community Preservation Committee
13 recommend this article?

14 MR. BARRY JOHNSON: Yes, we do.

15 MODERATOR PICKARD: He states they
16 do. Any discussion from the audience?
17 Seeing none.

18 All those in favor of Article 9 as
19 presented in the motion by the Finance
20 Committee, please signify by saying "Aye."

21 THE AUDIENCE: Aye.

22 MODERATOR PICKARD: Those opposed,
23 "Nay."

24 THE AUDIENCE: Nay.

1 MODERATOR PICKARD: I declare the
2 ayes have it. It's not a unanimous but I
3 declare a majority.

4 (Article 9 passed.)

5 **ARTICLE 11**

6 MODERATOR PICKARD: That
7 completes --

8 MS. MARY JANE MASTRANGELO: No 11?

9 MODERATOR PICKARD: Oh, I'm sorry;
10 11. Eleven is on page 46, that is the PEG
11 Access Fund, and I recognize Dr. Jim
12 Sullivan.

13 DR. JIM SULLIVAN: Thank you, Mr.
14 Moderator. We move that the Town of Bourne
15 accept General Laws, Chapter 44, Section 53F
16 and 3/4 which establishes a special revenue
17 fund known as the PEG or P-E-G Access and
18 Cable Related Fund, to reserve cable
19 franchise fees and other cable-related
20 revenues for appropriation to support PEG
21 access services and oversight and renewal of
22 the cable franchise agreement, the fund to
23 begin operation of Fiscal Year 2021, which
24 begins on July 1, 2020.

1 MS. AMANDA BONGIOVANNI: Second.

2 MODERATOR PICKARD: The motion and
3 a second. You have the floor.

4 DR. JIM SULLIVAN: Thank you.
5 Establishment of a PEG, which stands for
6 Public Educational Government Access Special
7 Revenue Fund allows receipts related to
8 cable franchise fees and user charges that
9 are received by the Town to be deposited in
10 a special separate revenue fund. After
11 appropriation, the expenditures related to
12 the PEG Access and Cable-Related oversight
13 are paid from the fund using a special
14 revenue fund simplifies the accounting of
15 these revenues and expenditures.

16 A yes or aye vote in favor of the
17 motion would allow the PEG Access Special
18 Revenue Fund to be established.

19 The Finance Committee voted
20 unanimously 11-0-0 to recommend approval of
21 this article.

22 MODERATOR PICKARD: Thank you. On
23 Article 11, on the motion, do we have any
24 discussion, questions of the FinCom? Seeing

1 none. I'll move to a vote.

2 On Article 11, the Public
3 Education Government Access and Cable-
4 Related Fund as proposed in the motion by
5 the Finance Committee, all those in favor,
6 please signify by saying "Aye."

7 THE AUDIENCE: Aye.

8 MODERATOR PICKARD: All those
9 opposed, "Nay." I declare that the ayes
10 have it. I declare that the motion passes,
11 and I declare that the vote is unanimous.

12 (Article 11 passed unanimously.)

13 MODERATOR PICKARD: We are now
14 going to the lottery for the remaining four
15 articles. They are 6, 7, 10, and 12. Okay.

16 **ARTICLE 10**

17 MODERATOR PICKARD: This would be
18 on Article 10, which is on the Stabilization
19 Fund. It is on page 45 of your handbook. I
20 recognize Amanda Bongiovanni of the Finance
21 Committee.

22 MS. AMANDA BONGIOVANNI: Thank
23 you, Mr. Moderator. We have a positive
24 motion on this article. We move that the

1 Town vote to appropriate the sum of \$10,000
2 for the purposes of this article, and to
3 meet this appropriation to transfer the sum
4 of \$10,000 from Free Cash.

5 MR. RICH LAVOIE: Second.

6 MODERATOR PICKARD: We have a
7 second. You have the floor.

8 MS. AMANDA BONGIOVANNI: Thank
9 you, Mr. Moderator. This article will
10 transfer funds from the Free Cash to the
11 Stabilization Fund to keep the fund within
12 the Town's financial policy of 6 percent of
13 GFOB, which is the General Fund Operating
14 Budget, of the Town. The Stabilization Fund
15 is the Town's "Rainy Day" Fund used in case
16 of a major emergency.

17 A yes or aye vote in favor of the
18 motion provides funding necessary to meet
19 the Town's financial policy guidelines for
20 Stabilization Fund.

21 A no or nay vote opposed to the
22 motion would mean the Stabilization Fund
23 would not be funded according to the
24 financial policy of the Town.

1 The Finance Committee voted
2 unanimously 11-0-0 to recommend approval of
3 this article with a yes or aye vote in favor
4 of the motion.

5 MODERATOR PICKARD: Any
6 discussion, questions on Article 10
7 regarding the Stabilization Fund?

8 All those in favor of the motion
9 presented by the Finance Committee on
10 Article 10 of the Annual Town Meeting,
11 please signify by saying "Aye."

12 THE AUDIENCE: Aye.

13 MODERATOR PICKARD: Those opposed,
14 "Nay." I declare that the motion of the
15 Finance Committee passes and it is -- I
16 declare it's a unanimous vote.

17 (Article 10 passed unanimously.)

18 **ARTICLE 12**

19 MODERATOR PICKARD: Article 12.
20 Article 12 is on page 47. I recognize Mary
21 Jane Mastrangelo of the Finance Committee.

22 MS. MARY JANE MASTRANGELO: The
23 Finance Committee does not have a positive
24 motion on this article.

1 MODERATOR PICKARD: All right.
2 Okay. She declares that there is no
3 positive motion of the Finance Committee.

4 Town Counsel has reached --
5 researched this issue and concluded that
6 there's no statutory authority permitting
7 the Town to place a question on the ballot
8 inquiring to whether the Town should
9 withdraw from the MBTA.

10 Therefore, I rule that the motion
11 printed in the Voter's Handbook cannot
12 lawfully be voted by Town Meeting. We have
13 no positive motion, right?

14 Does anyone have a positive
15 motion?

16 MR. BILL STAFFORD: Point of
17 order.

18 MR. PETER FISHER: Mr. Moderator.

19 MODERATOR PICKARD: Please come
20 down.

21 MR. BILL STAFFORD: Well, I think
22 that he --

23 MR. PETER FISHER: Mr. Moderator.

24 MODERATOR PICKARD: Yes.

1 MR. PETER FISHER: I believe that
2 I have a positive motion.

3 MODERATOR PICKARD: Okay. Is it
4 different from the motion that you --

5 MR. PETER FISHER: It is not
6 different from the motion that I set up
7 originally.

8 MODERATOR PICKARD: We need a copy
9 of your motion.

10 MR. PETER FISHER: Okay. May I
11 read it to you?

12 MODERATOR PICKARD: Sure.

13 THE AUDIENCE: Name. Your name.

14 MODERATOR PICKARD: Name.

15 MR. PETER FISHER: My name is Pete
16 Fisher; I'm from the Town of Bourne. The
17 motion is that we move that the following
18 question be placed on the ballot for the
19 next annual or special town election, "Shall
20 this Town withdraw its membership from the
21 Massachusetts Bay Transit Authority?"

22 MODERATOR PICKARD: That is the
23 exact motion that is in the article. As I
24 stated before, I rule the motion out of

1 order.

2 MR. BILL STAFFORD: Point of
3 order.

4 MODERATOR PICKARD: If you'd like
5 to make another motion.

6 MR. BILL STAFFORD: Point of
7 order.

8 MODERATOR PICKARD: Come down,
9 please. What is your point of order?

10 MR. BILL STAFFORD: Based upon the
11 Counsel to the Board of Directors of the
12 MBTA, he said that the only way out was to
13 have a vote to opt out of the MBTA, and they
14 have to have then rule -- Home Rule
15 legislation to go out based on General Law
16 161A -- where the attorney is -- it states
17 specifically that the election at an Annual
18 or Special Town Meeting states, "Shall the
19 city/town be added to the Mass. Bay
20 Transportation Authority; yes or no?"

21 We are, in fact, giving a motion
22 exactly by Section 161A saying that we want
23 to opt out, which is what the counsel for
24 MBTA said that we would have to do and then

1 it would become a home law vote and that
2 would be up to the Town to get what they
3 have to do if there is a vote.

4 MODERATOR PICKARD: Okay. All
5 right.

6 MR. PETER FISHER: Mr. Moderator,
7 I'd like to go forward with this, and if
8 it's a concern of law, maybe we could take
9 it after we discuss this to the Attorney
10 General.

11 MODERATOR PICKARD: The motion as
12 you presented, Mr. Fisher, is out of order
13 and cannot be heard. I've spoken to Town
14 Counsel; he's given a legal opinion. I
15 don't know anything about the MBTA counsel
16 whoever they spoke to, no one's been cited,
17 so we're going with Town Counsel's legal
18 opinion.

19 Now, do you wish to change the
20 motion to some other thing that might be
21 legally sufficient?

22 MR. PETER FISHER: Well, is there
23 a legal counsel here that would help me with
24 that or are you just going to object to our

1 being up here?

2 MODERATOR PICKARD: No, no. You
3 can sit and amend -- you can present a
4 motion. In theory, something like a
5 nonbinding resolution or requesting that the
6 -- I'll give you a few minutes on this.

7 MR. TOM BARNES: Mr. Moderator.

8 MODERATOR PICKARD: All right.

9 While they're -- go ahead.

10 MR. TOM BARNES: Can I ask a
11 question? If you're saying that the article
12 is out of order --

13 MODERATOR PICKARD: No, the motion
14 is. It says the motion --

15 MS. MARY JANE MASTRANGELO:
16 There's no statutory basis for --

17 MODERATOR PICKARD: There's no
18 statutory authority to do this.

19 MS. MARY JANE MASTRANGELO: -- for
20 this motion -- for this question.

21 MODERATOR PICKARD: As presented.

22 MR. TOM BARNES: But there's also
23 -- I don't believe there's a law that says
24 you cannot do it. I looked over those laws

1 this morning, and I'm not an expert on it by
2 any means, but what I saw -- what I saw was
3 that there's an explanation of how to join
4 the MBTA and there is nothing further. It
5 doesn't say you can opt out. It doesn't
6 give any instruction as far as opting out.

7 MODERATOR PICKARD: I'm going by
8 legal opinion. Excuse me. Excuse me. You
9 just cut.

10 MR. TOM BARNES: Mr. Moderator.

11 MODERATOR PICKARD: Yes.

12 MR. TOM BARNES: Going by legal
13 opinion, if we went strictly by our
14 counsel's legal opinion a couple years
15 ago --

16 MODERATOR PICKARD: Okay. Town
17 Counsel's at the next podium if you'd like
18 to let him --

19 MR. PARKER FREEDMAN: He's asking
20 the question. Let him finish the question.

21 THE AUDIENCE: Yeah, let him
22 finish the question.

23 MR. PARKER FREEDMAN: Let him
24 finish the question.

1 MODERATOR PICKARD: All right.

2 MR. TOM BARNES: Yeah, the
3 Moderator has not always -- I mean Town
4 Counsel has not always given us the correct
5 guidance in the past. For example, you are
6 basing your decision --

7 MODERATOR PICKARD: Can we --

8 MR. TOM BARNES: -- you are basing
9 your decision --

10 MR. PARKER FREEDMAN: Let him
11 finish his question.

12 MR. TOM BARNES: -- you're basing
13 your decision on one man's opinion, which is
14 our Town Counsel. You've just heard from
15 somebody who spoke from the MBTA
16 representing something he heard from the
17 MBTA. I'm telling you that I looked over
18 the documents today the best I could find
19 them, and I would stand those up against a
20 Town Counsel that has misled this Town in
21 the past.

22 MODERATOR PICKARD: Can we stop
23 the personal attacks?

24 MR. TOM BARNES: I think this

1 should be open for discussion. It's not a
2 personal attacked.

3 MODERATOR PICKARD: I think it
4 was.

5 MR. TOM BARNES: You are saying
6 that you're basing your opinion --

7 MODERATOR PICKARD: I'm basing --

8 MR. TOM BARNES: -- on what the
9 Town Counsel said.

10 MODERATOR PICKARD: That's
11 correct.

12 MR. TOM BARNES: Well, this is the
13 Town Meeting. We voted that law. We voted
14 to join, and we also have authority to
15 reverse.

16 MODERATOR PICKARD: But there is
17 another methodology for getting this done.

18 MR. TOM BARNES: Well, hopefully,
19 he'll explain it.

20 Town Counsel ROBERT TROY: Mr.
21 Moderator, the history of this private
22 petition reveals that the Finance Committee
23 and I and the Moderator did everything we
24 could to present this question in a format

1 that you could legally vote.

2 However, the petitioners have
3 declined to accept any of the
4 recommendations that we have made either to
5 recommend that the Board of Selectmen seek a
6 legislative act just as been referenced;
7 that's one option. Another is a resolution.
8 I have written memoranda and shared it with
9 town boards and agencies, which explain
10 these options.

11 So where we are right now is the
12 Moderator has ruled that the particular
13 format of the motion that is in the Voter's
14 Handbook cannot be voted. And despite that,
15 the motion has been made.

16 I suggest that the motion can be
17 made that could allow the Town Meeting to
18 state a view or opinion on this question but
19 that hasn't been done up until now.

20 Now let me explain to you the
21 statutory background. Towns do not have
22 authority except to the extent the
23 legislature empowers them, and the
24 legislature allowed communities to be added

1 to the MBTA. That's exactly what was just
2 said. And this Town, in fact, dealt with
3 that issue, and they voted to add the Town
4 of Bourne to the MBTA. But for whatever
5 reason, the legislature did not and has not
6 allowed towns to withdraw from the MBTA.

7 And the statute that you -- just was read to
8 you just said that. It said you cannot add;
9 you cannot subtract. You cannot withdraw.

10 So there is no statutory authority
11 for this Town to put a question on the
12 ballot to withdraw when the statute says you
13 can only add.

14 Now we can all surmise there may
15 be reasons that the state wanted to lock-in
16 communities to the MBTA and not allow them
17 to withdraw. I don't know. I can't speak
18 for the legislature, but I can tell you this
19 that that particular format, a ballot
20 question authorizing this town to withdraw
21 from the MBTA cannot be voted, and it would
22 put the Town Clerk in a position to put that
23 question on a ballot of doing something
24 against state law and we cannot do that. We

1 have to abide by state law; municipalities
2 are creatures of state law. They exist --

3 MR. BILL STAFFORD: No.

4 THE AUDIENCE: No. No. You're
5 wrong.

6 Town Counsel ROBERT TROY: --
7 under the provisions of the statute. Prior
8 to this with the Finance Committee and the
9 Town Administrator and the Board of
10 Selectmen, we have asked give us a motion;
11 we can help you try to get this before the
12 Town Meeting but up until this point we
13 haven't received the motion. If there is a
14 motion, we're happy to look at it and the
15 Moderator will ultimately make his decision.
16 The Moderator makes all decisions with
17 respect to what can be voted by this Town
18 Meeting. And the Moderator's authority to
19 do that is plenary and it is absolute.

20 MR. PETER FISHER: Welcome to the
21 Hotel California. You can check out --

22 MODERATOR PICKARD: Sir, change in
23 your motion. You have something on the
24 previous or just a general statement?

1 UNIDENTIFIED MALE SPEAKER: On the
2 general statement. I'll concur with the
3 legal counsel here. I'm an attorney for 30
4 years as well and the statute is very clear.
5 I was actually shocked when I read it.
6 There's only a way in; there's no way out.
7 And as I think this gentleman who's about to
8 say from Hotel California, you can check out
9 anytime you like but you can never leave.

10 Yeah, I think it was ill-advised
11 of legal counsel in whoever had suggested
12 that we join this before we had some type of
13 assurance that there was going to be a
14 guarantee that the MBTA was going to service
15 the Town.

16 Now there is -- there is not right
17 now any legislative vehicle to do it, but
18 that is what amendments to legislation are
19 all about. And I think that if we were to
20 draw up something to vote on a request for a
21 direction of legal counsel to file an
22 amendment and ask for our legislative
23 delegation to file an amendment to create a
24 vehicle to be able to leave the MBTA, that

1 might be something that would help to solve
2 this problem.

3 MODERATOR PICKARD: Okay. Thank
4 you, sir. Mr. Fisher.

5 MR. PETER FISHER: You should also
6 be careful when you buy a timeshare.

7 THE AUDIENCE: (Laughter.)

8 MR. PETER FISHER: My motion is:
9 "Shall this Town Meeting request the Board
10 of Selectmen to explore how the Town of
11 Bourne can legally withdraw from the MBTA."
12

13 MODERATOR PICKARD: We have a
14 motion. Do we have a second?

15 THE AUDIENCE: Second.

16 MODERATOR PICKARD: Discussion on
17 the citizen petition's motion?

18 MR. LYNNE FREEDMAN: I have a
19 question.

20 MODERATOR PICKARD: I'm sorry; go
21 ahead. You were up there too.

22 MR. LYNNE FREEDMAN: Yeah, it may
23 just --

24 MR. PETER FISHER: May I speak on
this, please?

1 MODERATOR PICKARD: All right.

2 She --

3 MR. LYNNE FREEDMAN: Well, it just
4 may be a clarification. If your
5 understanding what the Townspeople want,
6 which is to be able to get out of this, and
7 you represent all of us, why can't you come
8 together and figure out a way to word this
9 so that we can find out how many people in
10 Town really want to be a part of this versus
11 don't. Why is this a us against them thing
12 because of a legality that most townspeople
13 don't understand?

14 MODERATOR PICKARD: I'm sorry,
15 state your name --

16 MS. LYNNE FREEDMAN: Oh, sorry,
17 Lynne Freedman from Gray Gables.

18 MODERATOR PICKARD: -- so the
19 stenographer has that. Thank you. Is that
20 a discussion point or not? We're asking for
21 guidance from the people we elect into
22 office and we're trying to tell you what we
23 want, but maybe you don't want it so you
24 don't want to help us; I don't know but

1 you're not making it very clear to us that
2 you would like to help us put this in the
3 words that we need to put it in so that our
4 right and --

5 MODERATOR PICKARD: All a citizen
6 petition -- it's a citizen petition they
7 have to provide with and we check it and we
8 told him at the beginning. So we made a
9 couple of -- as Town Counsel said, he made
10 several communications of what could pass
11 because this is -- as was presented
12 previously, as is in your warrant, voter's
13 handbook, was not legally sufficient.

14 MR. LYNNE FREEDMAN: And I
15 understand that and it sounds like the
16 former -- the person that just came up and
17 spoke that has legal -- has more legal
18 knowledge than I do, but it just seems that
19 we're at a pass where perhaps no one knew
20 what we were getting into to begin with and
21 we should -- you guys should be guiding us.
22 That's what we vote you for.

23 THE AUDIENCE: Right.

24 MR. LYNNE FREEDMAN: And it feels

1 like that's not what you're doing. You're
2 just denying us what we want. That's all.
3

4 THE AUDIENCE: (Applause.)

5 MODERATOR PICKARD: Mr. Fisher,
6 you have the floor.

7 MR. PETER FISHER: Thank you, Mr.
8 Moderator. Five years ago in the year 2015,
9 the citizens of this Town voted to join the
10 Mass. Bay Transportation Authority. Many of
11 us were excited by the prospect of being
12 able to hop on a train in the village of
13 Buzzards Bay and ride that train to Boston.
14 We are optimistic that the revitalization of
15 the village of Buzzards Bay would come with
16 the train. Businesses would flourish and
17 the Town would benefit from newfound sources
18 of revenue filling our Town coffers. This
19 was to be an investment in Bourne's future.

20 When we joined the MBTA, we were
21 assured that service would begin within 12
22 to 18 months and that we would never have to
23 pay an assessment until we were provided
24 with service.

THE AUDIENCE: Right.

1 MR. PETER FISHER: Five years have
2 passed and we're still waiting for the
3 train, and we're still waiting for a return
4 on our investment. For the past four years,
5 the Bourne Republican Town Committee has
6 questioned our Town officials about the
7 merits of this Town's membership in the
8 MBTA, and we were denied answers or
9 discussion.

10 One of our members, Bill Stafford
11 took on the task of researching the process
12 that led the Town to join the MBTA. He
13 researched the minutes of the Cape Cod
14 Commission as they pertain to Bourne's
15 joining the MBTA. He also reviewed the
16 minutes of our Town Transportation Advisory
17 Committee. He also spoke with the director
18 of the MBTA Advisory Board and did other
19 research as well, and you will be astounded
20 by what he found.

21 First, one month before Bourne
22 residents were to vote on whether to join
23 the MBTA, the Cape Cod Commission's
24 technical services director warned that

1 state transportation officials had privately
2 recommended that the Town wait until it had
3 assurances that it would receive services.
4 The technical director told Bourne's
5 Transportation Advisory Committee that Mass.
6 Department of -- Mass. officials and advised
7 Bourne against joining the MBTA at this
8 time.

9 The technical advisor of the Cape
10 Cod Commission said the state DOT officials
11 describe such a move as unprecedented and
12 advised that the Town could be assessed
13 without -- with about \$82,000 per year
14 without any guarantee that commuter service
15 would be extended to Buzzards Bay. This was
16 stated prior to the vote, and you can
17 reference the Cape Cod Times April 10, 2015.

18 At a Selectmen's meeting, Peter
19 Meier stated that if the Town does vote yes
20 on the ballot, it will still take 20 years
21 before there is service. Once again, this
22 comment was made prior to the vote and it's
23 in the minutes of the Board of Selectmen
24 meeting April 30, 2015.

1 At a May 7, 2015, meeting of the
2 Transportation Advisory Committee, a member
3 learned that in a public forum the day
4 before on May 6 the Cape Cod Commission, the
5 Administrator of the Regional Transit
6 Authority told people of Bourne that there
7 would be no assessment until service begins.
8 The MBTA official said that the
9 administrator new or should have known that
10 Bourne would be assessed. With that false
11 information, Bourne's Transportation
12 Advisory Committee made the motion, pulled
13 the trigger to support the vote to join the
14 MBTA. The vote was predicated on false
15 information.

16 Reported in the Cape Cod Times on
17 May 21, Bourne officials were assured prior
18 to the vote by the Cape Cod Regional Transit
19 Authority administrators that the MBTA would
20 not charge an additional -- an annual
21 membership fee until commuter service was
22 extended from Middleboro/Lakeville station
23 to Buzzards Bay.

24 On a conference call with the

1 director of the MBTA Advisory Board, Bill
2 Stafford and I were told that he had learned
3 that Bourne's membership to the MBTA when he
4 read it in the newspaper. The Town had
5 never contacted him about joining the MBTA,
6 and had they, he would've strongly advised
7 against doing so until we had received
8 service.

9 He mentioned that New Bedford and
10 Fall River will be next to receive service
11 and that neither of these towns are
12 presently members. He also indicated that
13 Bourne is not on the radar to receive
14 service at all and, especially so, after the
15 financial losses due to the pandemic.

16 A pilot program plan to test train
17 service to Buzzards Bay in 2017 was nixed
18 because the \$200,000 cost per month for
19 seven months, that's a million and a half
20 dollars was not financially feasible. The
21 MBTA didn't need to lose any more money.

22 Comments have been made by our
23 town officials that \$40,000 per year is
24 inconsequential, just a fraction of the \$70

1 million budget. At the same time, the
2 Finance Committee is considering cuts to
3 Community Services. We spoke about that
4 earlier. This doesn't make sense. The Town
5 cannot and should not be subsidizing the
6 MBTA. We cannot afford to do this.

7 In a letter in the Bourne
8 Enterprise on June 19 written by the chair
9 of the Finance Committee, we learned that
10 the \$40,000 assessment to the MBTA will be
11 offset by a shuttle bus that will service
12 the new Hampton Inn Hotel and the Calamar
13 Housing Project across the street from Town
14 Hall. Remember, that in 2015 we voted for
15 train service from Buzzards Bay to Boston.
16 Now we're getting a trolley going from one
17 end to the other of Main Street in Buzzards
18 Bay. This bait and switch so far has cost
19 us \$200,000.

20 Our town officials have wasted
21 \$200,000 of our hard-earned taxpayer
22 dollars. They should be 100 percent with us
23 in this effort to withdraw from the MBTA.
24 Instead, they have tried to block, as you've

1 seen tonight, our efforts every step of the
2 way. I don't understand their unwillingness
3 to get us out of a bad situation. It
4 doesn't make any sense. They should be in
5 in our attempt to fight to be financially --
6 fiscally responsible. If only our Town
7 officials have been half as diligent about
8 getting the MBTA prior to our joining as
9 they have been about opposing our
10 withdrawal, we'd be much better off.

11 We've been told by Town Counsel
12 that there is no legal way to get out of the
13 membership to the MBTA. However, the MBTA
14 Advisory Board has suggested that we proceed
15 as we're doing and if the Town votes tonight
16 to place withdrawal from the MBTA on the
17 ballot at our next election, we vote to
18 withdraw our Town officials would be
19 responsible to take whatever steps are
20 necessary to get us out of our membership to
21 the MBTA. This can be accomplished through
22 Home Rule.

23 Our vote tonight is not a
24 ceremonial vote, and we are not asking for a

1 nonbinding referendum. A positive vote
2 tonight is a mandate for the Town to put the
3 question, "Shall this Town withdraw this
4 membership from the Massachusetts Bay
5 Transit Authority on the ballot of our next
6 annual or special election?"

7 I ask that you vote yes on this
8 article. Thank you.

9 THE AUDIENCE: (Applause.)

10 MODERATOR PICKARD: That is not
11 the motion. To refresh, the motion that Mr.
12 Fisher just read is the one that is on page
13 -- it's in on Article 12 in your book. The
14 motion that he resubmitted is a, "Shall this
15 Town Meeting request the Board of Selectmen
16 to explore how the Town of Bourne can
17 legally withdraw from the MBTA." Sir, you
18 were --

19 MS. MARY JANE MASTRANGELO: Can
20 the Finance Committee comment now?

21 MODERATOR PICKARD: Would you like
22 -- okay.

23 MS. MARY JANE MASTRANGELO:
24 Finance Committee comment?

1 MODERATOR PICKARD: Sure.

2 MS. MARY JANE MASTRANGELO: Okay.

3 The Finance Committee did not have a
4 positive motion on the original motion. We
5 have not taken a position on the new motion.
6 I'm going to probably give most of the
7 comments that I was originally going to give
8 because it answers some of the questions
9 that people have raised, and then I can
10 maybe go into more detail on something that
11 I was going to try not to go into too much
12 detail on. So I'm going to read through and
13 then we'll see where we get. We're just
14 going to do things on the fly here.

15 So this is a private petition
16 article requesting that a ballot question be
17 put on the next special or annual Town
18 election for voters of the Town to determine
19 to vote whether or not the Town should
20 withdraw from the MBTA.

21 At the annual town election in
22 2015, the Town voted to join the MBTA. The
23 MBTA began charging an assessment to the
24 Town in Fiscal Year '17. First of all, it

1 needs to be stated that the Town cannot make
2 any changes to an article or motion proposed
3 by citizen's private petition. The
4 petitioned article must be printed in the
5 warrant exactly as it was signed and
6 presented to the Town. The Town can make
7 suggestions for changes to the motion that
8 is proposed, but the Town cannot make any
9 changes or corrections to the motion. It is
10 the petitioner's motion and the petitioners
11 must make any changes or corrections. The
12 Town does try to help. We do try but we
13 cannot make the changes.

14 The biggest problem with this
15 article was that the petitioners have
16 assumed that because the Town had a ballot
17 vote to join the MBTA, we can have a ballot
18 vote to withdraw. That is not correct.
19 State law Chapter 161A, Section 6 has the
20 language and specific wording for the ballot
21 vote necessary to join the MBTA. There is
22 nothing in the laws of the state of
23 Massachusetts that allows the Town to
24 withdraw from the MBTA. This is done

1 intentionally and specifically so that the
2 MBTA will have consistent membership for
3 planning and budgeting.

4 There has only been one town that
5 was allowed to withdraw from the MBTA, that
6 was the Town of Maynard. The process took
7 about four years and required both a civil
8 lawsuit in Superior Court and appellate
9 review at the Massachusetts Supreme Court.

10 I'm going to diverse. I wasn't
11 going to go into this but what happened with
12 the town of Maynard is there have been three
13 different sections of the MBTA. Started as
14 the MBTA (sic) and then in 1964, it was
15 changed to MBTA with 78 towns. At that
16 time, they were doing local bus service and
17 Maynard had local bus service and the MBA
18 (sic) took over the local bus service. So
19 in order to keep their local bus service,
20 they had to join the MBTA and they did it by
21 special legislation. So there was a special
22 legislative act that they had that allowed
23 them to join the MBTA. In 1976, the MBTA
24 stopped the local bus service. They were no

1 longer going to provide bus service to the
2 town of Maynard. So Maynard, who had been
3 paying \$3,000 when they joined the MBTA, was
4 now paying \$150,000 a year. And four years
5 later in 1980, Maynard said we're paying
6 \$150,000 to you and we're not getting
7 anything, what can we do?

8 So their Town Meeting their Town
9 Counsel advised at their Town Meeting vote
10 to rescind the special legislation. And so
11 we voted tonight to accept PEG Access for
12 our Town. So at some point in the future if
13 we don't want to have PEG Access funding
14 anymore, we have to vote to rescind it. So
15 that's what Maynard did. So then they voted
16 to rescind in 1980. So then they went to
17 the MBTA and they said, well, we voted to
18 rescind and we don't -- we're withdrawing,
19 and the MBTA said, no, you can't withdraw.
20 There's no way for you to withdraw.

21 So, eventually, in 1982, they sued
22 the MBTA and the treasurer of the state of
23 Massachusetts because we don't pay the MBTA,
24 it comes off the cherry sheet. So the state

1 takes the money away out of our state aid.
2 So they sued (Inaudible) and it went to
3 Superior Court and eventually the state --
4 Maynard won because -- and then it went to
5 the state court and they granted it. And
6 they granted it under a totally different
7 thing that said that this was very
8 intentional that they were getting something
9 and now they weren't getting it. They were
10 getting something and now they didn't have
11 that anymore so the state allowed it.

12 So then in 1999, there was a whole
13 other thing of the MBTA and actually Maynard
14 joined back in because it was a different
15 funding mechanism, and that's when they
16 wrote this 161A, now you have to have a
17 ballot vote to join. It's not by special
18 legislation anymore, now it's by ballot vote
19 and there's no way to get out. You could
20 ask for special legislation to get out but
21 what's the likelihood that that's going to
22 happen.

23 So now I'm going to go back into
24 the other part of my thing because that's

1 really what we're at. I mean, I've done a
2 ton of research about this. I've learned
3 the history of the MBTA. I've learned -- I
4 read the court case on how Maynard got out.
5 I don't think this is a good idea to pass
6 this right now. Maybe sometime in the
7 future if we really don't get anywhere but
8 let's -- we'll go there.

9 So, the Finance Committee does not
10 think that the proposed motion is in the
11 best interest of the Town because it does
12 not propose a legal action and can involve
13 the Town in lengthy and costly legal process
14 in the courts because I think that's where
15 this would go eventually if we figured out
16 how we had to do it.

17 Town Counsel has advised us and we
18 should heed his advice, at least think about
19 heeding his advice.

20 Third, contrary to the claims of
21 the petitioners that nothing is happening,
22 we actually are making a lot of progress at
23 getting the MBTA service to Buzzards Bay and
24 Cape Cod. There's new leadership at the

1 MBTA Advisory Board, so everyone that they
2 were talking to before, the head of that
3 MBTA Advisory Board has left. There's a new
4 one who actually reached out and is actively
5 pursuing interest of communities. So our
6 assistant town administrator, Glenn Cannon,
7 has become very active on this Advisory
8 Board and is now on the board that's
9 determining the Capital Outlay. Actually,
10 if you looked at the Capital Outlay
11 Committee that was recently approved by the
12 MBTA Advisory Board, the Town of Bourne is
13 mentioned. There's a whole section about
14 the interest of the Town of Bourne and MBTA.
15 So he's actively participating.

16 There's a study of the rail
17 service to Cape Cod is being announced to
18 start in the fall, and this is the time to
19 show that the Town supports commuter rail
20 coming to Town. It is not the time to get
21 into a court battle with the MBTA.

22 Fourth, the Cape Cod Regional
23 Transit Authority has been increasing public
24 transportation services in the Town of

1 Bourne, and it's not just a trolley to
2 benefit the Hampton Inn and downtown. It is
3 back-and-forth service in downtown to help
4 facilitate business, you know, people going
5 back and forth in business. That's what
6 Falmouth has. They have a trolley that goes
7 up and down in Falmouth and people ride it
8 so that they're going to the different
9 businesses without having to park and have
10 parking problems.

11 The other thing it's going to do
12 is it's going to give a direct service from
13 Buzzards Bay to Market Basket so that people
14 in Buzzards Bay don't have to go to Mashpee
15 and Hyannis to get to Market Basket and then
16 back again. So it's improvements.

17 And, yes, that's the way it works.
18 Regional Transit Authority offsets your MBTA
19 assessment. And, so, Plymouth is a member
20 of the MBTA. They pay zero to MBTA because
21 their regional transit offsets the total.
22 Wareham pays zero to the MBTA because their
23 regional transit offsets what they do.
24 Middleboro, who has a train station, pays

1 zero to the MBTA because their regional
2 transit offsets it.

3 So, if we were to stay in the
4 MBTA, work with the Advisory Board, get some
5 benefits for our local people that could use
6 regional transit, you know, that would be a
7 benefit to the Town.

8 And, finally, although we don't
9 yet have regular rail service, the MBTA does
10 provide the trains for the seasonal Cape
11 Flyer service, which helps reduce traffic
12 and is a great convenience for many
13 traveling to Bourne and to other towns on
14 Cape Cod.

15 The petitioners may have come to
16 Town Meeting thinking that they could save
17 the Town money by approving this article.
18 That is not the case. It is very likely
19 that the legal expenses related to this
20 motion would be more than the MBTA
21 assessment now and then in the future if
22 we're not paying anything, which I think in
23 two or three more years I don't think we'll
24 be paying anything to the MBTA.

1 THE AUDIENCE: Really?

2 MS. MARY JANE MASTRANGELO: Yeah,
3 that's what I think. So the Finance
4 Committee voted unanimously to recommend
5 defeat of this article, and we urge you to
6 vote no. Thank you.

7 MODERATOR PICKARD: Madam Chair,
8 do you have something a little shorter?

9 MS. JUDITH FROMAN: Yes, I will
10 try to be shorter. I've been using my magic
11 finger to cross off the things so I don't
12 repeat so I'll try not to.

13 One of the things that I want you
14 to know is that as a board we also looked at
15 this and we thought, well, where, you know,
16 what's happening with this money? What's
17 happening with the MBTA?

18 And so rather than just dumping
19 it, we decided we would try to figure out
20 how to make things happen and we put
21 ourselves at the table. We put ourselves at
22 the table in that I am, personally, the
23 district representative for the Cape Cod
24 Metropolitan Planning Organization, which

1 has a direct affiliation with the MassDOT.
2 I'm also a member of the MBTA Advisory
3 Board.

4 Glenn Cannon assistant -- I know
5 this was mentioned but I want to have a good
6 list here -- Glenn Cannon, assistant town
7 administrator, has been selected to sit on
8 the MBTA Capital Committee and Commuter Rail
9 Committee. George Slade, my colleague on
10 the Board of Selectmen, serves on the CCRTA.
11 You know what; these are all intertwined.
12 They work together. Tom Guerino, former
13 Town Administrator served on the CCRTA
14 until October. George Sala, DPW director,
15 serves on the Cape Cod Joint Transportation
16 Committee for the region also involved with
17 these decisions.

18 Tony Schiavi, the new Town
19 Administrator brings experience in transit-
20 oriented development and funding. And we
21 have Tom Cahir who is also been -- lives in
22 Bourne and has pulled together the Buzzards
23 Bay transit enhancement stakeholder so that
24 there is a dialog, there is something for

1 our money, there is something for us to be
2 talking about and moving forward. You're
3 right. We shouldn't be getting nothing. We
4 should be getting something and, you know
5 what, we have our place at these tables and
6 we are going to try to make something happen
7 because it benefits the Town of Bourne for
8 the future generations to support the
9 current generations and all generations as
10 we move forward.

11 So I'm off on a little bit of a
12 tangent because, well, I guess I'm speaking
13 for myself, but I know that we've had these
14 discussions on the Select Board also, and
15 with the study, that is looking at the
16 ridership, the funding that came forward
17 with that, that is going to be current
18 information. It's not old information.
19 That didn't come about just because, well,
20 you know, they felt like giving us some
21 money to do some ridership study. They came
22 about because we're at the table; we're
23 involved; we want to have Bourne be all that
24 it can possibly be. We don't want to be

1 roadblocks and negative Nellies, and we want
2 to make everything happen that we can and
3 optimize the amount of revenue, optimize the
4 amount of effort and show up. We show up at
5 our meetings. We show up; we participate;
6 we remind people.

7 So, the decision may have been
8 made a few years ago and, yeah, things
9 change. But you know what, this is who we
10 are right now, this group of people, and
11 we're willing to move forward and we're
12 willing to investigate and try to get the
13 most out of this rather than lose money and
14 spend time looking back and saying, geez,
15 you know, this didn't go anywhere. Well, it
16 goes somewhere when you have people who are
17 involved.

18 Thank you.

19 THE AUDIENCE: (Applause.)

20 MODERATOR PICKARD: I'll go with
21 this gentleman right here.

22 MR. DAVID MCPHERSON: Thank you,
23 Mr. Moderator.

24 MODERATOR PICKARD: Go ahead.

1 Just state --

2 MR. DAVID MCPHERSON: My name is
3 David McPherson. I live in Bourne, and I'm
4 here to urge a no vote on this very
5 shortsighted article. This proposal is bad
6 for the economic future of Bourne and it's
7 especially bad for the young people who grow
8 up here. We need to continue our efforts to
9 bring commuter rail to Buzzards Bay; here is
10 why.

11 The Town of Bourne along with all
12 of Cape Cod faces a crisis. That crisis is
13 a dwindling number of young people that are
14 sure to harm the local economy if not
15 addressed. Today, there are fewer young
16 families taking route in Bourne than when my
17 wife and I first moved here as newlyweds in
18 1992, when we had our first of our three
19 children a few years later.

20 The simple fact is the cost of
21 housing on Cape Cod is simply too high for
22 young families given what close jobs pay
23 around here.

24 In the year 2000, the median age

1 in Bourne was 39 years old according to the
2 U.S. Census Bureau. By 2010, that number
3 was up to 42, and according to the most
4 recent estimate 2018 the median age among
5 Bourne residents was 48. Look around your
6 neighborhood and you will note that trend is
7 continuing. How long before we're a
8 community entirely made up of 60-somethings?
9 And I can say that because I'm fast
10 approaching that category.

11 That is not a route to a healthy,
12 vibrant economy. To maintain a strong local
13 economy, we need a mix of young and old. If
14 you think I'm exaggerating, consider the
15 current effort by the Town of Barn -- I'm
16 sorry, the Town of Falmouth to find ways to
17 curb the declining number of working-age
18 adults there. Our Falmouth neighbors have
19 added \$20,000 to their Town budget next year
20 to work on this issue. And ask yourself why
21 Cape Cod Healthcare is trying to close the
22 maternity and pediatric wards at Falmouth
23 Hospital.

24 In Bourne, one way we can achieve

1 a healthy population mix is by giving the
2 young people of Bourne access to higher-
3 paying jobs in the Boston area through
4 commuter rail. As things stand now, it will
5 be difficult for today's schoolchildren who
6 go to school around us to be able to afford
7 to buy a home in the community without a
8 high-paying job, the kind that is difficult
9 to find on Cape Cod.

10 The reality is that many of
11 today's young people in Bourne need to work
12 in or around Boston if they wish to be able
13 to afford to buy a home here that costs
14 \$400,000 or more.

15 Commuter rail will make it easier
16 for young, working adults to live in Bourne
17 and work in Boston. Let's not throw away
18 that opportunity for saving one half of 1
19 percent of the Town's budget. The \$37,000
20 paid to the MBTA from the \$70 million Town
21 budget is like saving \$25 a year on a
22 household income of \$50,000.

23 As a small business owner, I know
24 you have to spend money to make money. I am

1 more than willing to spend this small amount
2 of money from the Town budget to bring
3 commuter rail to our community and give our
4 young people the chance at a brighter
5 future. The lack of young people is a Cape-
6 wide problem but we are geographically
7 positioned to do something about it and we
8 should take advantage of our location.

9 For a dozen years, I had the
10 privilege of coaching in total more than 100
11 children as part of the Bourne Youth Soccer
12 program. Today, those children that I knew
13 as 10-year-olds on a local soccer field are
14 now in their early to mid-twenties.

15 MODERATOR PICKARD: Mr. McPherson.

16 MR. DAVID MCPHERSON: Yes.

17 MODERATOR PICKARD: How much
18 longer?

19 MR. DAVID MCPHERSON: Almost done.
20 Two sentences. Many of them are attending
21 colleges, others serving in the military,
22 and some have begun their working careers.
23 I want each one of them, if they so choose,
24 to be able to live here, buy a home here,

1 and raise a family in the community in which
2 they grew up.

3 That's why you should vote for
4 commuter rail and against this article that
5 would steal opportunity from the young
6 people of Bourne and damage our community's
7 long-term economic outlook. Thank you.

8 THE AUDIENCE: (Applause.)

9 MODERATOR PICKARD: Thank you, Mr.
10 Cahir.

11 MALE VOICE: I --

12 MODERATOR PICKARD: What?

13 MALE VOICE: We were in line.

14 MODERATOR PICKARD: He was in line
15 first.

16 MR. TOM CAHIR: Thank you, very
17 much, Mr. Moderator. For the record, Tom
18 Cahir, Precinct 4. And I just -- I don't
19 want to prolong the debate but there's so
20 many issues that kind of need to be
21 clarified. I've been reading and hearing
22 the arguments made by the gentleman from
23 Cataumet for several years and there's so
24 much misinformation being conveyed to the

1 Town Meeting membership that I just wanted
2 to make a few points that I think are
3 critical to the understanding of this
4 matter.

5 There are 351 cities and towns in
6 Massachusetts. Each one of those cities and
7 towns, every single one of them, has a
8 transit assessment on their cherry sheet. A
9 cherry sheet comes from the state indicating
10 to the community how much state aid they
11 will be receiving. Several of the towns are
12 in RTA, Regional Transit Authority,
13 districts, some of the towns are in MBTA
14 districts, and some of the towns are in
15 both.

16 When the law was created, 161A and
17 161B, and I do want to thank the chairman of
18 the Finance Committee because that was the
19 first time I've heard an accurate assessment
20 -- a very accurate assessment of how things
21 were intended to be done in order to join or
22 get out of the MBTA.

23 So the issue, to cut to the chase,
24 there's no financial concern here

1 whatsoever, and you're talking about a \$70
2 million budget. Even the \$37,000 that's
3 being discussed is not a matter of concern
4 because it's not a shuttle bus service we're
5 providing in Buzzards Bay to offset it.

6 When the legislature -- and I
7 served in the legislature for 14 years --
8 when the legislature determined that a town
9 is in both an MBTA district and an RTA
10 district, they wanted to have a mechanism so
11 that one assessment would offset the other.
12 And so that is what happened. Bourne joined
13 the MBTA five or six years ago and their
14 assessment was X. The Regional Transit
15 Authority assessment was X as well. Now
16 it's incumbent upon the Town to work with
17 the RTA to make sure that there's adequate
18 service being provided by the transit
19 authority to totally offset that assessment.

20 And so we learned two or three
21 years ago from Mr. Guerino that we wanted to
22 enhance transit service within the Town of
23 Bourne to offset that MBTA assessment to
24 make it nothing. And so we started to

1 determine how we could get money to look at
2 what needs to be done, not just throw a
3 shuttle service into Buzzards Bay. We
4 recognize the Maritime Academy with 17,000
5 enrolled there. We recognize extraordinary
6 business efforts that are going on in Town,
7 the new hotels and the other things that are
8 being done in Town that are really enhancing
9 the economic viability of that village. So
10 we are, indeed, working with the
11 stakeholders from the community to approve
12 that service and make Bourne a better
13 transit-friendly community.

14 Although I would still -- I would
15 argue right now that Bourne is one of the
16 most transit-friendly communities in this
17 entire Commonwealth of Massachusetts. We
18 are allowed to charge up to 50 percent of
19 the net cost of service for all of our
20 service. Almost every community in the
21 state does that; we don't. The Cape
22 communities charge 30 percent. At least
23 Bourne pays -- we pay -- Bourne pays 30
24 percent when they could be paying 50

1 percent. We could be charging \$62,000
2 additional dollars for the assessment but we
3 don't. We pay it through state contract
4 assistance because we have a fiscally
5 prudent operation at the Cape Cod RTA.
6

7 So I think it sends a terrible
8 message to be telling the MBTA that we're
9 contemplating getting out of a district that
10 you cannot get commuter service unless you
11 are in the MBTA district.

12 And where there is not cost
13 associated with it, this year there is,
14 there's a \$37,000 assessment. It's not a
15 check that you pay to the state. It's an
16 assessment on the cherry sheet. That goes
17 away next year and in perpetuity because of
18 the offset law that every community in the
19 Commonwealth takes advantage of.

20 The chairman of the Finance
21 Committee mentioned Wareham and Plymouth and
22 others, that 50 percent of the net cost of
23 service. So, this -- I'm sorry to have to
24 have such a long-winded explanation, but I
feel it would be in the Town of Bourne's --

1 it would be a poor decision by the Town's
2 membership here to even be talking about
3 getting out of the MBTA unless you don't
4 like trains. If you don't like trains and
5 you don't want to see trains come into
6 Buzzards Bay ever, well then it's a valid
7 position to be opposing being a member of
8 the MBTA. But if you like trains and you
9 can see the advancements being made in
10 Buzzards Bay, you shouldn't be supporting
11 this article.

12 So I hope that clarifies some of
13 the questions that were raised tonight, and
14 I'm sorry this is a long-winded explanation.
15 I'm happy to answer any questions at any
16 time, and I'm available -- I live in Bourne,
17 so anyone who wants to talk to me, I'm at
18 the RTA every day if anyone wants to talk
19 further about it.

20 So, thank you, Mr. Moderator, for
21 the opportunity.

22 THE AUDIENCE: (Applause.)

23 MODERATOR PICKARD: Sir.

24 MR. ROBERT MANNS: Hi. I'm Robert

1 Manns from Pocasset and this is shorter.

2 THE AUDIENCE: (Applause.)

3 MR. ROBERT MANNS: I shouldn't be
4 here. I'm 71 with a heart condition, but I
5 love Bourne so here I am. The sponsors of
6 this article really shouldn't be here
7 tonight in more senses than one. Perhaps
8 they take satisfaction that they're risking
9 their lives and yours to save the Town less
10 than 40,000 a year. I'm risking my life for
11 Bourne's future.

12 There's no question in my mind
13 that continued membership in the MBTA opens
14 the door for all kinds of development
15 possibilities for Bourne and, especially,
16 for our downtown which is Buzzards Bay.

17 When I was a child, my mother took
18 me from Gray Gables to Red Top in the
19 morning to buy worms. The deal was if I
20 went to morning mass with her, she would buy
21 me bait. These were wonderful times for
22 Buzzards Bay; the movie theater on the main
23 drive to the Cape, a train station where
24 people came and went, the A&P where everyone

1 shopped.

2 Fast-forward to the last 20 years
3 and we've seen a rebirth in Buzzards Bay;
4 the new community center, the widening of
5 Main Street parking, the new police station,
6 a canal-side park for everyone, restaurants,
7 the new hotel. What promise for our
8 beautiful downtown.

9 Why some want to stop this
10 momentum in its tracks is beyond me. Why
11 they have nagged at this every year since
12 2015 is beyond me. Why they have pushed
13 this into tonight's agenda when our main
14 community mandate is to stay safe offends
15 me.

16 I am here to urge you to reject
17 this very destructive and dangerous motion
18 and to support the continued revival of our
19 downtown Buzzards Bay and to enhance the
20 integrity and grow the economy of Bourne.
21 Maybe Mr. Fisher doesn't want it in
22 Cataumet, but I think Bourne should be in it
23 to win it. Invest in Bourne and reject this
24 article.

1 Thank you.

2 THE AUDIENCE: (Applause.)

3 MS. MARY JANE MASTRANGELO: Move
4 the question.

5 MODERATOR PICKARD: All right.

6 MR. GEORGE SEAVER: George Seaver,
7 Cataumet. My --

8 MODERATOR PICKARD: Hold it. Mr.
9 Seaver.

10 MR. GEORGE SEAVER: What?

11 MODERATOR PICKARD: We had a move
12 the question.

13 MS. AMANDA BONGIOVANNI: Second.

14 MODERATOR PICKARD: We have a
15 motion and a second to move the question.
16 The previous question requires -- a
17 majority.

18 County Counsel ROBERT TROY: No,
19 two-thirds.

20 MODERATOR PICKARD: A two-thirds
21 vote to move the question. Okay. All
22 right. All those in favor of moving the
23 question, which takes a two-thirds vote,
24 please -- will the tellers -- please stand

1 up and hold your blue voter cards up.

2 (Tellers counting.)

3 MODERATOR PICKARD: Have the
4 tellers completed?

5 MS. WENDY CHAPMAN: No. There's
6 one down there.

7 MODERATOR PICKARD: Have the
8 tellers --

9 MS. WENDY CHAPMAN: The last one's
10 coming in.

11 MODERATOR PICKARD: Those seated
12 -- those standing can take their seats.
13 Everyone in opposition to moving the
14 question, please stand and raise your blue
15 voter cards and remain standing.

16 THE AUDIENCE: Oh, I voted wrong.

17 (Tellers counting.)

18 MODERATOR PICKARD: On the motion
19 to move the question, for a two-thirds vote
20 we needed 66 votes; 92 voted yes to move the
21 question; 7 voted nay to move the question.
22 I declare that the motion to move the
23 question carries.

24 (Motion carried.)

1 MODERATOR-PICKARD: Now, I would
2 like to remind everyone, the motion in your
3 book under Article 12 is now different than
4 the motion Mr. Fisher resubmitted which he
5 amended to say, "Shall this Town Meeting
6 request the Board of Selectmen to explore
7 how the Town of Bourne can legally withdraw
8 from the MBTA."

9 Do we have the motion?

10 MS. MARY JANE MASTRANGELO: We're
11 done.

12 MODERATOR PICKARD: We're already
13 done?

14 MS. MARY JANE MASTRANGELO: He
15 made the motion and it's been seconded.

16 MODERATOR PICKARD: Okay, that's
17 right. He made the motion and somebody
18 seconded it.

19 MS. MARY JANE MASTRANGELO: So now
20 we're voting on --

21 MODERATOR PICKARD: We're voting
22 on the --

23 MR. TOM BARNES: Point of order.
24 Mary Ann -- do I have to go up?

1 MODERATOR PICKARD: Sure. Go to
2 the mic, please.

3 THE AUDIENCE: No. No. No.

4 MODERATOR PICKARD: What?

5 THE AUDIENCE: No. Vote.

6 MR. TOM BARNES: Mary Ann (sic)
7 said that this was not a valid vote now
8 because of the change.

9 MODERATOR PICKARD: No.

10 MR. TOM BARNES: So I put --

11 MODERATOR PICKARD: She meant the
12 previous -- the previous one is in your
13 warrant -- article book.

14 MR. TOM BARNES: Are you satisfied
15 this is a valid vote? That's my question.

16 MODERATOR PICKARD: All right.
17 All those in favor of the petitioner's
18 motion, please signify by -- which is to
19 request the Selectmen to explore ways to
20 withdraw, please signify by saying "Aye."

21 THE AUDIENCE: Aye.

22 MODERATOR PICKARD: All those
23 opposed, no.

24 THE AUDIENCE: No.

1 MODERATOR PICKARD: I say the no's
2 have it. I declare the motion --

3 MR. TOM BARNES: Request a count.

4 MODERATOR PICKARD: -- is
5 defeated.

6 (Article 12 fails.)

7 THE AUDIENCE: No. (Mumbling.)

8 MODERATOR PICKARD: What?

9 MR. TOM BARNES: Request a count.

10 MR. BILL STAFFORD: Can we have a
11 voice vote?

12 MODERATOR PICKARD: Yes.

13 MR. BILL STAFFORD: Or ballot, by
14 ballot?

15 MODERATOR PICKARD: Nobody asked
16 by ballot.

17 MR. TOM BARNES: I just requested
18 a count.

19 MODERATOR PICKARD: After the
20 vote. We voted.

21 THE AUDIENCE: Is it two-thirds or
22 a half?

23 MODERATOR PICKARD: It was a
24 majority.

1 MS. MARY JANE MASTRANGELO: This
2 is a majority.

3 THE AUDIENCE: How do you know?
4 How could you tell?

5 MODERATOR PICKARD: Majority.
6 Okay. Next one, Mr. Town Clerk.

7 ARTICLE 6

8 MODERATOR PICKARD: Okay. Next
9 one, Mr. Town Clerk. The next article in
10 the Annual Town Meeting is Article 6.
11 That's reports of any committees. Amanda
12 Bongiovanni.

13 MS. AMANDA BONGIOVANNI: Thank
14 you, Mr. Moderator. We have a positive
15 motion on this article. We move that the
16 Town vote to hear reports and
17 recommendations of committees and Town
18 offices.

19 MR. RICH LAVOIE: (Second.)

20 MODERATOR PICKARD: We have a
21 motion and a second to hear reports of any
22 committees, seconded by Mr. Lavoie.

23 MS. AMANDA BONGIOVANNI: This
24 article allows for reports and

1 recommendations to be presented by
2 representatives of committees and Town
3 offices.

4 A yes or aye vote in favor of the
5 motion allows reports and recommendations to
6 be made to the Town Meeting. And no or nay
7 vote opposed to the motion would mean that
8 no reports or recommendations could be made
9 to the Town Meeting under this article.

10 The Finance Committee voted
11 unanimously 11-0-0 to recommend approval of
12 this article with a yes or aye vote in favor
13 of the motion.

14 MODERATOR PICKARD: Are there any
15 committees that wish to report?

16 MR. CHARLIE NOYES: Yes, Mr.
17 Moderator.

18 MR. PETER MEIER: Point of order.

19 MODERATOR PICKARD: Come on up.
20 Yeah.

21 MR. PETER MEIER: You've got to
22 vote the article first, then the person can
23 speak.

24 MODERATOR PICKARD: All right.

1 We'll vote the article. We have a motion on
2 the floor, Article 6, to hear reports of the
3 Finance Committee.

4 All those in favor please signify
5 by saying "Aye."

6 THE AUDIENCE: Aye.

7 MODERATOR PICKARD: All those
8 opposed?

9 THE AUDIENCE: No.

10 MODERATOR PICKARD: I declare the
11 ayes have it.

12 (Article 6 passed.)

13 MODERATOR PICKARD: Mr. Charles
14 Noyes, the Emergency Management Director and
15 also, I believe, the chairman of the Police
16 Station Building Committee.

17 MR. CHARLIE NOYES: Thank you.
18 Good evening, Town Meeting members. Very
19 quickly, surely. My name is Charles Noyes.
20 I serve as chairman of the Police Facility
21 Building Committee. The committee consists
22 of the following appointed members: Stanley
23 Andrews, Donald Ellis, Martin Greene,
24 William Meier, John O'Brien, Peter Meier,

1 John Redman, Richard White, the Town
2 Administrator Anthony Schiavi, Police Chief
3 Dennis Woodside, Lieutenant Brandon Esip,
4 Lieutenant John Stowe, and myself.

5 I'm pleased to report to you that
6 your new police facility is 99.9 percent
7 completed and, more importantly, within
8 budget. The project has been long ever
9 since you, the voters, approved the funding
10 for this project in the fall of 2016.

11 It has been demanding on the
12 committee to navigate the unexpected
13 challenges and changes encountered during
14 the process. It has been particularly
15 demanding on Chief Woodside and his staff to
16 research the best practices and equipment
17 needed to operate the new facility.

18 The work done by Chief Woodside
19 and Lieutenants Esip and Stowe was
20 instrumental in keeping the project within
21 budget.

22 It is planned to begin operation
23 in the new police facility in the middle of
24 July. Due to the restrictions currently in

1 place, a public grand opening and dedication
2 will be delayed until such events can be
3 accommodated.

4 We thank you for your continued
5 support on this project and look forward to
6 50 years of service to the community from
7 this facility.

8 Thank you.

9 THE AUDIENCE: (Applause.)

10 MODERATOR PICKARD: Thank you, Mr.
11 Noyes. Does anybody have any questions?

12 I believe we're going to our next
13 article.

14 MR. BARRY JOHNSON: The last one,
15 seven.

16 **ARTICLE 7**

17 MODERATOR PICKARD: Article 7,
18 which is on page 43 of your Voter Handbook.
19 It is a CPC article close out. I recognize
20 Rich Lavoie of the Finance Committee.

21 MR. RICH LAVOIE: The Finance
22 Committee has a positive motion on this
23 article. We move that the Town vote to
24 close out the articles as printed in the

1 schedule in Article 7 of the Town Meeting
2 Warrant and to transfer the balances as
3 follows:

4 \$1,022.25 to Historic Preservation
5 Reserves;

6 \$244,424.64 to Community
7 Preservation Undesignated Fund Balance, and
8 \$4,500 to Open Space Reserves.

9 MS. AMANDA BONGIOVANNI: Second.

10 MODERATOR PICKARD: We have a
11 motion and a second on the Community
12 Preservation Committee close out. You have
13 the floor, Mr. Lavoie.

14 MR. RICHARD LAVOIE: This article
15 allows for closing out articles approved at
16 previous Town Meetings for projects that are
17 either completed or are no longer viable.
18 This money returns the money to the
19 Community Preservation Fund for future uses.

20 The bulk of the funds as rated --
21 as indicated of \$244,000-plus dollars comes
22 from the Hoxie proposal property that was
23 not completed and the funds have been
24 recaptured, if you will. We highly

1 recommend approval of this article and
2 restoring these funds to the Community
3 Preservation Committee.

4 MODERATOR PICKARD: Okay. Any
5 discussion or questions regarding Article 7?
6 Seeing none. All those -- first of all, Mr.
7 Johnson, the chair of the Community
8 Preservation Committee, does the committee
9 recommend this article?

10 MR. BARRY JOHNSON: Yes, we do.

11 MODERATOR PICKARD: Thank you,
12 sir. He says that they do recommend it. I
13 see no discussion.

14 Everyone in favor of the motion of
15 the Finance Committee on Article 7 for the
16 Community Preservation closeout, please
17 signify by saying "Aye."

18 THE AUDIENCE: Aye.

19 MODERATOR PICKARD: Those opposed?
20 I declare that the motion of the Finance
21 Committee carries and that it is a unanimous
22 vote.

23 (Article 6 passed unanimously.)

24 MODERATOR PICKARD: Is there any

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, SS

I, Linda L. Wesson, a Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing volume is a true and accurate transcript, prepared to the best of my ability, of the Annual and Special Town Meetings, which were held on Monday, July 29, 2020, at The Bourne High School Jackson Field in Bourne, Massachusetts.

7/5/20
Date

Linda L. Wesson
Linda L. Wesson, Notary Public
My Commission Expires: June 3, 2022

ORIGINAL

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